
**Monitoring of
Title I, Part D, Subpart 1
Neglected and Delinquent
for
Department of Corrections
Administration
School Year: 2018-19
—Guidance Document—**



A. Legislation

The Prevention and Intervention programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk, authorized by Title I, Part D of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act of 2015 includes state and local programs:

State

Subpart 1 establishes the state agency Neglected or Delinquent (N or D) program to enable State Education Agencies (SEA) to award subgrants to State Agencies (SA) that operate educational programs for children and youth in institutions or community day programs for children who are neglected, delinquent or at-risk, and for children and youth in adult correctional facilities. Subpart 1 state-operated adult correctional institutions must have state-funded education programs in which students are enrolled 15 hours a week to be eligible to receive funding for Title I, Part D, supplementary programs. Subpart 1 state-operated juvenile correctional institutions must have state-funded educational programs in which students are enrolled 20 hours a week to be eligible to receive funding for Title I, Part D, supplementary programs.

Local

Subpart 2 authorizes SEAs to award subgrants to Local Educational Agencies (LEAs) to provide programs that serve children and youth residing in locally operated correctional facilities, or attending community day programs for delinquent children and youth. Additionally, subpart 2 programs may provide assistance to children and youth who are neglected or at-risk of dropping out of school. Subpart 2 state-licensed residential childcare institutions, located within school district boundaries, must have locally-funded regular education programs in which the students are enrolled 20 hours a week to be eligible to receive funding for Title I, Part D, supplementary programs.

Subpart 3 of Part D requires SAs and LEAs to evaluate their programs using multiple and appropriate evaluation measures at least once every three years to determine the programs' effects on student achievement.

Reports and Monitoring

A. Monitoring and Accountability

The Wisconsin Department of Public Instruction (DPI) will arrange for state monitoring visits with institutions administering Title I, Part D Subpart 1 and Subpart 2 programs, as required under the Every Student Succeeds Act (20 § U.S.C. 6434 (a)(2)(D)). On-site reviews ensure that federally-funded programs are operating in accordance with the approved application, and supplement the regular program of education for students.

B. Non-Compliance

Areas of non-compliance, revealed during monitoring visits, must be resolved within the prescribed time frame, which is usually 30 days.

C. Reports

Preliminary findings will be presented to institutions at the conclusion of the monitoring review. A formal written report will be sent to the institutions' fiscal agent within six weeks after the review. The formal report will include corrective action, if necessary, recommendations, and an offer for technical assistance, if needed.

Title I, Part D – Neglected & Delinquent

REQUIREMENT: State Agency operated programs for incarcerated youth must: (1) improve educational services in order to provide the children and youth served with the opportunity to meet the same challenging state academic content and state student achievement standards that all children in the state are expected to meet; (2) provide the children and youth served with the services needed to transition successfully from institutionalization to further schooling or employment; and (3) prevent at-risk youth from dropping out of school and provide dropouts, and children and youth returning from SA operated programs with a support system to ensure their continued education and the involvement of their families and communities (20 § U.S.C. 6421).

Required Documentation for Title I, Part D, Subpart 1 Review

1. Annual Count Documentation

The DOC ensures documented records are kept on file of students reported for the current year entitlement in the Title I-D Annual Survey. 20 U.S.C. § 6432.

Possible Evidence includes:

- Copies of signed and dated records of the students counted on the annual survey. Annual survey records include student name, date of birth (DOB), entry and exit dates, and signature of the facility administrator.
- Provide an example of the process used to ensure students reported in the Annual Count Survey are eligible at an eligible institution.

2. Assessing Needs

The DOC describes the procedures used to assess the educational needs of children served under this subpart. 20 U.S.C. § 6434(c)(1).

Possible Evidence Includes:

- Provide examples of assessment procedures and placement protocols to ensure potentially eligible students are placed at facilities that can serve Title I students.
- Provide an assessment protocol that helps to provide data or evidence to inform the students' academic needs.
- To the extent practicable, provide evidence that such assessments are provided upon entry into a correctional facility.

3. Program Evaluation

The DOC evaluates its Title I-D program to determine the program's impact on student academic achievement and transition to further educational programs, postsecondary education, or employment. *20 U.S.C. § 6471(a)*. The DOC uses the results of the most recent evaluation to plan and improve the program. *20 U.S.C. 6434(c)(6)*.

Possible Evidence includes:

- A disaggregation of student achievement data by race, disability, English language proficiency, and age. Using the data, include the implications of the data on the program and student success.
- Description of how the DOC uses data in order to maintain and improve educational achievement, operate and enhance transitional programs, and facilitate school credit accrual for the purpose of grade promotion, graduation, or an equivalent graduation program.
- Indicate evidence of the evaluation of the Title I program with the use of data.

4. Parent Involvement

The DOC works with parents to secure parents' assistance in improving the educational achievement of their children and youth, and preventing further involvement in delinquent activities. *20 U.S.C. § 6434(c)(14)*.

