

NDTAC

The National Evaluation and Technical Assistance Center
for the Education of Children and Youth Who Are Neglected, Delinquent, or At-Risk

June 2013

Washington, D.C.

HANDBOOK

Title I, Part D, State Coordinator's Orientation Handbook

2013 Edition

Prepared by the National Evaluation and Technical
Assistance Center for the Education of Children and Youth
Who Are Neglected, Delinquent, or At-Risk



www.neglected-delinquent.org

About the National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At-Risk

This document was developed by the National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At-Risk (NDTAC), which is funded by a contract awarded by the U.S. Department of Education and to the American Institutes for Research (AIR) in Washington, D.C. The mission of NDTAC is to improve educational programming for youth who are neglected, delinquent or at-risk of academic failure. NDTAC's mandates are to provide information, resources, and direct technical assistance to States and those who support or provide education to youth who are neglected or delinquent, develop a model and tools to assist States and providers with reporting data and evaluating their services, and serve as a facilitator to increase information-sharing and peer-to-peer learning at State and local levels. For additional information on NDTAC, visit the Center's Web site at <http://www.neglected-delinquent.org>.

Suggested Citation:

Rankin, V. E., Read, N. W., & Lampron, S. (2013). *Title I, Part D, State Coordinator's Orientation Handbook: 2013 Edition*. Washington, DC: National Evaluation and Technical Assistance Center for Children and Youth Who Are Neglected, Delinquent, or At-Risk (NDTAC).

The content of this document does not necessarily reflect the views or policies of the U.S. Department of Education. This document was produced by NDTAC at the American Institutes for Research with funding from the Student Achievement and School Accountability Programs, OESE, U.S. Department of Education, under contract no. ED ESE 10 O-0103. Permission is granted to reproduce this document.



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Introduction to the Title I, Part D, State Coordinator’s Orientation Handbook

What Is the Purpose of the Handbook?

The National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At-Risk (NDTAC) *Title I, Part D, State Coordinator’s Orientation Handbook* is designed to:

- Give new State-level coordinators and administrators of Title I, Part D,¹ programs a basic overview of the purpose and operational structure of Part D programs.
- Outline some of the key responsibilities of the State Title I, Part D, coordinator (State Part D coordinator) position.
- Illustrate the relationship between program requirements and State Part D coordinator responsibilities.

How Is the Handbook Organized?

This handbook seeks to address some of the questions that new coordinators may have, from the most basic (such as “What is Title I, Part D?”) to more advanced questions about planning, funding, monitoring, reporting, and other key areas.

Before discussing Title I, Part D, we present a summary of core administrative resources with which every State Part D coordinator should be familiar (see Exhibit 1). Reviewing and understanding these documents, which expand upon the topics discussed in this handbook, will be invaluable to you in your role as State Part D coordinator.

Recognizing that State policy guides the implementation of the Part D program, the organization of sections in the handbook reflects what NDTAC views as the general fundamental responsibilities of a State Part D coordinator. These were determined based on NDTAC’s interviews with coordinators, both new and seasoned, and an analysis of Part D law and requirements.

At the end of each section, we have included additional resources related to that topic area. We hope that this handbook will act as a resource “road map,” showing where to find and how to use some of the many available resources.

At the end of the handbook, we include a section titled Areas of Coordination and Collaboration, which contains information and resources for some of the key topic areas related to Title I, Part D. Subsequent to the Areas of Coordination and Collaboration section, we include the following Appendixes:

- Appendix A—Title I, Part D, Acronyms—is a glossary of acronyms used throughout the handbook.
- Appendix B—Title I, Part D, Definitions—is a list of definitions for terms used throughout the handbook.
- Appendix C—Organization of U.S. Department of Education’s Title I Programs—is a depiction of the organization chart for the ED office under whose auspices the Title I, Part D, program resides.

How Has the Handbook Changed?

This is the third edition of the handbook. This version updates and builds upon the information included in previous handbooks, and it includes additions recommended by State Part D coordinators and NDTAC staff through our technical assistance (TA) experiences. This version includes a quick reference guide to core resources for State Part D coordinators (see Exhibit 1), expanded information in *Section III. Fundamental Responsibilities*, and new topic areas and annotated summaries of resources by topic in Section IV. *Areas of Coordination and Collaboration*. We will update the document as State Part D coordinators and others continue to share their strategies and challenges with us. If you have suggestions, questions, or resources, please contact NDTAC at ndtac@air.org. We welcome your feedback!

¹ Throughout the handbook, “Title I, Part D” is abbreviated to “Part D.”



Exhibit 1. Core Administrative Resources for State Part D Coordinators

Administrative Function	Resource Name (Hyperlinked to Web Site ^a)	Why You Need It
Federal Requirements	Nonregulatory Guidance	This Federal guidance describes the requirements of the Subpart 1 SA and Subpart 2 LEA programs in detail and provides suggestions for addressing many of these requirements.
Planning and Funding	The Program Administration Planning Toolkit (PAPT)	This toolkit brings together all of the Department of Education (ED) requirements found in the Title I, Part D, statute; Federal regulations; and Nonregulatory Guidance and information from diverse ED and NDTAC resources into one comprehensive document on program planning. It also provides tools State Part D coordinators can reference or customize for their use during application development, submission, and review.
Monitoring and Compliance	The Annual Count Toolkit: Determining Formula Counts for Title I, Part D, Funding Allocations	This Toolkit addresses Title I, Part D, administrative challenges and focuses on conducting the Annual Count, including developing count surveys and verifying submitted counts.
	Planning and Implementing Institutionwide Projects (IWPs)	The brief provides an overview of IWPs and their benefits for Part D programs, key steps administrators need to consider when creating and operating an IWP, and common mistakes made in the implementation process. Additionally, the brief includes examples and tools that can be adapted by administrators to assist in the implementation effort.
	A Guide to Meeting Compliance Requirements for the Title I, Part D, Program	This guide addresses many of the questions that Part D Coordinators preparing for an upcoming Title I, Part D, Federal monitoring review may have—from the most basic, such as where to find the monitoring report from the last review, to more advanced questions on how to prepare for the review in relation to each Title I, Part D, monitoring indicator.
Data Collection, Reporting, and Evaluation	Instructional Guide to Reporting Title I, Part D, Data in the CSPR	NDTAC has developed this document as a supplement to the instructions provided in the Consolidated State Performance Report (CSPR) for programs under Title I, Part D. This guide is intended as a tool for State education agencies (SEAs) in requesting information from State agencies (SAs) and local education agencies (LEAs). This is not a U.S. Department of Education (ED) guidance document.

^aHyperlinks are to documents in PDF format. Some documents are available in MS Word on the [NDTAC](#) Web site, so you may use the tools and adapt them into your own training and TA resources.

I. What Is Title I, Part D?



I. What Is Title I, Part D?

What Are the Goals of Part D?

The three-part goal of the Elementary and Secondary Education Act's (ESEA's) Title I, Part D, Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk (N or D), is to:

- Improve educational services for children and youth who are N or D so that they have the opportunity to meet challenging State academic content and achievement standards;
- Provide children and youth who are N or D with services so that they can successfully transition from institutionalization to further education or employment; and
- Prevent youth from dropping out of school and provide youth who have dropped out and youth returning from correctional facilities with a support system to ensure their continued education.²

Who Is Served by Part D?

Each school year, the Part D program serves more than 450,000 students who are neglected, delinquent, or considered at risk for school failure and/or delinquency. The program provides supplemental educational services in the amount of approximately \$185 million each year to State and local educational agencies.³ The Part D program serves students in various settings, including those who reside in juvenile detention facilities and juvenile and adult correctional facilities, those residing in facilities for youth who are neglected, and those attending programs directed at preventing school dropout and/or delinquent involvement. Although there is variation in the programming and environments where youth are served across the Nation, the majority of youth receiving services reside in juvenile detention and juvenile correctional facilities. The Part D program reaches a racially and ethnically diverse population: non-Hispanic African-American and Caucasian students each account for more than one-third of the total population, Hispanic students are approximately one-quarter, and the remaining students comprise American Indians, Alaskan natives, Asian and Pacific Islanders, and other races. Although these data reflect national averages, it is important to note the widespread variations in student populations at the State level.

How Is Part D Structured?

Title I, Part D, serves children and youth through two separate programs:

1. **State agency programs (Subpart 1).** The U.S. Department of Education (ED) allocates funds for this subpart to State educational agencies (SEAs) based on the number of children and youth in State-operated facilities and the State's average per-pupil educational expenditures. Once ED determines a State's Subpart 1 allocation, the SEA makes subgrants to eligible State agency (SA) participants based on either (1) its proportionate share of the State's adjusted enrollment count of children and youth who are Part D-eligible or (2) programs with the highest need.
2. **Local agency programs (Subpart 2).** ED allocates funds for this subpart to SEAs based on annual caseload data of the number of children and youth living in local facilities for delinquent children and adult correctional facilities. The SEA has the option of awarding subgrants to eligible local educational agencies (LEAs) by formula or through a discretionary (i.e., competitive) grant process.

State Part D coordinators are responsible for the implementation and monitoring of both of these programs. However, there is great variation in how individual coordinators carry out their jobs, due largely to the variety of ways in which juvenile justice and child welfare systems are organized in each State within and across agencies and how educational services are provided within those systems. Each SEA plays a role in administering Part D, but other State or locally provided educational services may or may not be led by the SEA. As an important early step in your new role, you should familiarize yourself with your State's systems. Doing so will help introduce you to your grantees, help you better understand their individual needs, and help you determine which individuals and agencies should be collaborating to better meet the needs of students.

² No Child Left Behind Act of 2001, Pub. L. No. 107-110, § 1401.

³ This value reflects FY 2012 funding of \$50M for Subpart 1 and \$135M in Subpart 2. This value varies each year. For example, funding amounts will be lower in 2013, due to the requirements of the Budget Control Act of 2011.



At a broad level, depending on whether the services are overseen by a limited number of SAs or other nonstate agencies (e.g., locally operated facilities), State juvenile justice education systems have been categorized as either centralized (12 States), decentralized systems (20 States), or combined (20 States).⁴ Further diversity is also evident when reviewing the lead agency responsible for juvenile justice education. In some States, the SEA runs the educational services, but in other States, these services may be run by a juvenile justice agency, a social services agency, or a correctional agency. In addition, a number of States have independent correctional school districts. Of course, these breakdowns reflect only a subset of the population potentially served through the Title I, Part D program. If your State also funds programs for youth who are neglected or other youth in alternative placements (such as community day programs) with Part D dollars, then additional child welfare agencies may play a lead role in providing educational services.

What Are the Basic Requirements of Part D?

Although requirements differ for State (Subpart 1) and local (Subpart 2) programs, all agencies that receive Part D funds are required to:

1. Meet the educational needs of children and youth who are N or D and assist in the transition of these students from residential facilities to community-based programs;
2. Ensure that these students have the same opportunities to achieve as students in regular community schools;
3. Annually⁵ evaluate the program and disaggregate data on participation by gender, race, ethnicity, and age; and use evaluation data to plan and improve subsequent programs for participating children and youth.

Understanding the Part D program requirements is an important part of your role as State Part D coordinator. To assist you, details of these requirements, along with strategies to help you carry them out, have been provided in the following sections of this handbook. You can review the official [Title I, Part D, law](#), which NDTAC makes easily accessible on our Web site.

What Is NDTAC and How Can We Help?

The mission of the National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At-Risk (NDTAC, or the Center) is to improve educational programming for children and youth who are N or D. Created in 2002, NDTAC is funded by ED to:

- Provide technical assistance (TA) to States to increase their capacity to improve educational programming for youth who are N or D;
- Develop a model to evaluate the performance of State Agency, Subpart 1 programs;
- Disseminate information regarding effective practices and programming for the education of youth who are N or D;
- Foster collaboration between different organizations, agencies, and interest groups that focus on addressing the educational needs of children and youth who are N or D.

NDTAC provides various forms of TA to State Part D coordinators and other stakeholders, including responding to your direct TA requests on an ongoing basis and holding a national conference. Additionally, the Center facilitates communication and collaboration between State Part D coordinators and their colleagues Nationwide through regular ND Community conference calls and the [ND Communities Web site](#).

NDTAC provides TA to a wider audience through periodic Web-based seminars, written publications, and more, all of which are available to the public on the [NDTAC Web site](#). The Center also operates a Nationwide e-mail listserv of nearly 900 members and delivers presentations at national and State conferences. A good starting point for any new State Part D coordinator is the [NDTAC Web site](#).

⁴ This information is from the National Center for Juvenile Justice's (NCJJ) State JJ Profiles. Retrieved from <http://www.ncjj.org/publications.aspx?SearchText=&ddlTypeID=166&ddlSerialTypeID=-1>.

⁵ The Title I, Part D, statute requires that agencies in receipt of Part D funds evaluate their program and disaggregate data on participation by gender, race, ethnicity, and age every 3 years, at a minimum. However, the Federal collection requires agencies to submit these data *annually* through CSPR and *EDFacts*. You can find additional information online concerning both the [CSPR](#) and [EDFacts](#).



II. State Title I, Part D, Coordinators: Overview of Roles, Responsibilities, and Lessons Learned





II. State Title I, Part D, Coordinators: Overview of Roles, Responsibilities, and Lessons Learned

What Is Your Role?

While similar in some respects, the position of State Part D coordinator can differ widely from State to State. In some States, particularly those that are smaller in geography and/or population, one coordinator or director may be responsible for all Title I programs or even all federally funded education programs. In other States, the individual responsible for Title I, Part D, also may oversee other programs within Title I, such as Title I, Part C, Migrant Education or the McKinney-Vento Education for Homeless Children and Youth Program. In still other States, the role of Title I, Part D, coordinator may be a full-time position, with a focus on either the State agency (SA) (Subpart 1) or local educational agency (LEA) (Subpart 2) programs. Ultimately, it is the responsibility of the individual coordinator to ensure that his or her duties are accomplished to the best of his or her ability with the time allotted to the position.

What Are Your Fundamental Responsibilities?

At a minimum, State Part D coordinators are responsible for overseeing the SEA activities as mandated by Part D law, including:

- ☑ **Planning and Funding.** Understanding, and in some cases revising, a State Plan that describes the program goals, objectives, and performance measures established by the State that will be used to assess the effectiveness of the program. Additionally, applying for Title I, Part D, funds from ED, creating SA and LEA grantee applications for Part D funds, and determining the allocation of funds to State and local grantees.
- ☑ **Monitoring.** Ensuring that State and local programs are carried out in accordance with the submitted State Plan and that SAs and LEAs receiving funding comply with statutory and regulatory provisions, including those for program evaluation; maintaining regular contact with grantees to help them improve programming and meet funding requirements within facilities and programs.
- ☑ **Reporting and Evaluating.** Consolidating and reporting grantee data—including student counts, demographic information, and academic achievement and outcome data—to ED on an annual basis. Additionally, utilizing the program data collected and reported to ED to plan and improve subsequent programs for participating children and youth.

The Fundamental Responsibilities section of this handbook covers some of the basic information and tasks relevant to each of the above areas.

What General Strategies Should You Know as You Get Started?

