MASSACHUSETTS
Department of Elementary and Secondary Education

Title I, Part D, Subpart 2 (Neglected and Delinquent) Resource Guide

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Introduction

Title I, Part D, Subpart 2 (Title I, D-2) of the Elementary and Secondary Education Act provides financial assistance to support school districts' programs involving collaboration with locally operated residential facilities for neglected or delinquent children and youth. The federal government allocates funds to states based on enrollment collected through an annual survey. These funds are then redistributed through district (LEA) Title I, Part A grants.

Priorities of Title I, Part D, Subpart 2:

1. Ensure that youth who are neglected or delinquent have the opportunity to meet the same challenging State academic standards that all children are expected to meet.
2. Improve educational services for youth who are neglected, delinquent, or at risk of involvement with the juvenile justice system.
3. Provide children and youth who are neglected or delinquent with the services needed to make a successful transition from institutions to schools and/or employment.
4. Prevent youth who are at risk of academic failure from dropping out of school.
5. Provide children and youth who have dropped out of school or who are returning to school after residing in an institution with a support system to ensure their continued education.

Allowable Uses of Funds

Title I, D-2 funds are to provide *supplementary* programs and services. All activities funded with Title I, D-2 must be supplemental to activities that would normally be provided at the facility in the absence of Title I, D-2 funds.

The below list includes examples of allowable and unallowable uses for Title I, D-2 funds. This is **not** an exhaustive list. Contact your federal grants liaison with questions about allowable costs.

Allowable?	Budget Item	Additional Information
☑	**Assessments for progress monitoring**	Allowable **only** if supplemental.
☒	**Building maintenance or repairs**	
☒	**Entertainment, recreation, or social events**	
☒	**Equipment required for daily operation of the facility**	
☑	**Family engagement**	Allowable family engagement costs include: ● Cost for activities including materials, light refreshments ● Transporting family members to meetings
☑	**Health and social services**	Allowable health and social services costs include: ● Drug and alcohol counseling ● Mental health services

Allowable?	Budget Item	Additional Information
☑	**Ongoing, sustained professional development aligned with Title I, Part D**	Allowable professional development (PD) costs include: ● Stipends for staff to attend PD ● Educational Consultants ● Materials/supplies necessary for PD ● Conference registration and travel costs
☒	**Required textbooks or core curriculum materials**	
☒	**Secretary/clerical position (with agency/facility focused duties)**	
☒	**Security monitoring equipment or software**	
☒	**Special education services included in a student's IEP**	
☒	**Staff recruitment costs**	
☑	**Supplemental supplies and materials**	Allowable supplemental supplies/materials costs include: ● Supplemental curriculum materials ● Educational technology (i.e., Chromebooks, laptops, software) ● Assessments for progress monitoring ● Classroom libraries
☑	**Teachers, assistants and/or other staff providing supplemental instruction/services**	Allowable supplemental instruction/services costs include: ● Teachers or teaching assistants for supplemental instruction ● Tutors ● Guidance counselors ● Social workers ● Career and technical education instruction ● Transition coordinator and transition staff ● Data management staff (Title I, Part D focused) ● Program coordinator ● Reasonable benefits costs proportionately linked to Title I, Part D funded positions
☒	**Teachers providing core instruction**	Only supplemental instruction is allowable.

Allowable?	Budget Item	Additional Information
☑	**Transition services**	Allowable transition services costs include: ● Transition coordinator or transition staff ● Software or other tools that assist with tracking/monitoring/communicating student transitions ● Services needed to ensure a successful transition of a student into, through and from the facility to further education or employment ● Partnerships with employers to create programs for successful transition to postsecondary education and employment ● Career and technical educational instruction ● Mentoring ● College/career counseling ● GED prep

Questions to be considered prior to fund use:

1. **Was this identified in a needs assessment?**

   A needs assessment is conducted annually, typically prior to the start of a new school year, to establish priorities for action and make appropriate decisions about the allocation of resources for the upcoming school year. The needs assessment includes an analysis of qualitative and quantitative data, such as data on student achievement and feedback from relevant stakeholders. The needs assessment may also ask the questions: *What are the racial equity impacts of a particular decision? How can these funds be used to close achievement and opportunity gaps for traditionally marginalized student groups?* Needs assessments help determine the greatest areas of need and support at the facility and how Title I, D-2 funds can best be used to meet those needs.