Possible Evidence includes:

- Evidence of parent involvement activities, such as offerings or resources that integrate parent participation into the educational efforts of the institution, and opportunities for inmates to learn or improve parenting skills.
- Evidence of activities or opportunities in which parent input is received.
- Evidence of resources for parents of Title I students to improve their students' achievement and transition success.
- Evidence of the DOC, at an agency level, working to gather parent input to build data and inform the Title I program.

5. Coordination

The DOC ensures that the Title I-D programs will be coordinated with any programs under the Juvenile Justice and Delinquency Prevention Act of 1974 or other comparable programs, if applicable. *20 U.S.C. § 6424(c)(19)*.

Possible Evidence Includes:

- Evidence of coordination with any Juvenile Justice and Delinquency Act program or affiliate such as Title II, Title V, or the Juvenile Accountability Block Grants
- Evidence of coordination with comparable juvenile justice and delinquency programs

6. Coordination with LEAs and Alternative Education Programs

The DOC encourages the Title I-D correctional facilities to coordinate with LEAs or alternative education programs attended by incarcerated children and youth prior to, and after, their incarceration to ensure that student assessments and appropriate academic records are shared jointly between facilities. *20 U.S.C. §§ 6434(c)(9) and (15).*

Possible Evidence Includes:

- Communication documentation that encourages facilities to coordinate with LEAs or alternative education programs
- Evidence of a protocol or policy for transferring documentation to LEAs
- Evidence of best practices in transferring documentation
- Evidence in transferring an Individual Education Plan (IEP), assessment, or academic achievement information

7. Alternative Education

The DOC assists in locating alternative programs through which students can continue their education if the students are not returning to school after exiting. *20 U.S.C. § 6434(c)(13).*

Possible Evidence Includes:

- A repository of local programs available to students
- Coordination or collaboration with local alternative programs to assist in continuing students' education
- Documentation of support for a student to continue to a local alternative program

8. Individual Education Plan (IEP) Needs

The DOC ensures that there are agency-wide supports to meet existing IEPs and that the DOC will notify LEAs of children and youth identified as in need of special education services who intend to return to the LEA. *20 U.S.C. § 6434(c)(15).*

Possible Evidence Includes:

- Evidence of IEP procedures or protocols
- Evidence of identification policies
- Evidence of transferring academic, IEP, and identification documents to their home LEA upon exit to said LEA

9. Dropout Response Strategies

The DOC works at an agency-level to encourage students who dropped out of school, prior to entering the correctional facility or institution to reenter school and attain a regular high school diploma upon their exit OR provide those children and youth with the skills necessary to gain employment, continue education, or attain a regular high school diploma, or its recognized equivalent. 20 U.S.C. § 6434(c)(16).

Possible Evidence Includes:

- Evidence of identification and an effort to develop students who have dropped out of school
- Evidence of systems to support students who have dropped out to encourage those students to attain a regular high school diploma upon their exit from a correctional institution

10. Staff Qualifications

The DOC ensures that licensed teachers and staff are trained to work with children and youth with disabilities and other students with special needs. 20 U.S.C. § 6434(c)(17).

Possible Evidence Includes:

- Evidence of trainings for teachers and staff to meet the needs of students with disabilities
- A list of Title I-D funded staff that includes their license and assignment

Fiduciary Responsibility

11. Time and Effort Records

Charges to Title I-D for salaries and wages must be based on records that accurately reflect the work performed. 2 C.F.R. §200.430 (i).

These records must:

- be supported by a system of internal controls which provides reasonable assurance that the charges are accurate, allowable, and properly allocated,
- be incorporated into the official records of the subrecipient,
- reasonably reflect the total activity for which the employee is compensated by the subrecipient,
- encompass both federally assisted and all other activities,
- comply with established accounting policies and practices of the subrecipient, and
- support the distribution of the employee's salary or wages.

Required Documentation:

11.a. Written description of the procedures used by the subrecipient to determine an individual's charges that are allowable and properly allocated to the Title I-D grant.

- The written description should include the following:
 - who determines whether an individual is eligible to be claimed on the grant,
 - how it is determined that an individual is allowable to be claimed on the applicable Title grant (i.e. Uniform Grant Guidance, grant requirements, DPI technical assistance),
 - how the distribution of the individual's time is determined,
 - how work time is documented by the individual,
 - how time worked is recorded into the payroll system,
 - how compensation is allocated within the payroll system based on distribution of the individual's time worked,
 - who prepares claims for the applicable Title grants,
 - what the process is to verify the claim agrees to the actual compensation paid the individual,
 - who reviews claims,
 - who signs claims, and
 - who files claims with DPI.

11.b. Sample supporting documentation for one employee identified in the budget filed with DPI for each applicable Title. The individual to be sampled will be determined by DPI.