What advice and recommendations have experienced State Part D coordinators provided to help you in your position? Take a look at a few general pointers for success in the State Part D coordinator role, as shared with NDTAC by several State Part D coordinators and outlined below.

Learn the Law

State Part D coordinators need to know the language of the program's authorizing statute intimately. This is difficult in the beginning and takes time. The Part D statute, which can be found on the [Center's Web site](#), is written broadly, leaving much room for interpretation. According to one coordinator, the hardest part is learning what the law permits, particularly in regard to the different subparts and the use of funds, and what it does not permit. One coordinator cited the *Title I, Part D, Nonregulatory Guidance* as a valuable resource for learning the ins and outs of the law. You can view this document on [NDTAC's Web site](#). State Part D coordinators should also be familiar with two additional resources. The first resource, the [Office of Management and Budget's \(OMB\) Cost Circular A-87 \(PDF\)](#), is useful for understanding the use of Title I, Part D, funds, and the regulations contained within [Title 34, Sections 200.90 and 200.91, of the Code of Federal Regulations \(CFR\) \(PDF\)](#). The second resource is the CFR, also known as the [Education Department General Administrative Regulations \(EDGAR\)](#), which is divided into 50 titles that represent broad areas subject to Federal regulation, with Title 34 representing Education.



Communicate With Your NDTAC State Liaison

When asked what advice she would give to new coordinators, one coordinator responded, “The first thing would be to contact the [NDTAC] liaison for your State, because they have a wealth of information and can direct you where to go.” Each State is assigned an NDTAC liaison to answer questions and provide TA to Part D, coordinators. Because some coordinators are completely new to the field and population of children and youth who are N or D, they may not have background knowledge or a foundation from which to begin searching for the answers to their own questions and those of their subgrantees. NDTAC liaisons are helpful in directing State Part D coordinators to relevant Center resources and orienting them to their new position. Liaisons also have access to a searchable database of questions coordinators have asked in the past. To find your State liaison, select your State from the map at NDTAC’s [State Web pages](#).

Network and Participate

In addition to learning the law and utilizing NDTAC’s State liaisons, State Part D coordinators find networking and talking to their peers to be extremely valuable. Learning what colleagues are doing in other States has helped State coordinators discover common challenges and find successful solutions. Through conference events, NDTAC Webinars, and the Center’s ND Communities, coordinators can ask each other questions and collaborate on various topics. New coordinators should be proactive in participating in ND Communities and other networking opportunities whenever possible. Look at NDTAC’s [Events Web page](#) and the [ND Communities Web site](#) to find upcoming opportunities for networking and other peer interaction.

Train and Support Your Subgrantees

One of the most basic ways you can support subgrantees is to develop your own expertise in the issues involved in educating youth who are N or D so that you may serve as a content resource to others. Consider different options for providing trainings to subgrantees—both in terms of *orientation* trainings to prepare new subgrantee program managers and *ongoing* professional development trainings to help existing program managers continually improve their programs. Resources to assist you in planning trainings and building content knowledge are available through the NDTAC Web site and the State liaisons. Try also to identify State and local resources that may be available for professional development. Other supportive activities may include establishing regular communication with your subgrantees through phone calls, Webinars, visits, weekly e-mails/newsletters, and/or Statewide conferences.



III. Fundamental Responsibilities



III. Fundamental Responsibilities

Introduction

The portion of a State Part D coordinator's job that is reserved for administering the Title I, Part D program varies greatly from State to State. Historically, coordinators have spent anywhere from less than 10 percent full-time equivalent (FTE) to 100 percent FTE on Part D. The amount of time allocated directly affects how one carries out fundamental responsibilities:

- **Coordinators with 10 percent FTE or less:**
The Center has learned that a fairly small percentage of coordinators (about 20 percent) are afforded 10 percent or less of their time to spend on administering Part D programs. Other Title I and other Federal grants and programs, as well as State programs, dominate these coordinators' responsibilities. Ensuring that the requirements of the Part D program are met effectively and efficiently can be challenging, but it is not impossible. Many coordinators find support from other staff within their organization and look for opportunities to increase efficiency. One example is using technology as a way to receive and disseminate critical information quickly and as a way to facilitate dialog and promote regular communication with subgrantees and other collaborators.
- **Coordinators with 11–50 percent FTE:**
The greatest percentage of coordinators (close to 50 percent) is staffed to administer Part D programs at a level between 11 percent and 50 percent FTE. While these coordinators may have more time to focus on programs for youth who are N or D, other obligations require an equal or larger share of their attention. This group of coordinators may find it challenging to balance duties, but they also may find support from other staff to help them meet the requirements of Part D along with the other grants and programs for which they are responsible. Building relationships with other State Part D coordinators—sharing resources and working together to solve common issues—also may be a valuable strategy.
- **Coordinators with more than 50 percent FTE:**
The final group of coordinators (representing about 30 percent of those Nationwide) can devote most of their time to the administration of Part D programs. A small percentage may have 100 percent of their time allocated to Part D. While some of these coordinators may be responsible for other Federal and State grants, they spend the majority of their time ensuring that the requirements of Part D are fulfilled. They may be able to go beyond the basic requirements and more easily meet some of the additional needs of their subgrantees and youth who are N or D.

Being aware of your level of allotted time, and learning what your cohort peers are doing with theirs, may help you make the most of the time you do have and be as efficient and effective as possible. NDTAC provides many opportunities for you to network and share resources to this end. Facilitating regular ND Community calls, for example, is one easy and time-efficient way to the Center helps tackle some of the tough issues faced by many State Part D coordinators and may lead to more standardized practices that in turn benefit youth.

NDTAC has also developed tools to help you fulfill your major responsibilities. Below are links to resources available to you.

Planning and Funding

This section provides basic information on your role in understanding and, in some cases developing or updating your State Part D program plan (often as part of the larger State Plan), developing and/or revising and reviewing subgrantee applications, and generating and distributing Part D program funds.

What Do I Need To Know?

Planning

Planning involves implementing the overall Title I, Part D, program in your State as well as providing guidance to your subgrantees in their planning to ensure that the Part D programs at the State agency (SA) and local educational agency (LEA) levels are aligned with State and Federal requirements and State goals. Note that there are two levels of planning: the State educational agency (SEA) level of planning and the subgrantee level of planning. A key resource that expands on the planning and funding information referenced here is NDTAC's [*Program Administration Planning Toolkit*](#).



The State Plan

The planning document that the SEA must submit to ED, as detailed in Section 1414(a) of the Title I, Part D, statute is referred to as the “State Plan” or “Part D State Plan” in this handbook. The planning documents that subgrantees must submit to the SEA (as detailed in Sections 1414(c) and 1423 of the Title I, Part D, statute) are referred to in this handbook as “SA applications” and “LEA applications,” or collectively as “subgrantee applications.”

At the SEA level, although there are some similarities between planning for Subpart 1 and Subpart 2, there also are some major differences. The chief difference between planning for Subpart 1 and Subpart 2 is that the Title I, Part D, law requires all SEAs receiving *Subpart 1* dollars (for SA programs) to develop and implement a State Plan that meets all requirements as laid out in Section 1414(2) of the Part D statute. States are required to update their State Plan and have it approved by ED’s Office of School Achievement and School Accountability (SASA) with each reauthorization of ESEA, the last of which was No Child Left Behind in 2002. However, some States have updated their Plans more recently. The State Plan becomes the foundation of SA subgrantee programs and serves as the guiding document for SAs to follow in creating their plans for delivering Part D services and supports. In contrast, there States to obtain funds under many Federal programs through a single plan/application in lieu of separate plans is no requirement for an SEA to develop a State Plan or guiding document for Subpart 2 LEA programs that must be submitted to ED. However, State Part D coordinators do have unique planning duties for Subpart 2 that revolve around establishing processes for determining eligibility and awarding grants to LEAs. See the Subpart 1: State Agency Planning and Funding and Subpart 2: Local Educational Agency Planning and Funding sections below for more details.

Funding

Subpart 1 and Subpart 2 have separate allocations from ED, as administered by the SEA. While the neglected and delinquent SA program (Subpart 1) is a stand-alone, formula grant program, the LEA program (Subpart 2) is distributed as a subset of the dollars allocated to Title I, Part A. SEAs allocate the funds received through these two disbursements to either SA or LEA subgrantees as appropriate, in response to applications received by the SEA.

ED determines the amount of a State’s Subpart 1 and Subpart 2 allocations through the calculation of funding formulas that consider (among other factors) the number of students submitted to ED in the Annual Child Count for both SAs and LEAs.

What Is the Annual Child Count?

The purpose of the Annual Child Count (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”) is to provide ED with accurate information on:

1. The number of children and youth enrolled in regular programs of instruction in eligible *State-operated* (Subpart 1) institutions for youth who are N or D, adult correctional institutions, and community day programs; and
2. The location and number of children and youth living in *locally-operated* (Subpart 2) delinquent institutions or adult correctional facilities.

The Annual Child Count is sometimes referred to as the “October Count,” because LEAs applying for Subpart 2 funding must select a count period of 30 consecutive days, 1 day of which must be in October. Although SAs conduct their counts using an altogether different method that bears no specific connection to the month of October, the “October Count” label is often used interchangeably with “Annual Child Count” for both programs.

New State Part D coordinators are often unsure of the regulations regarding which facilities or programs must participate in the Annual Count. NDTAC has a number of related resources on the [Annual Child Count](#) Web page, including [The Annual Count Toolkit: Determining Formula Counts for Title I, Part D, Funding Allocations](#), and user-friendly slides that walk through the count process.

Consolidated State Applications

This section of the handbook outlines the SEA State Plan requirements as laid out in [Section 1414\(a\)](#) of the Title I, Part D, statute. However, your State may choose to supersede these requirements and instead submit to ED a “Consolidated State Application” or “Consolidated State Plan” per [Section 9302](#) of the ESEA.

Section 9302 allows /applications for each program. If your State has elected to submit a Consolidated State Application or Consolidated State Plan to ED rather than a separate Part D State Plan, please see [Section 9302](#) for requirements.



What Are My Planning and Funding Responsibilities?

As the State Part D coordinator, your primary responsibilities regarding planning and funding for your State's Part D programs include: understanding and, in some cases, creating or updating a State Plan for the Subpart 1 State Agency program and the Subpart 2 Local Agency program, if applicable; supporting SA and LEA subgrantees' planning; annually collecting and submitting Annual Child Count information in order to receive funding; and, subsequently allocating subgrants to State and local programs.

You are also responsible for ensuring that SA and LEA applications meet all Federal requirements and for ensuring that the services laid out in these applications are being delivered. Therefore, regular monitoring of SAs and LEAs, and their facilities and programs, is important in maintaining the quality of your State's Part D program. For more information about subgrantee monitoring, see the Monitoring section of this handbook.

Subpart 1: State Agency Planning and Funding

Planning

Develop, submit, and maintain a State Plan. To receive Subpart 1 funds from ED, States usually submit a one-time State Plan (or a Consolidated State Plan/Application—see sidebar on page III-3 at the beginning of a new reauthorization of the ESEA. Consistent with Section 1414(a) of the Title I, Part D statute, the State Plan must describe the State's *goals* (the overarching mission of the program) and *objectives* (specific and measurable ways in which the State intends to assure that program goals are achieved), as well as the *performance measures* the State has established to assess the effectiveness of the program in improving the academic, vocational, and technical skills of eligible students.

Following a strategically constructed State Plan will help to ensure that all children and youth in State-operated programs who are N or D, or at risk of educational failure, are receiving the educational supports your agency has promised to provide.

Section 1414(a) of Title I, Part D, outlines all of the required components of the State Plan. Additionally, NDTAC's [State Plan Checklist](#) will help you ensure that your plan includes all of the required components. Once a State Plan has been approved, it remains in effect as long as the State is eligible to receive Title I, Part D, funds. Typically, unless the Title I, Part D, program has just been reauthorized under ESEA, coordinators will find that a State Plan is already in place. If this is the case, you are encouraged to update your State Plan periodically to reflect any changes in your State's Part D program or strategies. See the *What Else Can I Do?* section below for more information on updating your State Plan.

Regularly revisit the State Plan to ensure it reflects the current needs of youth. As the needs of children and youth in the program change, the State Plan should change to reflect those needs. The Title I, Part D, law, Section 1414(a)(3)(b), requires periodic review and revision of a State's plan. Revisions do not require the approval of ED as long as substantive changes are not made. If your plan requires major changes, however, review and approval from ED will be necessary. If you are unsure whether you are making major changes to your State Plan that will require ED approval, please contact the Title I, Part D, Federal Program Office in ED's Office of Elementary and Secondary Education, Student Achievement and School Accountability programs at TitleI-D@ed.gov for clarification.

Ensure SA applications meet all necessary requirements. It is your responsibility to ensure that SAs submit an application for funds for the provision of services to all eligible students who are N or D that meets, at a minimum, all 19 Federal requirements and that these services are *supplemental to the State's required educational program*. A list of these requirements can be found in Section 1414(c) of the Title I, Part D, law. It is also your responsibility to ensure that SA applications are aligned with the goals, objectives, and performance measures outlined in the State Plan, as referenced above. Further resources to assist you with the preparation of SA applications are available in the [Program Administration Planning Toolkit](#).

Develop and implement a written review process for approving and awarding Subpart 1 subgrants to SAs. The SEA must create a formalized system for the review and approval of all SA applications. A checklist should be created to ensure that all necessary standards are met. The law allows the SEA to approve an SA's application for up to 3 years, although the SEA may require an SA to annually update the information included in its original application if substantial changes occur in the numbers and/or needs of the children and youth to be served or the services to be provided. Therefore, a formal periodic review process for revisiting SA applications, as needed, also should be developed and implemented.

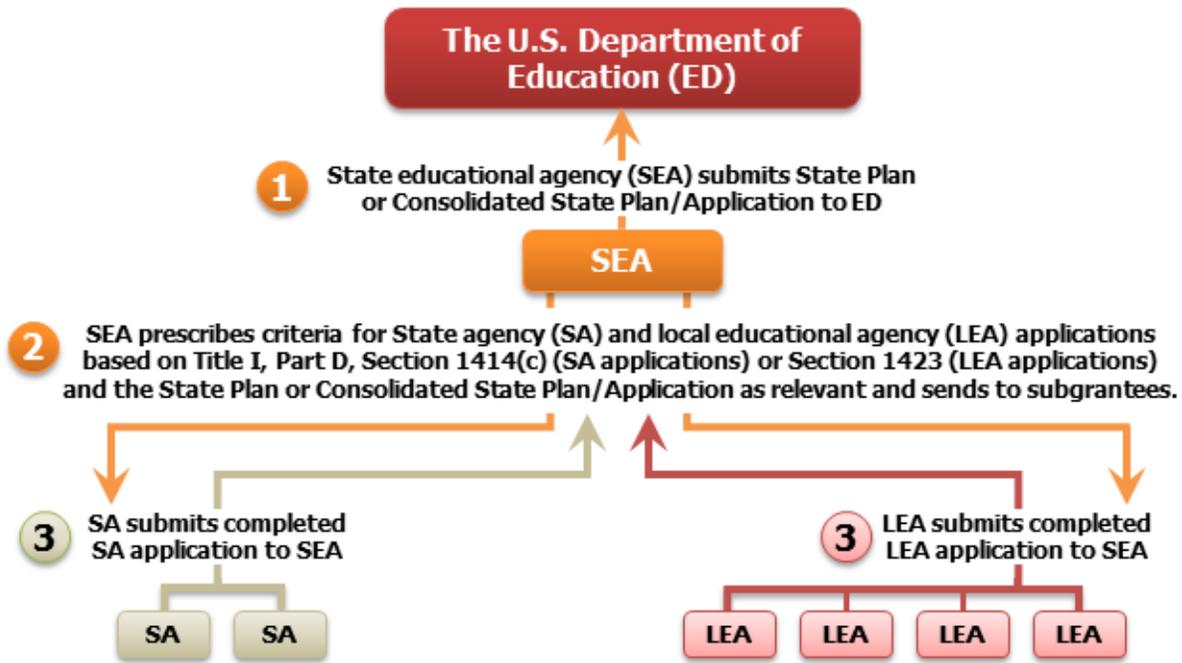


Provide guidance to SAs on developing or revising Subpart 1 applications and plans. State Part D coordinators should work closely with SAs, whenever possible, to develop or correct applications so that the applications meet both Federal and State requirements as well as the needs of eligible students. This also will help make the review and approval processes go more smoothly.