2. **Is this supplemental?**

   All activities funded with Title I, D-2 must be supplemental to activities that would normally be provided at the facility in the absence of Title I, D-2 funds.

3. **Is this necessary and reasonable?**

   A cost is “necessary” if it meets an important program objective and addresses an existing need. A cost is “reasonable” if, in its nature and amount, it does not exceed that which would be incurred by a prudent person.

4. **How will the children and youth benefit?**

   It is always good practice that services and programs funded through Title I, D-2 be evidence-based. The term ‘evidence-based’ means an intervention that demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes. Using evidence to guide policies, programming choices, and program improvement is the best way to maximize the likelihood of success. See the Additional Resources section at the end of this document for a list of registries that can be searched to find evidence- and research-based practices and programs that have demonstrated success.

Title I, D-2 Definitions

Section 1432 of the Title I, Part D Statute defines both an institution for neglected children and youth and an institution for delinquent children and youth. The agency charter of a facility should be used to determine the purpose of the facility and how it will be categorized.

Institution for Neglected Youth	Institution for Delinquent Youth
An institution for neglected children and youth is 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.	**An institution for delinquent children and youth** is a public or private residential facility for the care of children who have been adjudicated to be delinquent or in need of supervision.

An at-risk child or youth is a school-aged individual who meets one or more of the following criteria:

- ✔ is at-risk of academic failure
- ✔ has a drug or alcohol problem
- ✔ is pregnant or is a parent
- ✔ has previously come into contact with the juvenile justice system
- ✔ is at least 1 year behind the expected grade level for the age of the individual
- ✔ is a migrant or an immigrant
- ✔ has limited English proficiency
- ✔ is a gang member
- ✔ has previously dropped out of school
- ✔ has a high absenteeism rate at school

District Responsibilities

Any district that receives Title I, D-2 funds must take on the responsibilities associated with serving as a fiscal agent for these funds and monitoring the facilities that implement Title I, D-2 funds.

District responsibilities as fiscal agent for Title I, D-2 funds

- Each summer when districts are notified of their Title I, Part A allocations, the districts with a participating N/D facility located within district boundaries will also receive a Title I, D-2 allocation, which is added to the total Title I, Part A allocation for the district.
- The district must budget the Title I, D-2 allocation within their Title I, Part A budget, as well as set aside the entire Title I, D-2 allocation amount in the section of the application entitled "Title I, Part A Reservations". The district acts as a fiscal agent for the Title I, D-2 funds, which includes oversight of the funds to ensure they are spent as outlined in the Formal Agreement between the district and the N/D facility.
- The district and the N/D facility will set up an agreed-upon payment schedule for the district to provide the allocated funds to the facility. The district should follow its standard accounting practices that are used with district spending and apply these practices to the N/D facility spending to ensure proper fiscal oversight of these funds.
- Districts must follow federal and Mass. General Laws regarding procuring services and ensuring services are received. The fiscal oversight may include collection of timesheets and invoices to ensure funds are spent properly, as well as periodic check-ins between the district Title I Director and the N/D facility coordinator.

District responsibilities for monitoring of a N/D facility receiving Title I, D-2 funds

- Districts are responsible for monitoring the Title I, D-2 program to ensure that the N/D facility is carrying out its responsibilities as outlined in its formal agreement and is complying with all applicable statutory and regulatory requirements of the grant.
- The district should set clear expectations at the beginning of the year regarding the frequency and purpose of communications or visits with the facility. Virtual or in-person check-ins should be scheduled every few months by the district Title I Director in order to monitor the grant activities at the N/D facility.
- The district Title I Director must also work with the N/D facility coordinator to evaluate the impact of Title I, D-2 activities on the children and youth in the facility. Similar to the Title I, Part A evaluation requirements, there should be a procedure in place that outlines the evaluation process and timeline, data to be collected and analyzed, stakeholders to be consulted, and how the findings might be used to modify the program for next year.
- DESE's sample Title I, Part A program evaluation procedure can be used as a starting point to develop an evaluation procedure for Title I, D-2.