- Supporting documentation for the individual selected shall include the following:
 - Payroll report for the individual selected from July 1 to current date. The payroll report should include the following. If it does not, attach the following information in addition to the payroll report:
 - dates of payroll;
 - compensation amount paid;
 - general ledger account coding;
 - total activity for which the employee is compensated, not exceeding 100% of compensated activities; and
 - documentation supporting the actual hours worked and how the compensation is allocated for any individual who's compensation is allocated among more than one activity or cost objective; more than one federal or federal and non-federal award; or more than one indirect or direct and indirect cost activity.

12. **Federal Inventory**

Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part under a federal award, are required until disposition takes place. 2 C.F.R. § 200.313(d).

As a minimum, procedures will meet the following requirements:

- property records must be maintained;
- a physical inventory of the property must be taken and the results reconciled with the property records at least once every two years;
- a control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated;
- adequate maintenance procedures must be developed to keep the property in good condition; and
- if the subrecipient is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

Possible Evidence includes:

- Local policy on capitalization of equipment, including threshold used to determine when equipment is determined to be a capital item.
- Property records that include (all are required):
 - a description of the property;
 - a serial number or other identification number;
 - the source of funding for the property, including the Federal Award Identification Number (FAIN) found on the subaward received from DPI;
 - who holds title;
 - the acquisition date;
 - the cost of the property and percentage of federal funds used for the property;
 - the location of the property;
 - use and condition of the property; and
 - any disposition data, including the date of disposal and sale price of property.
- Documentation that a physical inventory of the property is taken and the results are reconciled with property records at least once every two years.
 - a description of how the inventory was taken;
 - documentation reflecting a check-off of items listed in the property records or equivalent support that a physical inventory was taken; and
 - date of the inventory and date of most recent prior inventory.
- Evidence of the inventory maintained for recording pertinent information about equipment purchases, if any.
- Written description of the procedures in place to prevent and investigate loss, damage, or theft to equipment or supplies.
- Written description of the policy when selling property that has been purchased with Title funds.

13. Supplement, not Supplant and Use of Funds

The DOC uses the Title I-D funds for programs and projects that meet state and federal requirements. 20 U.S.C. § 6435(a). The DOC complies with the supplement, not supplant requirements of 20 U.S.C. 6321 as they apply to Title I, Part D. 20 U.S.C. § 6435(b).

Possible Evidence Includes:

- Evidence that students are meeting the required hours of state or locally funded number of hours of instruction

14. Allowable Costs

Costs must meet the following general criteria in order to be allowable under federal awards 2 C.F.R. Part 200, Subpart E, 200.403:

- be necessary and reasonable,
- be allocable,
- conform to 2 C.F.R. Part 200 or the federal award requirements as to types or amount of cost items,
- be consistent with policies and procedures that apply uniformly to both federally financed and other activities,
- be accorded consistent treatment. A cost may not be assigned to a federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the federal award as an indirect cost,
- be determined in accordance with generally accepted accounting principles (GAAP),
- not be included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program, and
- be adequately documented.

Required Evidence Includes:

- Expenditure reports (one for each Title's project code) demonstrating that ESEA funds were spent as approved in each Title's budget. [Note: this documentation is required even if the LEA has a third party grant administrator assisting with the grant. This documentation is not applicable if the LEA joined a consortium as a participant.]
- Written description of the procedures used by the subrecipient to determine the cost is allowable and properly allocated to the applicable Title grant.

15. Institution-Wide Projects (IWP), IF APPLICABLE

- A. The DOC consulted with experts and provides the necessary training for appropriate staff to ensure that the planning and operation of IWPs under 20 U.S.C. § 6436 are of high quality. 20 U.S.C. § 6434(c)(5).

Possible Evidence Includes:

- Evidence of consultation
- Evidence of training and continuous supports
- Evidence of support in the planning and operation of the IWP

- B. The DOC has taken or will take steps to provide all children and youth under 21 with the opportunity to meet challenging state academic standards in order for those youth to attain a regular high school diploma or its recognized equivalent, or find employment after leaving the institution. 20 U.S.C. 6436(3).

Possible Evidence Includes:

- Evidence of the program and its effort to meet the needs of students
- Evidence of enrollment in academic or transitional programs

- C. The DOC provides evidence of how Title I-D funds are used for the IWP. 20 U.S.C. § 6436(5).

Possible Evidence Includes:

- Budgets and Claims

- D. The DOC uses measures and procedures to assess and improve student achievement. 20 U.S.C. 6436(6).

Possible Evidence Includes:

- The tools to measure and gather data for improvement
- Protocols or systems for analyzing student achievement or growth

- E. The DOC describes how the agency has planned, implemented, and evaluated the IWP, in consultation with personnel, providing direct instructional services and with personnel from the SEA. 20 U.S.C. § 6436(7).

Possible Evidence Includes:

- Evidence of meetings through agendas, sign-in sheets, or outcomes
- Evidence of an evaluation protocol or process
- Evidence of feedback from invested parties