Provide evidence that SA Subpart 1 programs address the intent and purposes of the program for children and youth who are N or D. The SEA is required to monitor on a regular basis, as determined by the SEA, its SA grantees for implementation of requirements of the program statute and regulations. In turn, SAs should be responsible for monitoring the facilities and programs to which they provide funds to ensure the same compliance. Discrepancies between an SA’s application and its services should be remedied as soon as possible.

This planning process is illustrated in Exhibit 2.

Exhibit 2. State Plan and Subgrantee Application Process



Funding

Reserve funds for SEA administration, evaluation, and TA, if necessary. Per Section 1004 of ESEA), the SEA may reserve the greater of: 1 percent of its combined Title I, Part A; Title I, Part C; and Title I, Part D, Subpart 1 allocation or \$400,000 for State administration activities. For more information about this reservation, see page 32 of the Federal Guidance on [SEA allocation procedures](#) (MS Word).

Determine SA eligibility. An SA is eligible to receive Subpart 1 funds if it is responsible for providing a free, public education to children and youth participating in educational programs in facilities for youth who are N or D, who attend community day programs for children who are N or D, or who are in adult correctional facilities. The facilities must have an average length of stay of at least 30 days⁶ and must provide a State-supported regular program instruction of either 20 hours per week (in a juvenile facility or community day program) or 15 hours per week (in an adult correctional facility). The number of eligible SAs in a State may vary, as well as the number of eligible facilities under the authority of any given SA.

Review subgrantee applications. To receive funds, the SA must submit a funding application (mentioned in the previous Planning section) to the SEA for approval.

Award allocations to eligible SA subgrantees. The SEA makes subgrants to each SA based on either (1) its proportionate share of the State’s Annual Child Count, or (2) programs with the highest need (for example, facilities with greater student populations than the State

⁶ The average length-of-stay rule applies to the facility overall, not the individual students served by the facility.



average). The SEA has the ultimate authority as to how this determination is made. Once an SA receives Subpart 1 funds, that SA will distribute the funds to eligible facilities within its jurisdiction in accordance with the needs assessment described in its application to the State.

Subpart 2: Local Educational Agency Planning and Funding

Planning

Determine and notify LEAs of eligibility. An LEA is eligible to receive Subpart 2 funds if within its geographical boundaries there are locally operated correctional facilities not operated by the State, including public or private facilities and community day programs⁷, responsible for providing a free, public education for children and youth who are N or D. The SEA is required to develop procedures for determining which LEAs within the State are eligible to receive Subpart 2 funds, as well as procedures for notifying eligible LEAs accordingly. The SEA should start by identifying which eligible LEAs have high numbers or percentages of children and youth in locally operated programs. The SEA may then, at its discretion, determine what constitutes high numbers or high percentages (as described in [Section M-2](#) of the Title I, Part D, Nonregulatory Guidance).

Ensure LEA applications meet all necessary requirements. It is also the responsibility of the State Part D coordinator to ensure that eligible Subpart 2 LEAs that want to participate in the Part D program submit an application for funds for the provision of services to all eligible students who are N or D that meets, at a minimum, all 13 Federal requirements. These requirements can be found in [Section 1423](#) of the Title I, Part D, statute. The application should also ensure that participating LEAs will provide services *comparable to those the LEA operates in the school that such youth would otherwise attend*. Additional planning may be needed if an LEA intends to use Subpart 2 funds to support programs for children and youth *who are at-risk*. For example, as a State Part D coordinator, you may require the LEA to describe the procedures it will use to select participating schools and children, and you may require the agency to make allocations based on need. Finally, you will want to make sure that all locally operated correctional facilities receiving Part D funds from an LEA have a formal agreement with the LEA that ensures compliance with, at a minimum, 11 required activities outlined in [Section 1425](#) of the law. A useful resource is also found in [Tool 1: Checklists for Creating and Reviewing Applications](#) of the *Program Administration Planning Toolkit* (MS Word).

Funding

Review subgrantee applications. To receive Subpart 2 funds, LEAs must submit a funding application as shown in Exhibit 2 (see page III-5) to the SEA for approval.

Award allocations to eligible LEA subgrantees. The SEA has broad discretion in determining the method of allocating funds to the Subpart 2 grantees. The SEA has the option of awarding subgrants to eligible LEAs through a formula, based on the proportion of students in the Annual Count, or of awarding subgrants through a discretionary (i.e., competitive) grant process. If an SEA chooses to award Subpart 2 subgrants on a discretionary basis, it may establish criteria, priorities, or both that are consistent with State requirements for awarding grants. If an SEA decides to distribute funds through a formula process, it may choose to allocate funds among the eligible LEAs on the basis of each LEA's proportionate share of children who are in correctional facilities for youth who are delinquent.

What Else Can I Do for Planning and Funding?

Are you able and willing to do more? Take a look at some of the other things you can do to improve Title I, Part D, planning in your State.

Foster collaboration with relevant parties when creating or modifying your State Plan. Although the SEA is responsible for developing the State Plan, input from other relevant parties may create a more robust and effective Part D program. If your State is in the process, or in need, of writing, rewriting, or revising its State Plan, consider inviting representatives from juvenile justice, child welfare, health and human services, the judiciary (judges), legislators, as well as other agencies (or their representatives) to take part in the planning process. Their participation will help ensure that key agencies share common goals and strategies for providing services to this population.

Understand and leverage additional funding. Additional Federal funding streams are available for serving children and youth who are N or D, and these streams can be coordinated with Title I, Part D, funds. Because not all types of Federal funding can be used in

⁷ Community day programs are traditionally highly structured programs operating in the youth's community. In conjunction with their focus on educational and social skill development, these programs also address the treatment needs of youth who are engaged in the juvenile justice system. In addition to community safety, the goals of day treatment programs are to prevent future delinquency or further penetration into the system and to maintain the youth in his/her home where they might access natural supports.



conjunction with Part D, it is important to ensure that all accessed funds are administered, distributed, and used in compliance with ESEA. As the State Part D coordinator, you should check within your State to find out what other sources of funds are being used or are available to serve this population at the State and local levels. Some examples of additional funding streams include:

- **Title I, Part A (Neglect Set-Aside).** Section 1113(c)(3) of ESEA requires LEAs to reserve a portion of their Title I, Part A, funding to ensure that the educational services being provided to students in facilities for youth who are neglected are comparable to the educational services provided in local, community Title I, Part A-funded schools. There is no federally established formula or criteria outlined for calculating how much an LEA must reserve for services to children who are neglected; much of this discretion falls on the SEA and on you as the State Part D coordinator.
- **Title I, Part A (Delinquent Set-Aside).** Section 1113(c)(3) of ESEA also gives SEAs/LEAs the option to set aside additional funds to ensure that the educational program being provided to students who are in facilities for youth who are delinquent or are attending community day programs offer the same opportunities for students to meet challenging State academic content and achievement standards.

Institutionwide projects. SAs receiving Subpart 1 funds are authorized by [Section 1416](#) of ESEA to operate institutionwide projects (IWP) that serve all children in, and upgrade the entire educational effort of, an eligible facility or program (with the exception of adult correctional facilities). The purpose of the institutionwide approach is similar to that of schoolwide programs (SWPs) operated under Title I, Part A.

A useful resource is NDTAC's *Planning and Implementing Institutionwide Projects* brief, which is designed specifically for administrators of State Title I, Part D, programs who work within SEAs or SAs. The brief provides an overview of IWPs and their benefits for Part D programs, key steps administrators need to consider when creating and operating an IWP, and common mistakes made in the implementation process. Additionally, the brief includes examples and tools that can be adapted by administrators to assist in the implementation effort.

Individuals with Disabilities Act (IDEA). The [IDEA regulations](#) (PDF) explain that States may use part of their allocations reserved under [Section 300.704\(b\)\(1\)](#) to carry out a range of activities, including the following:

- To support the development and provision of appropriate accommodations for children with disabilities, or the development and provision of alternate assessments that are valid and reliable for assessing the performance of children who have disabilities, in accordance with [Sections 1111\(b\)](#) and [6111](#) of ESEA; and
- To provide TA to schools and LEAs, and direct services, including supplemental educational services as defined in [Section 1116\(e\)](#) of ESEA, to children who have disabilities, in schools or LEAs identified for improvement under [Section 1116](#) of ESEA on the sole basis of the assessment results of the disaggregated subgroup of children who have disabilities. Includes the provision of professional development to special and regular education teachers, who teach children who have disabilities, on the basis of scientifically based research to improve educational instruction, in order to improve academic achievement to meet or exceed the objectives established by the State under [Section 1111\(b\)\(2\)\(g\)](#) of ESEA.

Perkins Grants. Vocational and technical training can be a substantive part of programming in juvenile justice facilities. States are eligible for Perkins grants, which can then be distributed to LEA's and local schools, as well as two- and four-year career technical education programs. School districts receiving Perkins funds must provide students in justice settings with equal access to the full range of vocational education programs; to recruitment, enrollment, and placement activities; and, to the extent practicable, to comprehensive career guidance and counseling services (see [20 U.S.C. 2328\(c\)\(3\)](#) [PDF], [20 U.S.C. 2343\(12\)\(B\)](#) [PDF], and [20 U.S.C. 2471\(38\)](#) [PDF]). Supplementary services include curriculum modification, equipment modification, classroom modification, supportive personnel, instructional aids and devices, counseling, English language instruction, child care, and special aids.⁸

Several non-ED and non-Federal funding opportunities also exist to support the education of populations who are N or D. The U.S. Department of Labor, the U.S. Department of Justice's (DOJ's) Office of Juvenile Justice and Delinquency Prevention (OJJDP), the Annie E. Casey Foundation, the MacArthur Foundation, the United Way, and many others offer competitive and discretionary grants and awards to eligible SAs, local districts, or facilities on both rolling and annual bases.

⁸ The University of the District of Columbia School of Law Juvenile Law Clinic. (1998). *Special Education Advocacy: Under the Individuals with Disabilities Act (IDEA) for Children in the Juvenile Delinquency System*. Washington, DC: Author. Retrieved from <http://www.aecf.org/upload/PublicationFiles/JJ3622H5030.pdf>



What Other Resources Are Available?

For a handy list of important resources, see Exhibit 1. Core Administrative Resources for State Part D Coordinators on page vi. In addition to the resources cited throughout this section, listed below are additional resources you will find useful in your planning and funding efforts.

Keeping Title I, Part D, True to Its Purpose: Planning and Funding Based on Needs and Outcomes. This presentation provides an overview of the differences between Subparts 1 and 2, differences between generating and allocating Part D funds, and the use of needs assessments and formal agreements. The presentation also provides additional resources.

NDTAC's State Plans for Title I, Part D. NDTAC outlines the requirements for the Title I, Part D, State Plans and includes a [State Plan Checklist](#). Excerpts from various States are used as examples of what to include for each subsection.

Examples of State Plans. A Summary of Best Practice in School Reentry for Incarcerated Youth Returning Home, commissioned by JustChildren of the Legal Aid Justice Center (2006), provides examples of States' efforts to collaborate effectively.

State agency Subpart 1 Funding Tables. These tables are updated annually by ED and are located under "Neglected and Delinquent Children and Youth Education" in the State tables by program.

LEA Subpart 2 Funding Tables. Subpart funding can be searched for on ED's Web site by entering "ESEA Title I LEA Allocations." Subpart 2 funds are listed at the end of the district funds for each State. As of the publication of this document, you can follow this link for the most recent [State allocations](#).

Monitoring

This section provides basic information on your role in monitoring activities for Part D programs. It includes information on how SEAs prepare for Federal monitoring reviews, how to conduct subgrantee monitoring for State and local programs, and how to prepare subgrantees for Federal and State monitoring. A complete resource for monitoring is NDTAC's *A Guide to Meeting Compliance Requirements for the Title I, Part D, Program*.

What Do I Need To Know?

You will likely be involved with two types of monitoring: *Federal* and *subgrantee* monitoring. ED defines a monitoring review as "the regular and systematic examination of a State's administration and implementation of a Federal education grant, a contract, or a cooperative agreement administered by ED."⁹ In other words, a monitoring review assesses whether States are adequately administering federally funded educational programs.

In addition to the resources provided in this handbook, your NDTAC State liaison can provide information on what other States maintain as documentation of appropriate service delivery for the purposes of subgrantee monitoring. Additionally, the [ND Communities' Monitoring and Compliance](#) topic page contains [examples](#) of monitoring forms and protocols from many States concerning subgrantees.

What Are My Monitoring Responsibilities?

The following provides an overview of the detailed information that can be found in *NDTAC's A Guide to Meeting Compliance Requirements for the Title I, Part D, Program* and includes some of the primary responsibilities of State Part D coordinators for both Federal monitoring and monitoring of subgrantees.

Federal Monitoring

Review the indicators and documentation that Federal monitors typically require to assess SEA program compliance. Federal monitors will assess SEA compliance in three areas: (1) standards, assessment and accountability, (2) instructional support, and (3) fiduciary responsibilities. Become familiar with the type of information that monitors typically review in each of these areas.

Communicate with ED. Establish and maintain communication with ED before and after the monitoring review to address any questions or concerns you may have.

⁹ U.S. Department of Education. (2013). *Title I program monitoring*. Retrieved from <http://www.ed.gov/admins/lead/account/monitoring/index.html>



Review past monitoring reports for your State. Identifying areas in which your State may have been cited for noncompliance in the past and ensuring that recommendations and corrective actions were approved and are implemented are other good steps in preparing for Federal monitors. The [Monitoring Reports](#) on ED's Web site include links to State monitoring reports that may go as far back as the 2003–2004 monitoring cycle (if searched by State) along with detailed information on the various aspects of monitoring, including background, purpose, procedures, and more. State coordinators can contact ED's Title I, Part D, program office if they encounter difficulty locating their respective monitoring report. Although closeout reports are not posted publicly, States may also request the closeout reports related to any of a State's corrective actions.

Prepare your SAs and LEAs for Federal monitoring reviews, and involve them in planning. To help your subgrantees prepare for monitoring, send to State and local facility administrators and other relevant staff instructions and information on what areas will be evaluated.