Formal Agreements

Each year, the district and the N/D facility establish a signed Formal Agreement for the Title I, D-2 funds. The Formal Agreement should include the following topics, and any other information that the district and the N/D facility determine to be pertinent:

1. **General information about the facility**
   - ✔ Facility name, location, contact information, and persons responsible for the implementation of Title I services in the facility
   - ✔ Description of the characteristics (including learning difficulties, substance abuse problems, and other special needs) of the children and youth in the facility
   - ✔ Subjects taught
   - ✔ Number of students enrolled
   - ✔ Daily schedule
   - ✔ Description of how the Title I, D-2 funds will be used at the facility
2. **Payment terms agreed upon between the facility and district**
   - ✔ Outline of billing time period (quarterly, monthly, other)
   - ✔ Collection of instructor timecards; vendor invoices, other expectations
   - ✔ Billing support and documentation expectations
3. **Monitoring of the facility by the district**
   - ✔ Types of data used for program evaluation and when it is collected
   - ✔ Communication plan between district and facility: number of times during the year the district will communicate with the facility education coordinator regarding questions or other concerns associated with Title I, D-2 funding, number of times the district will visit the facility
4. **Signature of both parties (district representative and facility representative)**

Data Reporting Requirements

There are two major categories of Title I, D-2 data that must be reported. Please review the descriptions below and ensure you are complying with all requirements.

Category 1: Annual Count

In November/December of each year, DESE conducts an Annual Count in community residential Neglected or Delinquent (N/D) facilities for that intend to apply for federal Title I, Part D funding for the following academic year. The count provides the United States Department of Education (ED) updated information on the numbers of eligible children residing at N/D facilities and is used to determine state and district Title I, D-2 allocations for the following school year.

How are eligible students counted?

- In order to be eligible to be counted, a child aged 5 through 17 must live in a locally operated facility that meets the definition of an institution for neglected children or an institution for delinquent children, as provided in Section 1432 of the Title I statute (see definitions section earlier in document).
- It is not necessary to differentiate between children/youth that are ‘neglected’ versus those who are ‘delinquent’ within a given facility; it is the facility that gets the neglected or delinquent distinction, not the child/youth. This protects children/youth from potentially uncomfortable labeling.

- If the facility was chartered originally as either Neglected or Delinquent, then that designation should carry forward to the present, unless the charter or purpose of the facility has changed.
- The annual count should include the number of children who live in an eligible institution for at least one day during a 30 consecutive day period, at least one day of which falls within the month of October.

How is the data submitted?

- A Neglected/Delinquent facility representative must complete an online form located in DESE's Security Portal, as well as upload a roster to the Security Portal. Each facility should maintain on file detailed information regarding each of the students included in the annual count to verify their eligibility for inclusion in the count.
- **The submission tool opens in November of each year and submission is due in mid-December.** DESE's N/D data reporting webpage includes further guidance and resources.

Category 2: Program Evaluation Data

In September of each year, the N/D facilities must submit program evaluation data through a tool in DESE's Security Portal. This data is a follow-up to the Annual Count, and it includes information about each program and demographics of the participants, as well as data on their academic performance results and their academic/vocational outcomes. **The reporting period for this data collection is July 1 through June 30 for the previous school year.** DESE's N/D data reporting webpage includes further guidance and resources, including a list of the specific elements that must be reported.

Federal law requires all agencies receiving these funds to evaluate their programs' impact on the ability of students to:

- Maintain and improve educational achievement
- Accrue course 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 facility or program serving children and youth who are considered neglected or delinquent
- Participate in postsecondary education and job training programs, as appropriate.

The statute further clarifies that evaluation results collected by subgrantees must be submitted to the State Education Agency, who then submits them to the US Department of Education (ED), and that information gleaned from this data must be used to inform and improve the operation of Title I, Part D programs. The data reported are aggregated at the national level and used by ED to demonstrate the effectiveness of Title I, Part D programs in Federal program performance reports that are submitted to Congress.

Changes to a Neglected/Delinquent Facility Status

The processes below should be followed in the event that a new N/D facility opens, or if an existing N/D facility closes.

