



Texas Education Agency  
Title I Capacity Building Initiative  
Every Student Succeeds Act Sec. 1421-1432



## Title I, Part D, Subpart 2

### Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk

#### Program Guidelines

##### Intent and Purpose (ESSA Sec. 1421)

The purpose of the Title I, Part D, Subpart 2, is to do the following:

- To carry out high quality education programs to prepare children and youth for secondary school completion, training, employment, or further education;
- Provide children and youth with the services needed to make a successful transition from institutionalization to further education or employment; and
- To operate programs in local schools, including schools operated or funded by the Bureau of Indian Education for children and youth returning from correctional facilities and programs which may serve at-risk children and youth.

##### Intended Program Beneficiaries

Intended beneficiaries are LEAs with high numbers or percentages of children and youth residing in locally operated (included county operated) correctional facilities for children and youth.

An institution for neglected or delinquent children and youth is defined as:

- A public or private residential facility, other than a foster home, that is operated for the care of children who have been committed to the institution or voluntarily placed in the institution under applicable State law, due to abandonment, neglect, or death of their parents or guardians; or
- A public or private residential facility for the care of children who have been adjudicated to be delinquent or in need of supervision.

##### General Program Requirements (ESSA Sec. 1423)

LEA must collaborate with locally operated neglected and delinquent facilities to do the following:

- Provide a description of the program.
- Provide a description of formal agreements between the LEA and correctional facilities and alternative school programs, including Secretary of the Interior and Indian tribes.
- Provide a description of coordination with facilities working with delinquent children and youth ensuring their participation in comparable local school education programs.

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- Provide a description of program to facilitate successful transition of children and youth returning from correctional facilities and types of services offered.
- Provide a description of the characteristics (including learning difficulties, substance abuse problems, and other special needs) of the children and youth returning from correctional facilities. Describe how the LEA will coordinate existing education programs to meet unique educational needs of children and youth.
- Provide a description of how LEA will coordinate with existing social, health, and other services to meet the needs of students returning from correctional facilities – including prenatal health care and nutrition services, parenting and child development classes, child care, targeted reentry and outreach program, referrals to community resources, and flexibility.
- Provide a description of partnerships with institutions of higher education or local businesses to facilitate postsecondary and workforce success for children and youth returning from correctional facilities (credit-bearing coursework, enrollment in postsecondary education, participation in career and technical education programming, and mentoring services).
- Provide a description of how the program will involve parents and family members to improve the educational achievement of their children, assist in dropout prevention activities and prevent the involvement in delinquent activities.
- Provide a description of coordination with other Federal, State, and local programs (Title I of the Workforce Innovation and Opportunity Act and career and technical education programs).
- Provide a description of coordination with Juvenile Justice and Delinquency Prevention Act of 1974, if applicable.
- Provide a description of coordination and collaboration with probation officers to assist children and youth.
- Provide a description of efforts to ensure correctional facilities are aware of child's existing individualized education program.
- Provide a description of steps the LEA will take to find alternative placements for children and youth interested in continuing their education but unable to participate in a traditional public school program.

### **Program Requirements for Correctional Facilities Receiving Title I, Part D, Subpart 2 Funds (ESSA Sec. 1425)**

Each correctional facility entering into an agreement with an LEA under section 1423(2) to provide services to children and youth under this subpart shall:

- Ensure educational programs are coordinated with the student's home school, particularly with respect to a student with an IEP under Part B of IDEA;
- Notify the LEA if the child or youth is identified as in need of special education services while in the correctional facility;
- Provide transition assistance to help the child or youth stay in school, including coordination of services for the family, counseling, assistance in accessing drug and alcohol abuse prevention programs, tutoring, and family counseling;
- Provide support programs that encourage children and youth who have dropped out of school to reenter school and attain a regular high school diploma or provide children and youth with the skills necessary to gain employment or seek a regular high school diploma or high school equivalency certificate;