Subgrantee Monitoring

In addition to preparing your subgrantees for Federal monitoring, you also will want to oversee subgrantee programs by conducting your own subgrantee monitoring reviews through visits and remote reviews. This section describes how you can help ensure that your subgrantees understand what will be expected of them before, during, and after your internal State monitoring.

Create subgrantee monitoring protocols and guidelines. To help ensure that the SEA is consistent in what it looks for and how it evaluates evidence when monitoring, develop comprehensive monitoring protocols. It may be helpful to look at Federal monitoring indicators, as they cover all Federal program requirements. SEAs may need to add other indicators based on additional State-specific requirements and/or program priorities, such as those laid out in the State Plan and applications submitted by SAs and LEAs.

Establish consistent monitoring "cycles" or schedules. Establish consistent subgrantee monitoring schedules and notify subgrantees well in advance of when they will be monitored through onsite visits and when they will be monitored through document-based desk audits.

Require corrective actions for subgrantees not in compliance. As the State Part D coordinator, you should require that subgrantees develop plans for becoming compliant with Federal and State requirements and help support them by providing guidance and resources.

Ensure that LEAs and SAs are monitoring every facility with which they have contracted for services. LEAs and SAs are required to ensure that facilities with which they contract are carrying out responsibilities as outlined in funding applications and, in Subpart 2, the formal agreements and are complying with all applicable statutory and regulatory requirements. Periodic site visits are recommended to ensure compliance.

Remember, in the end, the SEA is accountable for the use of Title I, Part D, funds in State and local facilities. As the coordinator, it is up to you to ensure that these services are being delivered effectively and efficiently.

What Else Can I Do for Monitoring?

Create collaborative monitoring teams. For the purposes of monitoring State and local subgrantees, many SEAs form teams of monitors to visit and evaluate programs funded under multiple Federal grants. For example, monitors of Title I, Part D, may work in conjunction with those focused on Title I, Part A, or other Title I programs. Similarly, they may coordinate with monitors of special education programs funded through IDEA to ensure that all students' educational needs are being met. Regardless of the makeup of these teams, States have indicated to NDTAC that this type of collaborative monitoring is a good way to be both efficient and effective in ensuring that State and local programs are compliant across a myriad of Federal requirements.

What Other Resources Are Available To Support Me?

Presentation: Federal Monitoring Update. This presentation reviews the basics of Federal monitoring, analyzes Federal monitoring results through fiscal year (FY) 2008–09, discusses strengths and areas for improvement based on results of FY 2009–10 reviews to date, and describes the Federal monitoring process from a State Part D coordinator's perspective.



Examples of Subgrantee Monitoring Forms. Your ND Community calls and the [ND Communities Web site](#) can provide you with examples of forms and protocols other States have developed to monitor their subgrantees.

Federal Monitoring Forms. You can access the monitoring indicators ED uses in their Federal monitoring visits for Student Achievement and School Accountability (SASA) Programs under “Monitoring Indicators” on the [ED Web site](#) (MS Word). These are reposted for each school year.

Reporting and Evaluating

This section provides basic information on your role in reporting Part D data to ED and using the data for evaluation purposes. It includes information on how to collect and submit information for the federally required Consolidated State Performance Report (CSPR), how to support subgrantees through the collection and reporting processes, and where to turn for resources about evaluating your own programs. Subsequent sections provide additional, detailed information concerning reporting and evaluating activities.

What Do I Need To Know?

Data collection, data reporting, and program evaluation are important components of Part D programs, as they provide information you need to assess student progress, demonstrate whether programs are meeting State and Federal requirements, and identify programs’ needs so you can target supports and resources for students, teachers, and/or administrators.

Understand the difference between Federal Title I, Part D data collections. There are two major Federal data collection requirements for Title I, Part D: Federal program evaluation reporting (through the CSPR) and the Annual Child Count. It is important to understand the differences between these two data collections. The data reported through the CSPR provide ED with demographic and educational outcome data for those programs and students receiving Title I, Part D, funds. The Annual Child Count is a point-in-time count of eligible students used by ED to determine Title I, Part A, and Title I, Part D, funding allocations for each State annually.

Details regarding the Annual Child Count are addressed in the earlier Funding section of this handbook (see page III-3), while further information on Federal performance reporting and the CSPR can be found in this section as well as in the [Reporting and Evaluation](#) section of the NDTAC Web site and NDTAC’s *Instructional Guide to Reporting Title I, Part D, Data*.

Become familiar with the statutory requirements. Subpart 3, Section 1431(a) of ESEA, as amended in 2001 establishes the requirement for Part D grantees to submit evaluation data annually to ED. The law requires all agencies receiving these funds to evaluate their programs’ impact on the ability of students to:

- Maintain and improve educational achievement;
- Accrue school credits that meet State requirements for grade promotion and secondary school graduation;
- Transition to a regular community school or other education program operated by an LEA;
- Complete secondary school (or secondary school equivalency requirements) and obtain employment after leaving a correctional facility or program serving children and youth who are N or D; and
- Participate in postsecondary education and job training programs, as appropriate.¹⁰

Subpart 3 further clarifies that evaluation results collected by subgrantees must be submitted to the SEA and ED, and that information gleaned from this data must be used to inform and improve the operation of Part D programs.

Understand how your State data will be used by ED. The data reported through the CSPR collection are aggregated at the national level and used by ED to demonstrate the effectiveness of Part D programs in Federal program performance reports that are submitted to Congress. The results reported can ultimately affect the amount of funds budgeted by the Federal Government for Title I, Part D, so it is crucial that States provide complete and accurate data.

¹⁰ Elementary and Secondary Education Act of 2001, Pub. L. No. 107-110, Section 1431.



Currently, five performance measures exist for Part D in examining the effectiveness of the Part D program. These performance measures are:

- The percentage of 16- to 21-year-old students who obtained a diploma or diploma equivalent (i.e., GED)
- The percentage of 13- to 21-year-old students who earned high school course credits
- The percentage of long-term students who improved on mathematics assessments¹¹
- The percentage of long-term students who improved on reading assessments¹²
- The average cost per GED/high school diploma

The Federal Title I, Part D, program office also accounts for the National data annually within its program performance action plan and outlines improvements aimed at impacting future performance.

What Are the CSPR and EDFacts?

Two different systems and processes are involved in the online reporting of Title I, Part D, data, and you may hear discussion of each separately—the CSPR and EDFacts. However, both relate directly to your reporting effort.

The Consolidated State Performance Report (CSPR)

The **CSPR** is a data collection instrument administered by ED’s Office of Elementary and Secondary Education (OESE) on an annual basis. All States that receive Title I, Part D, funding must provide data related to the indicators identified in the CSPR. The CSPR collection consists of two collection periods and requests data across a number of Federal elementary and secondary education programs. Title I, Part D, programs are contained in Part II of the CSPR, meaning that the data are reported in the second collection period.

Title I, Part D, data are collected through Section 2.4 within Part II of the CSPR. The indicators are designed to collect program data that ED can use to demonstrate the effectiveness of the Part D program, most specifically in relation to the progress students supported by the program are making in academic achievement and vocational and transition outcomes. States also may use their CSPR data, in conjunction with any other data the State may have collected, for self-assessment and program-improvement purposes. Information related to the CSPR is available from [ED](#).

Originally, all Title I, Part D, data were collected through the online CSPR reporting system. With the emergence of ED’s larger *EDFacts* data collection initiative, a more expansive online reporting system has become available.

EDFacts

EDFacts is an ED initiative to collect, analyze, report on, and promote the use of high-quality, kindergarten through grade 12 performance data. One of the main goals of the initiative is to streamline data collections and reduce duplication in the information collected across programs. ED’s long-term goal is for all of their Federal data collections to be collected through the *EDFacts*’ online system called the EDEN Submission System (ESS).¹³

As of 2013, the integration of the CSPR collection into the *EDFacts* system is not yet complete, and a portion of the Part D CSPR data must be submitted through EDEN using the *EDFacts* file specification, and a portion of the data is reported through the CSPR online system. It is strongly recommended that State Part D coordinators reach out to their State CSPR Coordinator and State *EDFacts* Coordinator to become familiar with this process, as noted further below. ED provides more information on their [ED Facts](#) Web page.

What Is GPRA?

In 1993, to improve efficiency and accountability in Federal programs, Congress passed the [Government Performance Results Act \(GPRA\)](#), which obligated Federal agencies to develop rigorous performance measures to demonstrate program improvement. This act was updated in 2010 as the [Government Performance and Results Modernization Act](#).

¹¹ As measured on valid pre- and posttest instruments.

¹² As measured on valid pre- and posttest instruments.

¹³ EDEN stands for the Education Data Exchange Network.



What Are My Data Collection, Reporting, and Evaluation Responsibilities?

State Part D coordinators are responsible for several aspects of data reporting and evaluation. These responsibilities are categorized by major activity areas in Exhibit 3.

Exhibit 3. Summary of Key Data Activities

Understanding the requirements related to data and reporting	Facilitating the data reporting processes and focus on data quality	Using the data you collect
<ul style="list-style-type: none"> • Be familiar with the CSPR measures • Know your State’s reporting requirements • Understand the Federal reporting cycle 	<ul style="list-style-type: none"> • Identify the programs receiving funds • Develop relationships with the data contacts in your State • Establish reporting timelines • Review the data you receive, and assess the quality • Provide training 	<ul style="list-style-type: none"> • Analyze data for program quality improvement

Understanding the Requirements Related to Data and Reporting

Taking the time to understand the bigger picture surrounding data collection will help you with the effective administration of programs and will help you emphasize to subgrantees the importance of data collection.

Be familiar with the measures in the Federal collection. Currently, SA programs (Subpart 1) and LEA programs (Subpart 2) must provide the same information on their programs, focusing on four main areas:

1. Student enrollment and facility counts
2. Demographics (race/ethnicity, age, and gender)
3. Academic and vocational outcomes
4. Academic performance in reading and mathematics

Although the majority of the indicators contained in the Federal collection remain the same from year to year, some indicators may be added or removed over time. ED will provide an opportunity for States to review and comment on any changes to the forms through the Federal Register, which is the official publication for rules, proposed rules, and notices for Federal agencies and organizations. ED will announce when the forms have been posted and will make State Part D coordinators aware of any anticipated changes. It is important for you to communicate any changes to the reporting requirements to your subgrantees so they can adjust their collections as necessary.

Know your State’s reporting requirements. At a minimum, every program receiving Title I, Part D, funds is required to report the data requested by ED. Your State may have supplemental reporting requirements in addition to those required by ED. If this is the case, be sure to notify your subgrantees and provide appropriate guidance on the collection and reporting of these data. It is possible that your State reporting requirements may extend beyond programs and students receiving Part D funds, so be sure to make any distinctions of that nature.

Understand the Federal reporting cycle. Deadlines for providing the CSPR data to ED can change slightly from year to year. The current deadline is usually included in the CSPR tables that are released in the Federal Register, typically in the summer. You, or your Title I director, will receive an e-mail from ED announcing the release of the forms.

The CSPR consists of two parts, each of which has a separate delivery date. Title I, Part D, programs are contained in Part II of the CSPR. Typically, Part II of the CSPR has been due between January and February. Specific details related to the CSPR and *EDFacts* timeline are provided in the *Instructional Guide to Reporting Title I, Part D, Data in the CSPR*.



Facilitating the Data Reporting Process and Focus on Data Quality

One of the responsibilities of State Part D coordinators is to facilitate the reporting of data in your State. Therefore, you need to know which programs are receiving Part D funds (and thus need to report data); it is helpful to develop relationships with the various people involved in the data collection and reporting in your State. Establishing clear communications, reviews, and deadlines will help you submit accurate, quality data in a timely manner. Knowing you have quality data will allow you and others to use the data confidently for evaluation and program improvement.

Identify the programs receiving funds. The CSPR data collection applies only to (1) programs receiving Title I, Part D, funds and (2) the students in those programs who benefit from the funds. Students who reside in facilities but do not benefit from Part D funds should not be included in the Federal data collection. Make sure the reporting systems that your programs have in place are able to account for this distinction, if needed.

Develop relationships with the data contacts in your State. You will need to develop relationships with data contacts at two different levels. To *obtain* data, you will need to coordinate with the data administrators at the SAs and LEAs receiving Title I, Part D, funds. Connecting with administrators regularly to be sure they understand the reporting requirements and notifying them of upcoming deadlines in a timely manner will help improve the quality of the data you receive.

Additionally, you will need to coordinate with the data administrators within your own agency. Each State has different rules and guidelines for who submits the data. Many States have a CSPR coordinator and an *EDFacts* coordinator who are both responsible for the data requirements and related Federal timelines. The *EDFacts* coordinator often is also the person responsible for entering some of your data into the Federal online reporting system(s). It is important to know who will be entering the data into the system and to keep in contact with the individuals in each of these roles. They may need to contact you for clarification of the data you provide, and you may need to contact them to review the data submission and help update your information in the online system.

Establish reporting timelines. The reporting timelines and deadlines you establish in your State must take into account the Federal reporting deadlines. Your timeline also should provide you with time to review the data so you may follow up with subgrantees should any questions arise.

Review the data you receive. Take the time to review the data collected from each subgrantee; you should verify that the data are complete and make logical sense. Compare data with previous years to see if there are any glaring inconsistencies. If you find that data are missing or inaccurate, you should follow up with the subgrantee(s) and ask them to explain the problem(s). If a problem is not resolved upon submission, you should include an explanation as a comment in the CSPR; you also may need to have this information to respond to questions from ED during the data certification process. It especially useful to review the State data entered into the CSPR before it is submitted, particularly if you do not enter the data personally.

For more information on how to thoroughly review CSPR data submissions, NDTAC has created the *Instructional Guide to Reporting Title I, Part D, Data in the CSPR*. The guide is updated annually and available on NDTAC's [Reporting and Evaluation](#) page.

Provide training. If during your review of the data you find that programs are having difficulty reporting, you may need to take a step back and provide more focused training and TA to your subgrantees around the data collection process. Doing so will help improve the quality of the data you receive in the future. All the materials developed by NDTAC are available on our Web site (PowerPoints, guides, etc.) and can be used, disseminated, and adapted by Coordinators in trainings with your own grantees. Information and resources on data collection and evaluation are available in NDTAC's [Reporting and Evaluation](#) page.

Using the Data You Collect

As noted in Subpart 3, Section 1431(a) of the Title I, Part D, statute, program improvement and planning activities for Part D programs should be informed by the results of the CSPR and any other relevant data you collect. Once you have the data in hand, the next step is to compile the results in a way that provides you with useful and timely information about the programs and students receiving Part D funds.

Use data for program quality improvement. Program evaluation efforts can be undertaken at varying levels of complexity. First, you may need to get an overview of all of the data to identify areas for improvement, or you may have already targeted specific areas of interest based on past results. Some examples of how data can be used for program improvement include:



- Identifying data-quality problems, which can be used to improve data collection systems or focus training efforts.
- Identifying particularly effective programs to serve as models for others.
- Identifying struggling programs, facilitating the effective allocation of resources and TA.

The manner in which you aggregate or disaggregate the data will depend on the questions you are interested in answering.