What if a new N/D facility opens in my district?

- The district must notify the Federal Grants Office by emailing federalgrantprograms@mass.gov if there is a new facility in the district.
- The facility must submit **official (legal) documentation** that shows that the facility meets the definition of a neglected or delinquent facility found in ESEA section 1432. The documentation must address the following components:
    - The official name of the facility
    - Address of facility
    - Executive Director name
    - Date organization was founded
    - Description of the population served
    - Description of the services provided

  This documentation must be official and may include Articles of Organization, Certificate of Organization, Agency Charter, a Board Resolution, or filings with licensing or oversight agencies, or the Secretary of State. The facility may submit multiple documents to satisfy these requirements, but in no case will a letter satisfy a requirement.
- DESE will then review this information for approval.
- If approved, the facility must then submit their Annual Counts during the reporting period in December in order to receive an allocation for the following year (see section above on annual counts).

What if a N/D facility in my district closes?

- The district and the facility must notify the Federal Grants Office as soon as possible by emailing federalgrantprograms@mass.gov if a facility has closed.
- If there are unspent Title I, D-2 funds following a facility's closure, DESE will work with the district on a plan to spend those funds. In some cases, the funds may revert back to the district to be used for the at-risk student population within the district.
- The district must receive DESE approval prior to reallocating the funds.

District Title I, D-2 Application to DESE

Each year in July, DESE publicly releases Title I, Parts A&D allocations. Districts must submit an application to DESE for these funds by mid-September. The Title I, D-2 application for funding is included within the ESSA consolidated grant application. While the application is ultimately submitted by the district representative,

filling it out requires some collaboration with the N/D facility representative. The Title I, D-2 section of the ESSA consolidated application requires the following information.

Application Section	Required Information
Program Details	• N/D facility contact information • Description of the N/D facility, including characteristics of the children and youth served • Cost breakdown of Title I, D-2 activities
Program Coordination	• Description of how the Title I, D-2 program will be coordinated with other Federal, State, and local programs • Description of how participating schools will coordinate with facilities to ensure that children and youth are enrolled in an education program that is comparable to the one in the local school they would otherwise attend • Description of how the program will involve parents and family members, as appropriate
Transitions from Facilities back to Public Schools	• Description of how the district will help to facilitate a successful transition for children and youth returning to public schools from the N/D facility
Monitoring and Program Evaluation	• Description of the district's plan to monitor the facility to ensure that funds are spent in accordance with the formal agreement and grant regulations • Description of the district's plan to evaluate the impact of Title I, D-2 activities on the children and youth in the facility
Other Required Documents uploaded with the application	• Formal Agreement(s) • Official (legal) documentation for each facility that shows that the facility meets the definition of a neglected or delinquent facility found in ESEA section 1432. The documentation must address the following components: o The official name of the facility o Address of facility o Executive Director name o Date organization was founded o Description of the population served o Description of the services provided This documentation must be official and may include Articles of Organization, Certificate of Organization, Agency Charter, a Board Resolution, or filings with licensing or oversight agencies, or the Secretary of State. The facility may submit multiple documents to satisfy these requirements, but in no case will a letter satisfy a requirement.

Year-at-a-Glance Calendar

Use this calendar to keep track of important Title I, D-2 timelines and ensure that your district complies with the annual requirements around Title I, D-2 funds. Completing the actions listed below in the months where they are listed will help reduce issues around reporting, data collection, monitoring, and other elements of

the Title I, D-2 program. Meeting deadlines will also ensure there are no funding delays or allocation errors.