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- Ensure correctional facility is staffed with teachers and other qualified staff who are trained to work with children and youth with disabilities;
- Ensure educational programs are related to assisting students to meet the challenging State academic standards;
- Use technology to assist in coordinating educational programs between the correctional facility and the community school;
- Involve parents in efforts to improve the educational achievement of their children and prevent the further involvement of delinquent activities;
- Coordinate funds with other local, State, and Federal funds available to provide services (Title I of the Workforce Innovation and Opportunity Act, and career and technical education funds);
- Coordinate programs with activities funded under the Juvenile Justice and Delinquency Prevention Act of 1974, if applicable;
- Work with local businesses to develop training, curriculum-based youth entrepreneurship education, and mentoring programs for children and youth;
- Work with the child's or youth's family members and the LEA that most recently provided services to the child or youth to ensure relevant and appropriate academic records and plans are shared jointly; and
- Consult with the LEA for a period jointly determined necessary by the correctional facility and LEA upon discharge from that facility, to coordinate educational services so as to minimize disruption to the child's or youth's achievement.

### **Accountability (ESSA Sec. 1426)**

TEA may:

- Reduce or terminate funding for projects under this subpart if an LEA does not show progress in the number of children and youth attaining a regular high school diploma or high school equivalency certificate; and
- Require correctional facilities or institutions for neglected or delinquent children and youth to demonstrate, after receiving assistance for 3 years, that there has been an increase in the number of children and youth returning to school, attaining a regular high school diploma or high school equivalency certificate, or attaining employment after such children and youth are released.

### **Program Evaluation (ESSA Sec. 1431)**

Each State agency or LEA that conducts a program under subpart 1 or 2 shall evaluate the program, disaggregating data on participation by gender, race, ethnicity, and age while protecting individual student privacy, not less than once every 3 years, to determine the program's impact on the ability of participants:

- to maintain and improve educational achievement and to graduate from high school in the number of years established by the State under either the four-year adjusted cohort graduation rate or the extended-year adjusted cohort graduation rate, if applicable;
- to accrue school credits that meet State requirements for grade promotion and high school graduation;
- to make the transition to a regular program or other education program operated by an LEA or school operated or funded by the Bureau of Indian Education;

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- to complete high school (or high school equivalency requirements) and obtain employment after leaving the correctional facility or institution for neglected or delinquent children and youth; and
- as appropriate, to participate in postsecondary education and job training programs.

The disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

In conducting each evaluation, a State agency or LEA shall use multiple and appropriate measures of student progress.

**Each State agency and LEA shall:**

- ◆ submit evaluation results to the State educational agency and the Secretary; and
- ◆ use the results of evaluations under this section to plan and improve subsequent programs for participating children and youth.

**Allowable Activities and Use of Funds (ESSA Sec. 1424)**

TEA may request description of services and use of funds documentation at a later date through a compliance report or other TEA reports. LEA must keep documentation of allowable activities and expenditures locally and make available upon TEA request.

- Programs that serve children and youth returning to local schools from correctional facilities and assist in the transition;
- Dropout prevention programs serving at-risk children and youth
- Coordination of health and social services for youth to improve likelihood of youth completing education;
- Special programs to meet unique academic needs, including career and technical education, special education, career counseling, curriculum-based youth entrepreneurship education, and financial aid assistance for postsecondary education;
- Mentoring and peer mediation programs;
- At-risk Indian children and youth in correctional facilities in LEA's served area operated by the Secretary of the Interior or Indian tribes; and
- Pay for success initiatives.

**Expenditures**

You must be able to respond appropriately to and maintain documentation for each of the following questions to determine whether an expenditure would be allowable:

- How is the expenditure reasonable and necessary to carry out the intent and purpose of the program?
- What need, as identified in the CNA, does the expenditure address? Explain how it addresses the need.
- How will the expenditure be evaluated to measure a positive impact on student achievement?
- How is the expenditure supplemental to other nonfederal programs?

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### **Out-of-State Travel**

Out-of-state travel costs are allowable. Out-of-state travel costs should be minimal, reasonable, and meet the intent and purposes of the program. Grantees must retain documentation that participation of an individual in the conference is necessary for the project. Travel costs are allowable as long as the expenses for transportation, lodging, subsistence, and related items are only incurred by employees on official business of the grantee and follow the grantee's regular business operations and written travel policy.

If you plan on using grant funds for out-of-state travel, you will be required to complete the appropriate TEA justification form and retain the documentation at the local level. You must keep and maintain this form so that it may be provided to your independent auditor or to TEA monitors if your LEA is selected for a review.

**For more information, please contact your Regional ESC Title I, Part D Contact**

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