What Else Can I Do for Reporting and Evaluation?

As you become comfortable with the data collection process and understand how data can help inform your work and improve Title I, Part D, programs, you may want to expand your collection and evaluation activities.

Establish goals for Part D programs. Determining long- and short-term goals for programs will provide all programs with a common standard and encourage them to strive for improvement. As a starting point, consider setting long-term goals around the five Federal performance measures noted previously (page III-11).

Expand upon the data collected. States are not limited to the Federal data collection requirements. Over time, you may find that some questions cannot be answered by the CSPR measures alone, and you may want to expand the data collection accordingly.

Use all available data. You also may have access to student-level data through your State's reporting system. As a result, you may be able to extract more detailed information about student subgroups and answer more targeted questions about the population of students who are N or D.

Disseminate the data. Sharing information regarding your State's Part D education programs can be useful in a number of different ways: it can create accountability among programs, it can promote visibility of programs for children and youth who are N or D to the public, and it can provide a resource for stakeholders to refer to when making policy and budgetary decisions. One approach to sharing data is to design a State or local report card that summarizes your data in a digestible manner.

What Other Resources Are Available?

The resources below and additional items relevant to CSPR reporting may be found on NDTAC's [Reporting and Evaluation](#) web pages.

Reporting Resources

CSPR Forms. The official reporting tables for the Title I, Part D, section of the CSPR are updated and released annually. Once released by ED, the latest forms are available on NDTAC's [CSPR Web page](#).

CSPR Data Tools and Resources. NDTAC has developed a series of TA tools that focus on reviewing and improving data quality and understanding Title I, Part D reporting requirements, which are located on NDTAC's [CSPR Web page](#).

Webinars on the CSPR. NDTAC holds annual Webinars to provide basic information on each year's Part D data collection and any changes or updates; they may be found on [NDTAC's Webinar archive](#).

EDFacts Coordinators, by State. A list of the EDFacts Coordinators, by State, is provided on ED's [EDFacts Contact Web page](#).

Part D Program Results and Evaluation Resources

Annual Program Performance Reports. Found on NDTAC's Web site, [Annual Program Performance Reports](#) provide summaries of the educational achievements of students enrolled in programs for youth who are neglected, delinquent, or at-risk during a particular school year (SY), as reported in the ED's [Consolidated State Performance Report \(CSPR\)](#). The reports present student outcomes by both State agency programs and local educational agency programs.

National and State Fast Facts. Produced by NDTAC, [Fast Facts](#) are user-friendly presentations of previously submitted CSPR data. The Subpart 1 data are available by State for multiple school years.

Title I, Part D, Program Performance. The national Title I, Part D, performance measures, program plans, results, and long-term targets are publicly available within the larger ED plans. Information about Title I, Part D, is located under Goal 2, for "Neglected and Delinquent State Agency Programs." Links to the annual plans and reports are available [on ED's Web site](#): <http://www2.ed.gov/about/reports/annual/index.html>.



A Year in the Life of a Coordinator

Exhibit 4 provides a useful summary of key activities that State Coordinators conduct annually. In conjunction with the information outlined in the preceding sections, the exhibit provides a snapshot of a coordinator’s yearly responsibilities.

*Exhibit 4. A State Title I, Part D, Coordinator’s Year at a Glance**

	SA/LEA Action	ED Action	Coordinator Action
SEPTEMBER			<ul style="list-style-type: none"> MONITOR SUBGRANTEES (SEP–MAY)
			<ul style="list-style-type: none"> SAs and LEAs select count window for the Annual Count
OCTOBER		<ul style="list-style-type: none"> ED distributes Annual Count (“October Count”) Survey and guidance 	<ul style="list-style-type: none"> DISTRIBUTE ANNUAL COUNT SURVEYS TO SAs AND LEAs (OCT–DEC)
			<ul style="list-style-type: none"> SAs and LEAs count eligible students within selected count windows
DECEMBER			<ul style="list-style-type: none"> COLLECT AND VERIFY ANNUAL COUNT DATA FROM SUBGRANTEES (DEC–JAN)
JANUARY			<ul style="list-style-type: none"> SUBMIT ANNUAL COUNT OF STUDENTS COUNTED TO ED to determine formula counts for allocating Federal funds to the States
			<ul style="list-style-type: none"> VERIFY and SUBMIT DATA ON STUDENTS SERVED (UNDUPLICATED COUNT) VIA CSPR AND EDFACTS TO ED to track student achievement (Jan/Feb)
MARCH			<ul style="list-style-type: none"> PREPARE PART D SA AND LEA APPLICATIONS
APRIL		<ul style="list-style-type: none"> ED announces preliminary awards (April/May) 	
MAY			<ul style="list-style-type: none"> RELEASE PART D APPLICATIONS TO ELIGIBLE SAs AND LEAs
			<ul style="list-style-type: none"> ED prepares funding tables based on Annual Count and funds available late Spring
JULY		<ul style="list-style-type: none"> ED releases Part D funds to the States 	
			<ul style="list-style-type: none"> COLLECT CSPR DATA FROM SUBGRANTEES (JULY–JAN)
AUGUST			<ul style="list-style-type: none"> MAKE PART D AWARDS (ALLOCATE PART D FUNDS RECEIVED FROM ED)
			<ul style="list-style-type: none"> PREPARE FOR THE ANNUAL COUNT AND CSPR DATA COLLECTIONS (e.g., UPDATE SURVEY FORMS) (AUG–SEP)
			<ul style="list-style-type: none"> PROVIDE TRAINING/TECHNICAL ASSISTANCE (T/TA) AS APPROPRIATE TO SUBGRANTEES ON THE ANNUAL COUNT AND CSPR DATA COLLECTIONS (AUG–NOV)
			<ul style="list-style-type: none"> PREPARE FOR SUBGRANTEE MONITORING, including setting schedule, updating monitoring protocols, and preparing other related materials

*NOTE: These are guidelines and suggested timeframes. Federal reporting dates vary from year to year, and States adopt different schedules according to their specific circumstances and preferences.

IV. Areas of Coordination and Collaboration



IV. Areas of Coordination and Collaboration

The following sections contain information and resources on the topics of transition, interagency collaboration, behavior management, special education, and family involvement. State Part D coordinators have expressed these as common areas of interest related to their fundamental responsibilities. Coordinators should consider these areas as they work to do more to improve and sustain high-quality education programs for children and youth who are N or D.

Transition

Why Is Transition Important?

Research on the education of youth in confinement suggests that “effective transitional programs increase the likelihood of reenrollment in school, graduation from high school, and successful employment.”¹⁴ One study of youth leaving State and county facilities indicated that recidivism rates for youth who are engaged in school and the community 6 months after release from a juvenile justice facility are dramatically lower than for youth who do not have a successful transition back to the community.¹⁵

Federal Emphasis on Transition

The importance of successfully transitioning youth who have been incarcerated back to the community received increased Federal emphasis with changes to Title I, Part D, in 2001. Before 2001, up to 10 percent of Title I, Part D, funds *could* be used for transition, although there was no lower limit requirement for transition funding. Currently, Title I, Part D, law mandates that *no less than* 15 percent and no more than 30 percent of funds be reserved for transition purposes under Subpart 1. There is no explicit language in the statute regarding the percentage of Subpart 2 funds that needs to be used for transition activities in LEAs and correctional facilities receiving these monies. However, these entities are still required by the law to provide such services.

The emphasis on transition also is reflected in expanded Federal reporting requirements to be implemented in SY 2013–14. Part D reporting requirements will include information on educational transition planning, and outcomes obtained after leaving N or D programs will be further disaggregated.

Despite the Federal Government’s focus on transition, there are challenges that still remain. Many State Part D coordinators want to know how they can address these challenges and implement a successful transition process that leads to engagement after release.

What Do Transition-Related Activities Look Like in Practice?

The use of Part D funds for transition should be educationally focused, with the intent being to promote positive academic and vocational outcomes for youth who are N or D. However, not many data exist about exactly how these funds are used by facilities for such transition activities, making it difficult to determine where the funds earmarked for these specific services are actually going. Similarly, few sources of outcome data exist to show whether or not the transition services implemented are effective. Furthermore, wide variation occurs in how transition programming is actually being organized and carried out at both the State and local levels. In the end, it is up to the State’s discretion to determine how funds may be used. The [Title I, Part D, Nonregulatory Guidance](#) can be a helpful resource for clarifying the law and determining whether funds are being utilized correctly. Some examples of how transition funds can be used are:

- To hire transition coordinators¹⁶ or buy new equipment to assist students’ transitions (e.g., scanners to scan individualized education program (IEP) documents).
- To provide pupil services, including counseling, psychological, and social work services designed to meet the needs of children and youth who are N or D.
- To provide services of in-school advocates to act on behalf of individual children and youth who are N or D.
- To provide tutoring and mentoring.
- To provide reentry orientation programs, including transition centers and reentry centers in high schools.

¹⁴ Amette, J. L., & Stephens, R. D. (2000). *From the courthouse to the schoolhouse: Making successful transitions*. *Juvenile Justice Bulletin*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention.

¹⁵ Bullis, M. (2006, January). *Starting right: Improving the facility-to-community experiences of formerly incarcerated teens*. Presented at the NDTAC Title I, Part D, Conference, Washington, DC.

¹⁶ Note Sect. 1414(c)(11) of the Title I, Part D, statute for Subpart 1 requires that an SA applying to the SEA for Part D funds must designate an individual in the facility to be responsible for issues relating to transition.



- To provide instruction and training at alternative schools and learning centers.
- To organize parental involvement activities and parent counseling.
- To purchase of basic equipment to enable transitioning youth to benefit from continued enrollment in career technical education programming.

What Can I Do To Support Transition?

Because State agencies (SAs) and LEAs are the ones typically in charge of administering transition programming at the facility and community levels, State Part D coordinators can support their subgrantees by planning transition goals and strategies, supporting subgrantees as they revise or develop policies and implement procedures, studying the process and outcomes, and acting to improve programs and policies based on findings. Some specific things you can do to support transition include:

Create a Transition Plan for your State. A Transition Plan is a required component of your State Plan. (See the Planning and Funding section for more information on State Plans and requirements.) You can expand on this component to create a mission statement, goals, strategies, timelines, and compliance indicators for transition in your State. Think about how to coordinate your State Transition Plan with those of SAs and LEAs and how you can co-create professional development trainings with subgrantees and other agencies that align with the established plan. Note that Transition Plans also are required components of subgrantee applications to your State; working with your subgrantees to align their transition programs and practices with the State's plan will better ensure positive outcomes.

Create indicators to assess transition compliance and include them in your monitoring documents. You are required to ensure that both SAs and LEAs are implementing transition-related activities. (See the Monitoring section for more information.) Systematic evaluation of transition programming informs program improvement efforts and demonstrates ongoing commitment to improving student progress and outcomes.¹⁷

Develop an infrastructure that facilitates and supports communication within the correctional education system and between correctional education and community schools. One key to assisting in successful transition is ensuring that educational records—such as student transcripts, portfolios, and IEPs—transfer with students as they transition between community schools and facilities. Both NDTAC's [Transition Toolkit 2.0](#) and [Practice Guide: Improving Educational Outcomes for Youth in the Juvenile Justice and Child Welfare Systems Through Interagency Communication and Collaboration](#) can help you develop strategies to support administrative connections among agencies, schools, and facilities.

Encourage districts and facilities to hire transition coordinators. Facilities and schools or school districts can create more efficient transition programming by assigning to a single person the responsibility for overseeing the process. This person leads transition team meetings, coordinates Transition Plan development, establishes regular communication with the family, ensures that services are being provided that meet the needs of the youth, facilitate interagency/intersystem collaboration, and so on. An example of a successful Transition Program in Washington State was shared during an NDTAC Webinar: [The Use of Data and Effective Transition in Providing Individually Tailored Academic and Behavioral Support Services for Youth in the Juvenile Justice and Child Welfare Systems \(February 2013\)](#).

Look at the data to identify innovative practices. Use any data you have on recidivism rates to identify patterns and particular districts with higher rates to help you prioritize planning and implementing program improvement strategies. Look for locations with lower rates of youth returning to the juvenile justice system, and familiarize yourself with the programs and strategies being implemented to help you determine innovative, promising, or best practices for replication and establish standards in your State. For example, identify strategies that are more successful in reengaging youth with school or work after they leave the facility; disseminate these strategies to other subgrantees; and, as much as possible, assist them in planning for and implementing these strategies.

Identify alternative funding sources to support transition and aftercare activities. In addition to the Federal funds your State receives, you may wish to apply for additional funding from other sources. Help your subgrantees look for district- and community-level funds to support transition and provide grant-writing support and guidance.

¹⁷ Bolson, M. D., Quinn, M. M., & Nelson, C. M. (February 2004). *Meeting the educational needs of students with disabilities in short-term detention facilities*. College Park, MD: The National Center on Education, Disability, and Juvenile Justice.



What Other Resources Are Available?

Transition, Reentry, and Aftercare. This NDTAC [Web page](#) is a compendium of resources on transition, including research, legal requirements, tools, strategies, presentations, and links to external resources.

Transition Toolkit 2.0: Meeting the Educational Needs of Youth Exposed to the Juvenile Justice System. The second edition of the [Transition Toolkit](#), available on the NDTAC Web site, is a compilation of existing practices, strategies, and available resources on transition that build on field experience and research. The toolkit offers practical information that enables State and local administrators and service providers to provide high-quality transition services for youth moving into, through, and out of education programs within the juvenile justice system.

Professional Development Module on Transition. This [multimedia module](#), available on the NDTAC Web site, provides a brief introduction to the topic of transition along with strategies and resources to support youth effectively during transitions to and from facilities.

Transition Practices for Adjudicated Youth With E/BDs and Related Disabilities. Coauthored by NDTAC expert panelist Heather Griller Clark and Deanne Unruh (2010), this [article](#) (PDF) discusses interventions designed to aid the reentry of formerly incarcerated youth into their communities. It highlights guiding principles for effective reentry programs and specific strategies focused on increasing employment and continuing education, during both incarceration and release.

From the Classroom to the Community: Exploring the Role of Education During Incarceration and Reentry. Recognizing the pressing need to explore the issues surrounding education, incarceration, and reentry, the Prisoner Reentry Institute at John Jay College of Criminal Justice and the Urban Institute hosted the Reentry Roundtable on Education on March 31 and April 1, 2008. The 2-day meeting examined the state of education during incarceration and reentry and identified promising programmatic and policy directions. This [monograph](#), published in 2009 (Diana Brazzell, lead author), draws upon the seven papers presented at that meeting.

Back on Track: Supporting Youth Reentry From Out-of-Home Placement to the Community—Sentencing Project and National Alliance To End Homelessness. Published by the Juvenile Justice Reentry Task Force and the Juvenile Justice and Delinquency Prevention Coalition (2009), this [Issue Brief](#) (PDF) outlines the concept of reentry services in theory and practice, offers a review of Federal policy previously enacted to support reentry, suggests opportunities for improvements in public policy, and reviews promising initiatives.

Making the Right Turn: A Guide About Improving Transition Outcomes of Youth Involved in Juvenile Correctional Systems. Authored by Joe Gagnon and C. Richards (2008), this [Guide](#) (PDF) was developed to assist professionals in the workforce development system in gaining a better understanding of the needs of youth involved, or at risk of being involved, in the juvenile corrections system.