Year-at-a-Glance: August – November

August	September	October	November
● District and N/D facility finalize Formal Agreement and both parties sign it ● District collects Agency Charter from N/D facility to ensure it meets the definition of a N/D facility ● District attends DESE webinars on Title I, D-2 and ESSA grant application submission	● District submits ESSA Consolidated Grant Application to DESE ● N/D facility submits Program Evaluation data through DESE Security Portal	● District meets with N/D facility (in-person or virtual) to ensure funds are spent in accordance with Formal Agreement and grant regulations ● District and N/D facility review and update program evaluation and needs assessment procedures, as needed	● District begins to organize materials for Federal Grants monitoring if district is up for a 6-year cycle review

Year-at-a-Glance: December – March

December	January	February	March
● N/D facility submits Annual Count data through DESE Security Portal ● District meets with N/D facility (in-person or virtual) to ensure funds are spent in accordance with Formal Agreement and grant regulations	● District submits Federal Grants monitoring materials to DESE if up for a 6-year cycle review	● District meets with N/D facility (in-person or virtual) to ensure funds are spent in accordance with Formal Agreement and grant regulations	● District begins to collect program outcome data from N/D facility, to be used in end-of-year program evaluation

Year-at-a-Glance: April – July

April	May	June	July

• District meets with N/D facility (in-person or virtual) to ensure funds are being spent in accordance with Formal Agreement and grant regulations	• Districts conducts end-of-year Title I program evaluation, including activities funded by Title I, D-2 funds • N/D facility and district conduct needs assessment based on findings of program evaluation, to help determine use of funds for the upcoming school year • District and N/D facility consult on use of Title I, D-2 funds for the upcoming school year	• District checks in with N/D facility to ensure funds are spent by Year 1 of the grant (end of June). Carryover is permitted if extenuating circumstances exist. • Draft the Formal Agreement between the district and N/D facility for the upcoming school year • District submits Title I Data to DESE, which includes info on Title I, D-2 program participation	• DESE releases Title I, Parts A&D allocations. District should notify the N/D facility of their allocation amount

Additional Resources

Title I, Part D Federal Statute
A searchable web-based version of the Title I, Part D Federal Statute – Section 1401 of the Elementary and Secondary Education Act, amended in 2015 (ESEA).

National Technical Assistance Center for the Education of Neglected or Delinquent Children & Youth (NDTAC)
A national resource center providing direct assistance to states, schools, communities, and parents seeking information on the education of children and youth who are considered neglected, delinquent, or at-risk.

Title I, Part D, Subpart 2
DESE's webpage on Title I, D-2. You will find allocation amounts, as well as resources and guidance documents.

Title I, Part D Data Reporting
DESE's webpage on Title I, Part D data reporting, run by DESE's Data Office. This includes information on the Annual Counts and the Program Evaluation requirements.

Evidence-Based Practices Registries
Search practices and programs that have been proven to be effective based on data and evidence.

- What Works Clearinghouse

- National Institute of Justice – Crime Solutions
- Youth.gov Evidence-Based Program Directories
- Blueprints for Healthy Youth Development

How Do We Know Initiative
The "How Do We Know?" initiative provides resources to help Massachusetts districts locate existing research and to support their ability to measure implementation and impact as part of their improvement strategy.

Turnaround Practices Research and Evaluation Reports
Evidence of best practice in implementing the Turnaround Practices in low performing schools.

Massachusetts Rethinking Discipline Initiative
Information about the Rethinking Discipline Initiative and Professional Learning Network; includes examples of additional resources related to supportive, inclusive, culturally responsive school climate and discipline practices and policies.

My Career and Academic Plan
My Career and Academic Plan prepares students for college, career and civic readiness. The MyCAP process engages students in authentic postsecondary planning through a continuum of learning focused on the individual student's interests, skills and talents. This process allows students to be the drivers of their education and empowers them to connect their course taking with career interests, to seek out career development opportunities such as internships, apprenticeships, capstone projects, and to identify the personal, social, and behavioral skills needed to be successful in the workplace.

Alternative Education Pathways
Alternative Education is an instructional approach under the control of a school committee that is offered to "at-risk" students in a nontraditional setting. "At-risk" students may include those who are pregnant/parenting teens, truant students, and suspended or expelled students, returned dropouts, delinquent youth, or other students who are not meeting local promotional requirements. A guide to frequently asked questions on alternative education is available.

Dropout Prevention and Reengagement Network
Open to any district/school in the Commonwealth, the Dropout Prevention and Reengagement (DPR) Network Meetings provide a venue for hearing from experts from both within and outside of the state on leading topics related to dropout prevention and reengagement, structured opportunities guided by a case consultancy protocol for school teams to learn from one another, and opportunities to meet with DESE staff for additional support.