A Summary of the Best Practices in School Reentry for Incarcerated Youth Returning Home. This [summary report](#) (PDF) is a compilation of research conducted by JustChildren for the Commonwealth of Virginia Board of Education. It includes best practices in school reenrollment for youth leaving juvenile justice facilities and returning to their home schools.

From the Courthouse to the Schoolhouse: Making Successful Transitions. This [bulletin](#) is one of a series of OJJDP bulletins focusing on both promising and effective programs and innovative strategies to improve education for youth who are at-risk.

Interagency Collaboration

Why Is Interagency Collaboration Important?

As noted in its Practice Guide, *Improving Educational Outcomes for Youth in the Juvenile Justice and Child Welfare Systems Through Interagency Communication and Collaboration* (PDF), NDTAC proposes that Title I, Part D, and other Federal programs can promote increased interagency collaboration and, in turn, these programs and their outcomes for youth can be strengthened by this collaboration. By aligning the use of Federal funds under a State Plan, monitoring programs to ensure coordination and collaboration within and across agencies, and sharing outcome and other relevant data between agencies, States can work toward a more collaborative approach to providing education services and supports to youth in the juvenile justice and child welfare systems. Furthermore, collaboration can reduce



fragmentation and duplication of services, improving program efficiency and outcomes for youth. Increasing literature supports the positive effects of interagency collaboration on outcomes of youth involved in juvenile justice and child welfare systems.^{18,19}

Federal and State Emphasis on Interagency Collaboration

In acknowledgment of the importance of collaboration among agencies that serve at-risk youth, the Federal Government and many State governments have passed legislation to foster alliances and relationships. In 1974, Congress passed the Child Abuse Prevention and Treatment Act, which conditions Federal funding on the effective use by States of multidisciplinary teams and coordinating councils; the Act was reauthorized in 2010.²⁰ At the State level, legislators began with the issue of child abuse and later broadened the application of interagency collaboration to address juvenile justice system reform efforts. As a result, State law often defines child abuse broadly to enable support of the efforts of a wide range of community-based, interagency programs.

Interagency collaboration is vital and important but can be complicated, especially in cases where State or local fact or regulations expressly forbid the sharing of sensitive and private information concerning youth under the age of consent. To help overcome such obstacles, the National Juvenile Information Sharing Initiative (NJISI), in cooperation with OJJDP, has created an online tool designed to assist state and local agencies and organizations in determining what state laws permit and require concerning juvenile information sharing. You can explore the online tool on the [NJISI Web site](#).

In addition to the emphasis on collaboration between Federal and State entities, there is continuing focus on coordination and collaboration among Federal agencies and between Offices within the same agency on issues particular to youth who are N or D. SASA is involved with many of these efforts, including:

- The [Federal Reentry Interagency Council \(FRIC\)](#), which is led by the Department of Justice and for ED by the Office of Vocational and Adult Education (OVAE) and comprised of representatives across 19 offices, agencies, and councils. The mission of FRIC is to collaborate across Federal agency initiatives to: (1) make communities safer by reducing recidivism and victimization, (2) assist those returning from prison and jail in becoming productive citizens, and (3) save taxpayer dollars by lowering the direct and collateral costs of incarceration. In 2013, the Title I, Part D, program office will co-chair the Juvenile Reentry Committee and become involved with the Steering Committee.
- The [Juvenile Justice and Delinquency Prevention Coordinating Council \(JJDPCC\)](#), as established by the Juvenile Justice and Delinquency Prevention Act, is charged with coordinating Federal juvenile delinquency prevention programs, Federal programs and activities that detain or care for unaccompanied juveniles, and Federal programs relating to missing and exploited children. The Council has 18 cross-agency members and practitioners, and is currently represented by ED's [Office of Safe and Healthy Students](#). A significant effort for the Title I, Part D, program office, in conjunction with the JJDPCC, is its recent coordination with the [Supportive School Discipline Initiative \(SSDI\)](#) and the development of an [SSDI Community of Practice](#) through NDTAC. As noted previously, SSDI is a collaborative project between ED and the DOJ to address the school-to-prison pipeline and the disciplinary policies and practices that can push students out of school and into the justice system.
- The Title I, Part D, program office coordinates with the Office of Civil Rights (OCR) and the Office of Special Education Programs (OSEP) concerning the sharing of data related to the demographics and academic performance of students in juvenile justice system schools. Through the [Civil Rights Data Collection](#), which has wide-ranging equity and access to education data from public schools and [ED Facts](#), which has data at the LEA level for special education and Subpart 2, the Title I, Part D, program will be able to review and analyze these data to improve student outcomes.

Successful reentry and transition of students who are involved in the child welfare and juvenile justice system inherently requires successful coordination and collaboration across agencies. ED encourages State Coordinators to be aware of the Federal activities and initiatives to connect with the work in their own States. For example, States may use their own data to conduct similar analyses to improve programming and facilitate coordination across agencies, within SEA offices or juvenile justice schools.

¹⁸ Leone, P., & Weinberg, L. (2010). *Addressing the unmet educational needs of children and youth in the juvenile justice and child welfare systems*. Washington, DC: Center for Juvenile Justice Reform. Retrieved from <http://cjjr.georgetown.edu/pdfs/ed/edpaper.pdf>.

¹⁹ Shufelt, J. L., Coccozza, J. J., & Skowyr, K. R. (2010). *Successfully collaborating with the juvenile justice system: Benefits, challenges, and key strategies*. Washington, DC: Technical Assistance Partnership for Child and Family Mental Health. Retrieved from http://www.tapartnership.org/docs/jjResource_collaboration.pdf.

²⁰ Child Welfare Information Gateway. (2011). *About CAPTA: A legislative history*. Washington, DC: U.S. Department of Health and Human Services, Children's Bureau. Retrieved from <https://www.childwelfare.gov/pubs/factsheets/about.cfm>.



What Does Interagency Collaboration Look Like In Practice?

A key factor in the poor outcomes found among youth involved in the juvenile justice and child welfare systems is the lack of collaboration between the child welfare, juvenile justice, and education systems. Fostering a system of shared and coordinated responsibility on the part of child-serving agencies is one way to improve the educational success and overall well-being of system-involved youth. NDTAC's Practice Guide, *Improving Educational Outcomes for Youth in the Juvenile Justice and Child Welfare Systems Through Interagency Communication and Collaboration* (PDF), provides concrete practices and strategies for taking on collaborative efforts.

What Can I Do To Support Interagency Collaboration?

Clearly, collaboration is a multiperson effort. For State Part D coordinators who are interested in beginning a conversation about greater collaboration, the NDTAC Practice Guide referenced in the previous paragraph provides useful strategies, as well as examples of others who have put these strategies into practice. For example, to encourage collaborative decisionmaking, State Part D coordinators can develop or encourage agreements between departments and agencies to facilitate easier sharing of information. Examples of such collaboration have been provided by the states of Maine and Arizona and are available on the [NDTAC Web site](#).

What Other Resources Are Available?

Addressing the Needs of Multi-System Youth: Strengthening the Connection Between Child Welfare and Juvenile Justice. This [Center for Juvenile Justice Reform paper](#) (PDF) was designed to provide a framework for jurisdictions to utilize in better serving youth known to both the child welfare and juvenile justice systems. The paper focuses on improving understanding of how to prevent youth from crossing over between systems and ensuring that all youth who are served by both systems experience them in a manner that provides for the youths' safety, well-being, and permanence while ensuring public safety.

Best Practices in Interagency Collaboration: Youth Homelessness and Juvenile Justice. This [brief](#) (PDF) from the National Center for Homeless Education provides basic information to help educators understand the juvenile court process and explains why the McKinney-Vento Homeless Assistance Act is a critical tool for juvenile justice agencies to help homeless youth with whom they work to enroll and succeed in school.

Developing Safe Schools Partnerships: Spotlight on Juvenile Justice. This two-page [fact sheet](#) contains information from the Safe Schools/Healthy Students Initiative and resources on developing effective juvenile justice/school relations.

Reforming Juvenile Justice Through Comprehensive Community Planning. This [publication](#) (PDF) outlines the Comprehensive Community Planning process, including process outcomes, new programs, and new legislation reflecting the Comprehensive Community Planning ideals. The goal of the process is to refocus attention on prevention and early intervention as important parts of a comprehensive strategy to address youth crime.

Models for Change Information-Sharing Toolkit. Created by the Child Welfare League of America and Juvenile Law Center in collaboration with the MacArthur Foundation, the *Models for Change Toolkit* provides guidance to jurisdictions seeking to improve their information- and data-sharing practices in the handling of juveniles and to reach the ultimate goal of improving the outcomes for those youths.

Safe and Supportive Learning Environments

Why Are Safe and Supportive Environments Important?

Research points to a strong link between student academic achievement and the environments in which they learn—a link which is important for all youth, but particularly for those considered at risk of educational failure.²¹ Creating safe and supportive environments are most often discussed in terms of everyday school environments in relation to (1) promoting student learning and (2) reducing student dropouts and contact with the juvenile justice system. Students are more likely to succeed academically if they attend a school that creates a

²¹ Osher, D., Sidana, A., & Kelly, P. (2008). *Improving conditions for learning for youth who are neglected or delinquent*. Washington, DC: National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At-Risk (NDTAC). Retrieved from <http://www.neglected-delinquent.org/nd/resources/spotlight/cflbrief200803.asp>.



positive school climate and if they feel connected to the school.²² School climate encompasses a variety of things, including how the school and classrooms are managed, school safety, the manner in which expectations are communicated, and how students are treated by staff and students.

One aspect of school climate is reflected in approaches to school discipline. Many students struggle with emotional and behavioral problems that may lead them to act out in ways that school staff may not understand or be prepared to respond to effectively. Ineffective reactions to negative behavior, paired with many districts' zero-tolerance policies,²³ can create incentives for removing students from the classroom. When school disciplinary practices result in youth being out of school, such practices impact their academic achievement and increase the likelihood of their involvement with the juvenile justice system. A recent report from the Council of State Governments' Justice Center, [Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement](#), focuses on the school-to-prison pipeline and underscores the critical need to focus on the connections between academic achievement, student supports, and the school environment.

Safe and supportive learning environments are equally important for students in facilities for youth who are neglected or delinquent (see NDTAC's brief [Improving Conditions for Learning for Youth Who Are Neglected or Delinquent](#) for a more detailed discussion). As noted in the brief, research suggests that it is hard to improve academic outcomes for these students, both individually and collectively, without addressing the social and emotional barriers to learning that they face. Students often come into facilities with many of the same problems that they were experiencing in their home school. While they are in facilities, students have an opportunity to focus on their education and make gains before returning to their communities, and a supportive and safe environment will facilitate that effort. NDTAC's issue brief, [Supporting Student Achievement Through Sound Behavior Management Practices in Schools and Juvenile Justice Facilities: A Spotlight on Positive Behavioral Interventions and Supports \(PBIS\)](#), provides more information about the need for strong behavior management practices and the application of one such method (PBIS, which is commonly used in community schools) to help support student learning in correctional settings. In fact, juvenile justice facilities in a number of States have successfully implemented PBIS and realized positive changes to student behavior, increased academic engagement, improved youth-staff interactions, decreased discipline referrals and actions, and increased academic achievement.^{24,25,26,27}

Federal and State Emphasis on Safe and Supportive Learning Environments

ED has developed an office focused on promoting safe and supportive learning environments—the [Office of Safe and Healthy Students](#). This office, in collaboration with other agencies, also supports two related technical assistance centers: [Safe Schools/Healthy Students](#) (discussed further below) and the [National Center of Safe/Supportive School Discipline Communities of Practice Supportive Learning Environments](#).

The cross-agency focus in this area was further highlighted in July 2011, when Attorney General Eric Holder and Secretary of Education Arne Duncan announced the launch of the [Supportive School Discipline Initiative](#), a collaborative project between ED and the U.S. Department of Justice with the goal of addressing the school-to-prison pipeline and the disciplinary policies and practices that can push students out of school and into the justice system. This initiative underscores the significance the Federal Government places on supporting good discipline practices to foster safe and productive learning environments.

Additionally, in 2012, a National Leadership Summit on School-Justice Partnerships was held in New York City, through a partnership between Federal, nonprofit, and private entities. The summit brought together justice and school system leaders from across the Nation with

²² Osher, D., Speir, E., Kendziora, K., & Cai, C. (2009). *Improving academic achievement through improving school climate and student connectedness*. Presentation at the American Educational Research Association Annual Meeting, San Diego, CA. Retrieved from http://alaskaice.org/wordpress/wp-content/uploads/2010/11/090414_AIR_AERA_ImprovingAcademicAchievementThroughImprovingSchoolClimateandStudentConnectedness.pdf

²³ The National Association of School Psychologists. (2001). *Zero tolerance and alternative strategies: A fact sheet for educators and policymakers*. Retrieved from http://www.nasponline.org/resources/factsheets/zt_fs.aspx

²⁴ Nelson, C. M., Scott, T. M., Gagnon, J. C., Jolivette, K., & Sprague, J. R. (2008). Positive behavior support in the juvenile justice system. *PBIS Newsletter*, 4(3). Retrieved from http://www.pbis.org/pbis_newsletter/volume_4/issue3.aspx

²⁵ Gagnon, J. C., Rockwell, S. B., & Scott, T. M. (2008). Positive behavior supports in exclusionary schools: A practical approach based on what we know. *Focus on Exceptional Children*, 41(1), 1–20.

²⁶ Scott, T. M., Gagnon, J. C., & Nelson, C. M. (2008). School-wide systems of positive behavior support: A framework for reducing school crime and violence. *Journal of Behavior Analysis of Offender and Victim Treatment and Prevention*, 1, 259–272.

²⁷ Houchins, D. E., Jolivette, K., Wessendorf, S., McGlynn, M., & Nelson, C. M. (2005). Stakeholders' view of implementing positive behavioral support in a juvenile justice setting. *Education and Treatment of Children*, 28, 380–399.



the objective of working collaboratively to find ways to keep students in school and out of courts. To provide further support, ED funded the (SSD COP), through NDTAC, to assist States in continuing their work from the summit. The SSD COP provides State community members with opportunities to access seminal resources, share ideas across State lines, and discuss plans with experts in the field.

What Do Safe and Supportive Learning Environments Look Like in Practice?

Safe Schools/Healthy Students (SS/HS)—a cross-agency collaboration between ED, the DOJ, and the Substance Abuse and Mental Health Services Administration—launched in 1999 in response to a national increase in school shootings. SS/HS addresses the underlying factors that contribute to school violence, students' substance abuse and mental health problems, school failure, dropouts, and suspension and expulsion. According to a report on supportive school discipline that was released in 2012, the following four components of SS/HS are essential to creating positive and supportive learning environments:²⁸

1. **Cross-Agency Partnerships.** To engender a holistic approach, collaborative partnerships need to be developed among school districts, law enforcement and juvenile justice systems, mental health care providers, and other relevant stakeholders. The goal of these partnerships should be to implement effective solutions that improve outcomes for youth who are at risk and promote success for *all* students.
2. **Data-Driven Decisions.** Logic models should be used to help staff structure their actions, promote accountability, and monitor progress. Data also should be collected routinely to track the (1) effectiveness of programming and policies and (2) student success so that timely decisions can be made to improve programming and student outcomes and information can be shared with community partners to provide appropriate services.
3. **Systemwide Use of Evidence-Based Programs and Practices.** Supportive learning environments are supported through the implementation of evidence-based programs and practices that address the specific behaviors that precede and/or contribute to suspensions and expulsions, such as truancy, substance abuse, bullying, lack of social and emotional skills, and violence.
4. **Parents and Families Engaged as Partners.** Family involvement in children's academic and behavioral performance, both in school and at home, is crucial to the success of evidence-based programming related to academic and behavioral health.

What Can I Do To Support Safe and Supportive Learning Environments?

Although many of the recommended practices and strategies for creating safe and supportive learning environments occur at the facility level, State Part D coordinators can also provide support for these efforts.

- During your subgrantee monitoring reviews, consider examining the environment of the facility and discussing perceptions of school climate with administrators, teachers, and students (if you can) and ask about the behavior management and facility discipline approaches.
- Find out if your State is involved with the **SSD COP** and connect with the members of the team to see if you can have a role in assisting their work.
- Explore the Web sites of the **National Center on Safe Supportive Learning Environments (NCSSLE)** and the **SS/HS** to learn of other safe and supportive learning-related initiatives in your State.
- Encourage your facilities and programs to provide safe and supportive learning environments through the technical assistance and resources you provide to them.

What Other Resources Are Available?

NDTAC Practice Guide: Providing Individually Tailored Academic and Behavioral Support Services for Youth in the Juvenile Justice and Child Welfare Systems. This [guide](#) (PDF) examines the importance of providing individually tailored academic and behavioral support services to foster better outcomes for system-involved youth. It is the second in a series of NDTAC practice guides that builds on the Center for Juvenile Justice Reform monograph, *Addressing the Unmet Educational Needs of Children and Youth in the Juvenile Justice and Child Welfare Systems.*

²⁸ *Supportive school discipline: A snapshot from Safe Schools/Healthy Students initiatives.* (2012). Retrieved from <http://sshs.promoteprevent.org/publications/best-practices/supportive-school-discipline>



National Leadership Summit on School-Justice Partnerships: Keeping Kids in School and Out of Court. The summit, held in New York City in 2012, brought together justice system and school system leaders from across the Nation with the objective of working collaboratively to find ways to keep students in school and out of courts. The summit's [Web site](#) showcases a growing body of research and evidence-based alternatives that indicate suspensions and expulsions are not effective in improving student behavior and are significantly associated with dropout and involvement in the juvenile and criminal justice systems.

How Can We Improve School Discipline? This [article](#) from 2010 reviews three approaches to improving school discipline practices and student behavior: ecological approaches to classroom management, schoolwide positive behavioral supports, and social emotional learning. The foundations of each approach are discussed, as well as supporting research evidence. All approaches highlight the importance of schoolwide context in affecting and addressing discipline. The article concludes by stating a need to integrate or align all approaches while incorporating collaboration with family, integrating cultural and linguistic competence, and responding to the needs of students with mental health needs.

National Center on Positive Behavior Interventions and Supports. The [Technical Assistance Center on PBIS](#) provides capacity-building information and technical assistance related to identifying, adapting, and sustaining effective schoolwide disciplinary practices.

Adapting Positive Behavioral Interventions and Supports for Secure Juvenile Justice Settings: Improving Facilitywide Behavior. This article (PDF) from 2010 offers extensive information about adapting PBIS for juvenile justice settings and includes detailed explanations of important implementation steps.

Students With Disabilities

Why Is Addressing Students With Disabilities Important Under Title I, Part D?

Research has demonstrated that anywhere from 50 percent to 75 percent of youth in the juvenile justice system have at least one diagnosable education-related disability and should receive special education and related services.^{29,30} Identifying those youth who have previously diagnosed disabilities and those who have never been diagnosed is a critical first step in determining those students in need of appropriate services within neglect and delinquent facilities. Although the availability of special education services is mandated in these environments, the services are usually implemented within the larger context of general academic and vocational programming.³¹ Therefore, providing for adequate special education services within such environments creates the need for increased educational resources. However, acknowledging that the majority of confined youth may have educational and behavioral disabilities, understanding the ways in which these disabilities affect these youth, and knowing the ways to deliver necessary services and supports necessary to meet their needs—all are critical for helping to ensure their academic and overall success. Special education services are intended not only to support students with identified learning and behavioral disabilities but also to provide facility administrators and staff with effective strategies to meet these needs.³² In most cases, local educational agencies (LEAs) or facilities will have special education coordinators responsible for ensuring the delivery of these services, but State Part D coordinators should be familiar with the needs of students with disabilities, require diligence on the part of facility staff in meeting all Federal, State, and local legal requirements, and be mindful of best practices for the delivery of services to students who are N or D.

Federal and State Emphasis on Students With Disabilities

Facilities are required to provide the same special education and related services that are afforded to youth in public schools through IDEA, the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, and other applicable Federal, State, and local laws.

²⁹ New Freedom Commission on Mental Health. (2003). *Achieving the promise: Transforming mental health care in America* (Final Report, DHHS Pub. No. SMA-03-3832). Rockville, MD: U.S. Department of Health and Human Services.

³⁰ Nelson, C. M., Jolivet, K., Leone, P. E., & Mathur, S. R. (2010). Meeting the needs of at-risk and adjudicated youth with behavioral challenges: The promise of juvenile justice. *Behavioral Disorders*, 36(1), 70–80.

³¹ Meisel, S. M., Henderson, K., Cohen, M., & Leone, P. E. (1998). Collaborate to educate: Special education in juvenile correctional facilities. In *Building collaboration between education and treatment for at-risk and delinquent youth* (pp. 59–72). Eastern Kentucky University, Richmond: National Juvenile Detention Association. [Reprinted 2001 as ERIC Document No. 453624].

³² Burrell, S., & Warboys, L. (2000, July). Special education and the juvenile justice system. *Juvenile Justice Bulletin*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention. Retrieved June 23, 2008, from <http://www.ncjrs.gov/pdffiles1/ojdp/179359.pdf>



- The IDEA mandates a free, appropriate public education, including the provision of special education and related services, for all eligible children and youth with disabilities aged 3 through 21 in public schools and State-operated programs, including juvenile detention and confinement facilities.
- [Section 504 of the Vocational Rehabilitation Act of 1973 \(Section 504\)](#) and [Title II of the ADA](#) prohibit discrimination against persons with disabilities by any program or activity that receives Federal funds, including correctional facilities.
- The ADA and Section 504 apply to juvenile correctional facilities to the extent that students with disabilities should not be excluded from appropriate educational services or from school for misbehavior that may be related to the students' disability, or to the failure of the school program to meet the students' needs.

As a State Part D coordinator, you should familiarize yourself with the specifics of these laws and their mandates. You also may want to determine a process for ensuring that facilities have the resources necessary to meet these requirements and that they are in turn using these resources effectively. Coordinating your monitoring efforts (described in the Monitoring section of this document) with the individuals or teams responsible for monitoring special education programs in your State is an effective and efficient way to accomplish this task.

What Does Serving Students With Disabilities Under Title I, Part D Look Like in Practice?

Juvenile facilities often face unique obstacles in meeting the requirements of special education law and regulations. A number of barriers may impede the provision of appropriate special education and related services for many incarcerated youth, despite the efforts of well-intentioned educators, treatment providers, and administrators to implement effective education programs. Here are some of the ways State Part D coordinators can help facilities overcome these barriers by supporting the work of your counterparts in the facilities:

Obtain records and/or screen and assess youth upon admission. Some youth will enter facilities for youth who are N or D with previously diagnosed disabilities and/or IEPs. It is important that these records be transferred successfully from the youth's last placement. As a State Part D coordinator, you should work closely with facility administrators to ensure that records are transferred quickly and are as complete and accurate as possible. Some States have set records-transfer guidelines (e.g., records must reach a new placement no more than 3 days after entry) through mandates and even statutes. Parents, guardians, and other caregivers can be essential in helping to facilitate this process, as they are typically more aware of their child's diagnosis or diagnoses than anyone else. State and/or local special education electronic databases are another reliable source to gain information necessary for providing a quality education program for youth with disabilities. As the State Part D coordinator, you may be able to acquire "clearance" to access/view these databases. For youth entering facilities without a previous diagnosis, appropriate behavioral, psychological, and academic screening and assessment should take place at all facilities as soon as the youth arrives. Once the need for special education services has been determined, it is important for facility staff not only to understand a disability's impact on the academic performance of these students but also to take into account the social and emotional factors that affect their learning and their daily lives. It is difficult, if not impossible, to meet the academic and social-emotional needs of youth in confinement without first properly identifying these needs.

Ensure that proper special education and related services are in place. Once a youth's special education and related service needs are established, it is critical that facilities ensure that the services are delivered. As the above-mentioned Federal statutes for youth with disabilities require, facilities must provide the same level of services to youth with disabilities as they would receive in a general public education setting. This means implementing and, if necessary, reassessing and modifying current IEPs as well as creating new ones. The youth and their parents, guardians, and/or other caregivers must play a major role in determining what services are most appropriate. The IDEA gives parents, or surrogates when parents are unable to participate, the right to be involved in all educational decisions, including the right to be invited to participate in IEP meetings to determine the services that will be provided. Parents also have due process rights that permit them to challenge decisions made by facilities. Other relevant service providers and personnel, such as facility principals and teachers, mental health staff, and other care coordinators, also should be involved. As a State Part D coordinator, you should encourage this comprehensive collaborative approach. You also may want to familiarize yourself with best practices in the area of special education and related service delivery through IEPs. Peers from other States may be a source for such information. [The National Federation of Families for Children's Mental Health](#) also provides a wealth of resources, including training, for families of youth with disabilities.

Transfer records as youth exit placements. Equally as important as securing a youth's records when he/she enters a facility is the transfer of these records to the youth's next placement upon exit. A continuum of appropriate and high-quality care is the best way to ensure success for youth who have disabilities both while they are in the juvenile justice and neglect systems and once they return back to their communities. The importance of records transfer is explored in further depth in the Transition section of the handbook.



What Can I Do To Support Facilities Serving Students With Disabilities Under Title I, Part D?

State Part D coordinators cannot directly engage in decisionmaking concerning students with disabilities; that is under the purview of those who direct facilities and programs. There are, however, some actions that you as a State Part D coordinator can take that will facilitate support to students in facilities and programs funded by in Title I, Part D. For example, you can ensure that facilities test and plan appropriately for their students with disabilities. You can make sure that facilities and programs ensure family involvement. You can also:

Utilize additional funding sources. Part D funds can be used in conjunction with a myriad of other Federal and State funding sources. Other Title I programs, the Carl D. Perkins Vocational and Applied Technology Act, the IDEA, and others are all designed to help meet the needs of youth who are disadvantaged or who have disabilities, whether in public schools, facilities that serve youth who are neglected, detention centers, or correctional facilities. For example, through the Carl D. Perkins Act of 2006, Federal funds are available as State Basic Grants “to develop the academic, vocational and technical skills of students in high schools, community colleges, and regional technical centers.” LEAs may want to consider ways of connecting N or D and vocational education programs to enhance technical training of students in N or D programs (see ED grant Web site). Funds can be used for a variety of programs, services, and activities designed to improve career-technical education programs and ensure access to students who are members of populations with special needs. As another example, the IDEA specifically allows for Federal funds to be used for schoolwide programs that also may benefit youth who do not meet disability or other eligibility criteria. State Part D coordinators should explore these additional funding streams and determine ways in which they can supplement what is already being done with Part D funds for youth with special education needs.

Foster multidisciplinary and interagency collaboration. Coordinated, multidisciplinary collaboration between education and treatment professionals can dramatically improve a facility’s ability to effectively meet the needs of youth with learning and behavioral disabilities, by providing the opportunity for teams of individuals—including parents, guardians, and other caretakers, along with juvenile justice facility staff, school staff, mental health providers, social service workers, and others—to work together to ensure that students receive the help they need to meet individual achievement goals and maintain academic success—both while residing in a facility as well as during transitions (between placements) and after release. As a State Part D coordinator, you should encourage State and local facility administrators to bring individuals and agencies to the table to discuss, plan, and carry out coordinated efforts to this end. In addition, interagency collaboration should include efforts to involve other public agencies to help provide and pay for appropriate services needed by children with disabilities.

What Resources Are Available?

Records Transfer Module in the Transition Toolkit 2.0. This module from NDTAC’s *Transition Toolkit 2.0* is intended to help develop strategies to support administrative connections among agencies, schools, and facilities to transfer youth records more effectively.

Addressing the Needs of Youth With Disabilities in the Juvenile Justice System. This [report](#) (PDF) from the Urban Institute summarizes and assesses the state of knowledge about children and youth with disabilities who are at risk of delinquency and involvement in, or who have already entered, the juvenile justice system.

Special Education and the Juvenile Justice System. This [bulletin](#) (PDF) from OJJDP seeks to heighten awareness of special education issues in the juvenile justice system and ensure that youth with disabilities receive the services they need.

Juvenile Justice and Mental Health Working Together for the Best Outcomes for Youth With Serious Emotional Disorders. This [guide](#) (PDF) from the Technical Assistance Partnership for Children’s Mental Health is intended for family members, nonclinical juvenile justice practitioners, and administrators, as well as other stakeholders in system of care communities who are interested in improving mental health service delivery to all children with serious emotional disorders, including those in the juvenile justice system.

A Classroom Behind Bars: Providing Special Education to Incarcerated Juveniles. In this [paper](#), Muckefuse (2011) uses criminological and social work perspectives to examine factors contributing to delinquency and recidivism. From this perspective, it explores the prevalence of learning disabilities among incarcerated youth including the examination of various barriers to providing educational assessments and adequate special educational services while in secure care facilities.

Introduction to the Special Issue of Behavioral Disorders: Juvenile Justice Issues. Written by Jolivette and Nelson (2010), this article provides a brief introduction that explains the reasoning behind the special issue of Behavior Disorders. The special issue of this journal is devoted to youth who are involved with or at risk of becoming involved with the juvenile justice system. Researchers, practitioners, and advocates in areas of expertise that affect this population of youth were invited to address important and current topics focused on improving the academic, social, and transition outcomes of this population of youth, as well as directions for the field.



Meeting the Needs of At-Risk and Adjudicated Youth With Behavioral Challenges: The Promise of Juvenile Justice. In this article, Nelson, Jolivet, Leone, and Mathur (2010) review the myriad characteristics and complex needs of youth who are at risk or adjudicated, the programs and services currently available in communities and secure settings, and youth outcomes after incarceration. Recent and emerging national, State, and local initiatives and the benefits that have been realized or are anticipated from their application are also presented.

Family Involvement³³

Why Is Family Involvement Important?

As research has shown, family involvement can have a significant impact on outcomes for a child in the juvenile justice system.³⁴ According to the National Center on Education, Disability, and Juvenile Justice, “Families have the potential to be the greatest source of positive change and support for youth in the juvenile justice system.”³⁵ Furthermore, studies have concluded that maintaining or revitalizing family involvement while a youth is incarcerated or adjudicated is correlated with a successful transition into the community and, ultimately, with reduced recidivism.³⁶

Federal Emphasis on Family Involvement

Current policy in both ED and DOJ supports family involvement. Under Title I, Part D, Federal statute requires that all State agency (SA) applications for Subpart 1 funding must include provisions for working with parents to secure their assistance in improving the educational achievement of their children and youth and in preventing their children and youth’s further involvement in delinquent activities (Section 1414(c)(14)). Likewise, LEAs applying for Subpart 2 funding must describe how they will involve parents 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 (Section 1423(8)). Correctional facilities applying for Subpart 2 funding also must describe how they will involve parents in efforts to improve the educational achievement of their children and prevent the involvement of their children in further delinquent activities, where feasible (Section 1425(8)).

The 2002 reauthorization of the Juvenile Justice and Delinquency Prevention Act includes family involvement as an activity that could be funded with formula grant funds. In addition, the IDEA contains specific provisions and requirements regarding family involvement; these are relevant to the large number of students in facilities in need of special education services. The Federal Government also has sponsored several projects to facilitate family involvement in the areas of juvenile justice and delinquency prevention. Wider dissemination of these initiatives and policies—some of which are linked at the end of this section—to administrators, with specific guidance and examples, is essential to improving practice.

What Does Family Involvement Look Like in Practice?

The need for legislating family involvement reveals the extent of the challenge, as the difficulties in engaging families are many. Lack of transportation, geographic distance between home and facility, parental incarceration, perceived or real immigration issues, fear of or discomfort with the juvenile justice process, and lack of information about the facility’s education system are just a few issues that keep families from being involved with their youth during incarceration. The *Facility Toolkit for Engaging Families in Their Child’s Education at a Juvenile Justice Facility* (PDF), available on NDTAC’s Web site, provides practical suggestions and strategies for family involvement that correctional education programs could offer. Although these strategies target the facility level, your role as a State Part D coordinator can help facilitate and implement these strategies across your State.

³³ For the purposes of this handbook, “family” and “parent” are interchangeable with guardian(s) or adult advocate(s) tending to the care of the youth.

³⁴ Henderson, A. T., & Mapp, K. L. (2002). *A new wave of evidence: The impact of school, family, and community connections on students’ achievement*. Austin, TX: National Center for Family & Community Connections With Schools. Retrieved from <http://www.sedl.org/connections/resources/evidence.pdf>; page 7.

³⁵ National Center on Education, Disability, and Juvenile Justice. (2002). *Reaching out to parents of youth with disabilities in the juvenile justice system*. Retrieved March 5, 2008, from <http://www.edjj.org/reaching.html>

³⁶ Brock, L., Burrell, J., & Tulipano, T. (2006). *NDTAC issue brief: Family involvement*. Retrieved March 5, 2008, from <http://www.neglected-delinquent.org/nd/resources/spotlight/spotlight200608b.asp>



What Can I Do To Support Family Involvement?

Although many family involvement strategies require implementation at the local level, there are a number of things you can do as a State Part D coordinator both to facilitate and to support effective local implementation, including:

- Visiting [the NDTAC Web site](#) on family involvement to familiarize yourself with the research literature.
- Reading through and disseminating to your facilities NDTAC's family-involvement resources:
 - *The Facility Toolkit for Engaging Families in Their Child's Education at a Juvenile Justice Facility—for facilities to use in their own practice*
 - *The Family Guide to Getting Involved in Your Child's Education at a Juvenile Justice Facility—for sharing with families themselves as their children enter the system*
- Including family involvement as a topic of discussion when you conduct your monitoring reviews. This will help move facilities from rote compliance to more thoughtful application of how to engage families.
- Talking with other coordinators in your ND Community to learn how they are promoting family involvement. Ask your liaison to include parent involvement as a topic on ND Community calls. Check the [ND Communities Web site](#) for family involvement resources suggested by other State Part D coordinators.
- Providing professional development on family involvement strategies to your facilities, or inviting family advocate organizations to come present at regional meetings for you. Use these meetings as forums for discussion on the topic.

What Other Resources Are Available?

Transition Toolkit 2.0: Meeting the Educational Needs of Youth Exposed to the Juvenile Justice System. This [Transition Toolkit](#) offers practical advice and strategies on how to improve the transition process for incarcerated youth. Each section includes strategies specific to involving families.

PACER's National FAST (Family Advocacy and Support Training). [FAST](#) provides family support leadership training to families of children with disabilities in 50 States and Territories.

Families and Advocates Partnership for Education (FAPE). [FAPE](#) is a partnership that aims to improve the educational outcomes for children with disabilities. It links families, advocates, and self-advocates to the following inventory.

Family Resources Inventory: An Overview of Resources for Family, Youth, and Staff. This [inventory](#), prepared by the Mental Health/Juvenile Justice Action Network Family Involvement Workgroup, provides resources, tips, and information to help families navigate the juvenile justice system. The inventory also presents resources to assist juvenile justice staff and policymakers in the reformation of policies and procedures to improve how systems interact with family and youth. To view this document in proper format, right-click the page, then select Rotate Clockwise.

The Strengthening Families Program. This program, which is part of the OJJDP Strengthening America's Families program, is a behavioral and cognitive skills training program for high-risk families, which requires the participation of the parents/guardians and children. It is designed to increase resilience and decrease delinquency, depression, school failure, and violence. This curriculum has been shown by research to yield positive results, especially for African-American families. Available at: <http://www.strengtheningfamiliesprogram.org>

Parent Training and Information Centers. Every State is home to at least one Parent Training and Information (PTI) Center, which is funded by the [Office of Special Education and Rehabilitative Services \(OSERS\)](#). [PTI Centers](#) serve families of children and young adults, from birth to age 22, with all disabilities: physical, cognitive, emotional, and learning. The Centers help families obtain appropriate education and services for their children with disabilities; work to improve education results for all children; train and inform parents and professionals on a variety of topics; resolve problems between families and schools or other agencies; and connect children with disabilities to community resources that address their needs.

The Impact of Family Visitation on Incarcerated Youth's Behavior and School Performance: Findings from the Families as Partners Project. This 2013 [brief](#) summarizes the findings from the Vera Institute of Justice's Families as Partners project, in collaboration with the Ohio Department of Youth Services. The project examined associations between family support and outcomes for youth during their incarceration.



Strengthening the Role of Families in Juvenile Justice. In this article, author Wendy Luckenhill (2012) examines Models for Change—Pennsylvania—a multidisciplinary workgroup composed of family advocates and juvenile justice practitioners, established in 2007—to address the role of families in the juvenile justice process.

Safety, Fairness, Stability: Repositioning Juvenile Justice and Child Welfare To Engage Families and Communities. In this paper, the authors (Pennell, Shapiro, and Spigner, 2011) suggest a pathway to improve juvenile justice and child welfare systems in a manner that will leave children, youth, and families with a more positive set of experiences.

Growing and Sustaining Parent Engagement: A Toolkit for Parents and Community Partners. Commissioned by First 5 LA³⁷ and prepared by the Center for the Study of Social Policy (2010), this Toolkit features parent engagement approaches and strategies that are utilized by parents and partners involved with First 5 LA’s Partnerships For Families initiative.

³⁷ First 5 LA is an organization, established in 1998, whose mission is to increase the number of Los Angeles County children ages 0 to 5 who are physically and emotionally healthy, ready to learn, and safe from harm.

Appendixes



Appendix A. Title I, Part D, Acronyms

Acronym	Full Term
AYP	Adequate Yearly Progress
CFR	Code of Federal Regulations
CSPR	Consolidated State Performance Report
CSSO	Chief State School Officer
ED	U.S. Department of Education
EDEN	Education Data Exchange Network
EDGAR	Education Department General Administrative Regulations
ESEA	Elementary and Secondary Education Act of 1965, as amended in 2001
GED	General Educational Development program
GPRA	Government Performance and Results Act
HQT	Highly Qualified Teacher
IDEA	Individuals with Disabilities Education Act
IEP	Individualized Education Program
JJ	Juvenile Justice
LEA	Local Educational Agency
N or D	Neglected, Delinquent or At-risk
NDTAC	National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At-Risk
PBIS	Positive Behavioral Interventions and Supports
PPE	Per-Pupil Expenditure
SA	State Agency
SEA	State Educational Agency



Appendix B. Title I, Part D, Definitions

Term	Definition
Adult Corrections	A facility in which persons, including youth under 21 years of age, are confined as a result of conviction for a criminal offense.
Annual Child Count	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.”
At-Risk	The term “at-risk,” when used with respect to a child, youth, or student, means a school-aged individual who is at risk of academic failure, has a drug or alcohol problem, is pregnant or is a parent, has come into contact with the juvenile justice system in the past, is at least 1 year behind the expected grade level for the age of the individual, has limited English proficiency, is a gang member, has dropped out of school in the past, or has a high absenteeism rate at school.
At-Risk Programs	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.
Children and Youth	(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.
Code of Federal Regulations (CFR)	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.
Community Day Program	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.
Consolidated State Performance Report (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. 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.
Delinquent	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.
Delinquent Institution	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.
Detention Facilities	Detention facilities are shorter 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.
Education Data Exchange Network (EDEN)	The U.S. Department of Education’s online data system.
Elementary and Secondary Education Act (ESEA)	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.



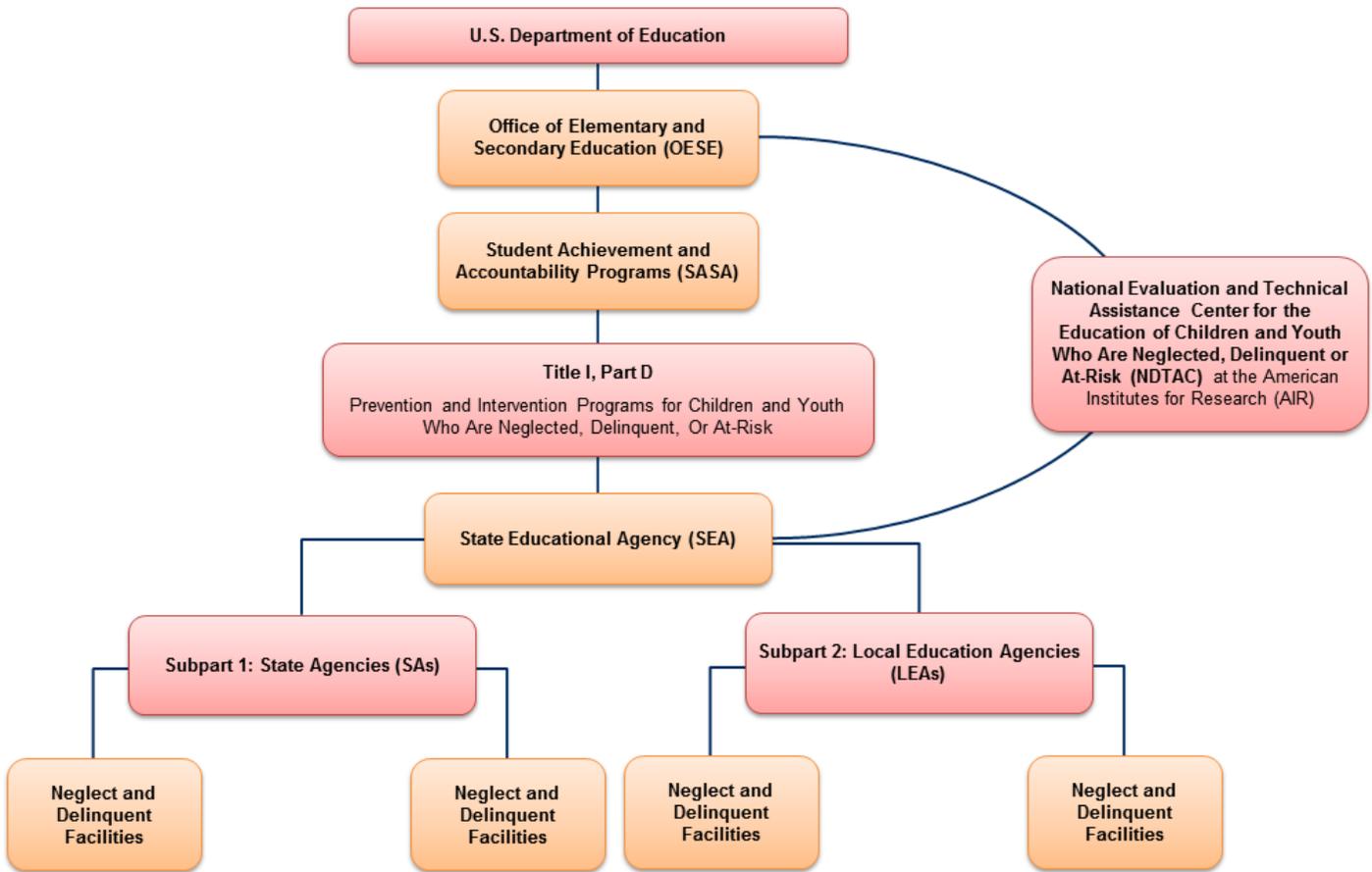
Term	Definition
Family Educational Rights and Privacy Act (FERPA)	Enacted in 1974, FERPA is the prime piece of Federal legislation regarding the sharing of educational information. Its purpose is to prevent the unnecessary disclosure of students' educational records.
Government Performance and Results Act Modernization Act (GPRAMA)	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.
Individuals with Disabilities Education Act (IDEA)	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.
Individualized Education Program (IEP)	A written statement for each individual with a disability that is developed, reviewed, and revised in accordance with Section 614(d) of IDEA regulations.
Institutionwide Project	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 institutionwide approach is similar to that of schoolwide programs operated under Title I, Part A. <i>Note that adult correctional institutions cannot operate institutionwide programs.</i>
Juvenile Correctional Institution	See definition for delinquent institution.
Local Educational Agency (LEA)	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.
Locally Operated Correctional Facility	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.
Long-Term Students	Students who have been enrolled in a program for 90 or more consecutive calendar days.
Neglected	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.
Neglect Institution	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 there under applicable State law due to (1) abandonment, (2) neglect, or (3) death of their parents or guardians.
No Child Left Behind Act (NCLB)	The 2001 reauthorization of the Elementary and Secondary Education Act (ESEA).
Positive Behavioral Interventions and Supports (PBIS or PBS)	A research-based framework for implementing schoolwide systems of behavioral support to help prevent and reduce problem behavior.
Regular Program of Instruction	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.
Reporting Year (for the CSPR)	Same as definition of school year; the CSPR defines this as July 1–June 30.



Term	Definition
School Year (for the CSPR)	Same as definition of reporting year; the CSPR defines this as July 1–June 30.
State Agency (SA)	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.
State Education Agency (SEA)	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.
Title I	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.
Title I, Part A	This 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.
Title I, Part D	This 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.
Unduplicated Count	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.



Appendix C. Administration of U.S. Department of Education's Title I, Part D Programs





The National Evaluation and Technical Assistance Center
for the Education of Children and Youth Who Are Neglected, Delinquent or At-Risk

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For more information, please contact NDTAC at ndtac@air.org
or visit our Web site at <http://www.neglected-delinquent.org>.

June 2013
Improving educational
programming for youth
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