**U.S. Department of Education**

**Federal Program Monitoring for Title I, Part D**

**Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent, or At-Risk**

**Name of SEA**

**Month Day, Year**

**U.S. Department of Education Monitoring Team:**

**State Name State Educational Agency (SEA) participants:**

**Introduction**

Office of Elementary and Secondary Education (OESE) monitoring of the Title I, Part D program assesses the extent to which State educational agency (SEA) grantees are implementing the program consistent with the fiscal, administrative, and program requirements contained in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance: 2 Code of Federal Regulations (CFR) Part 200), the Education Department General Administrative Requirements (EDGAR), and the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA). OESE staff also use data and information collected during monitoring to inform technical assistance initiatives, including initiatives provided by the Neglected or Delinquent Technical Assistance Center (NDTAC), the Department’s contracted technical assistance center, with the goal of helping States implement the Title I, Part D program in a high-quality manner.

The Title I, Part D program consists of two subparts:

* The Title I, Part D, Subpart 1 State Agency (SA) program allocates funds to SEAs, which in turn award funds to SAs to provide supplementary education services for children and youth in State-run neglected and delinquent institutions, community day programs, and adult correctional institutions, so that these children and youth can make successful transitions from institutionalization to further schooling school or employment.
* The Title I, Part D, Subpart 2 local educational agency (LEA) program requires each SEA to retain from its Title I, Part A allocation, the funds generated by the number of children and youth ages 5-17 living in local facilities for delinquent children, including adult correctional facilities. From these funds, the SEA awards subgrants to LEAs with high numbers or percentages of children and youth residing in locally operated correctional facilities for children and youth. Funds may be used to support education programs and transition activities in such facilities, as well as drop-out prevention programs for at-risk youth in schools within the LEA.

This protocol includes the critical elements of both subparts that OESE will assess during the monitoring review (as applicable to the monitored State[[1]](#footnote-2)). For each critical element, the Department will assign one of four ratings in the monitoring report. “Met requirements with commendation” represents high-quality implementation where the grantee is exceeding expectations; “met requirements” indicates that work is of an acceptable quality and the grantee is meeting expectations; “met requirements with recommendations” indicates there are quality implementation concerns and some improvements could be made to ensure the grantee continues to meet expectations; and “action required” indicates there are significant compliance or quality concerns that require urgent attention by the SEA and will be revisited until the State has remedied the issue. A draft report will be issued to the State after the monitoring visit; the SEA will then have 5 days to review the draft report and request any necessary factual corrections. The Department will release a final report to the State, taking requested factual corrections into account. Within 60 days of release of the final report, the SEA must respond to any critical elements for which an action is required. The final report will also be posted on OESE’s website.

In addition to conducting interviews with SEAs about both Subparts 1 and 2, as appropriate, OESE staff will also interview a selection of subgrantees, including SAs (Subpart 1) and LEAs (Subpart 2). The number of subgrantees interviewed in each State will depend on the number of eligible subgrantees the State has, but no more than two subgrantees will be interviewed for each Subpart.

**Section 1—Title I, Part D, Subpart 1**

The purpose of Title I, Part D, Subpart 1 of the Elementary and Secondary Education Act of 1965 (ESEA) is as follows:

***ESEA Section 1401 PURPOSE AND PROGRAM AUTHORIZATION***

1. ***PURPOSE****— It is the purpose of this part—*
2. *to improve educational services for children and youth in local and tribal State institutions for neglected or delinquent children and youth so that such children and youth have the opportunity to meet the same challenging State academic standards that all children in the State are expected to meet*
3. *to provide such children and youth with the services needed to make a successful transition from institutionalization to further schooling or employment; and*
4. *to prevent at-risk youth from dropping out of school, and to provide dropouts, and children and youth returning from correctional facilities or institutions for neglected or delinquent children and youth, with a support system to ensure their continued education and the involvement of their families and communities.*
5. ***PROGRAM AUTHORIZED*** *In order to carry out the purpose of this part and from amounts appropriated under section 1002(d), the Secretary shall make grants to State educational agencies to enable such agencies to award subgrants to State agencies and local educational agencies to establish or improve programs of education for neglected, delinquent, or at-risk children and youth.*

**Names of State Agencies (SAs) participating in the monitoring visit:**

**Total number of SAs that received a grant from the SEA in FY XX (prior fiscal year):**

**Total number of SAs that received a grant from the SEA in FY XX (current fiscal year):**

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| **Facilities and Programs Served by SAs in FY XX and FY XX** |

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| **Type of Facility** | **Number of N Facilities/Programs FY XX** | **Number of D Facilities/Programs FY XX** | **Number of N Facilities/Programs FY XX** | **Number of D Facilities/Programs FY XX** |
| Adult Facilities |  |  |  |  |
| Juvenile Facilities |  |  |  |  |
| Community Day Programs |  |  |  |  |

**Award Breakdown for Subpart 1:**

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| **FY 20XX** | **$ Allocated** | **FY 20XX** | **$ Allocated** |
| Total State Award | $0.00 | Total State Award | $0.00 |
| Administration Reservation | $0.00 | Administration Reservation | $0.00 |

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| ***Requirement and Information Requested*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Describe how the SEA determines that SAs are “responsible for providing free public education for children and youth” in the institutions for neglected or delinquent children and youth, community day programs, and adult correctional facilities they serve and, thus, eligible to receive Subpart 1 funds.   **Suggested Documentation/Evidence:**   * Documentation showing that SAs are responsible for the provision of free public education in facilities served. |  |  |

**SEA Monitoring Assessment—Subpart 1**

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| **1.1: State Agency Eligibility:** **ESEA** [**§1411**](https://neglected-delinquent.ed.gov/title-i-part-d-statute#:~:text=SUBPART%201%3A%20SEC.%201411.%20ELIGIBILITY.,in%20adult%20correctional%20institutions.)The SEA ensures that only eligible entities receive Subpart 1 funds. |

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| **1.2: Allocation and Reallocation of Subpart 1 Funds:** **ESEA** **§§1412(a)(1) and 1413** The SEA ensures that subgrantees receive appropriate amounts of program funds. |

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| ***Requirement and Information Requested*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Describe how the SEA determines allocations for each eligible SA that participates in this program.   **Suggested Documentation/Evidence:**   * Evidence (e.g., allocation spreadsheets, allocation process documents) showing that allocations to SAs are made in accordance with requirements in section 1412(a). * Evidence that the student count used for allocation purposes is aligned with annual count information reported to ED. * Evidence of internal control mechanisms that ensure that allocations are calculated correctly. |  |  |
| 1. Has the SEA made use of the authority in §1413 to reallocate funds from one SA to another?   If the answer to question 2 is yes, describe how the SEA determined that a reallocation was appropriate, as well as any State policies/procedures for making such reallocations.  **Suggested Documentation/Evidence:**   * Written policies or procedures governing reallocation of funds. | Has the SEA made use of the authority in §1413 to reallocate funds from one SA to another?  Yes  No |  |

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| **1.3: State Plan Requirements: ESEA §1414(a)** The SEA ensures that it meets the requirements of its approved State Title I, Part D plan. |

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| ***Requirement and Information Requested*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Describe how the SEA ensures that it meets the following State plan requirements:    1. The SEA assists in the transition of children and youth from correctional facilities to locally operated programs  *(*§*1414(a)(1)(B)); and*    2. The SEA assesses the effectiveness of the program in improving the academic, career, and technical skills of children in the program by usingthe program objectives and outcomes it has established *(*§*1414(a)(2)(A)*   **Suggested Documentation/Evidence:**   * State procedures for ensuring that plan requirements are met. * Evidence from relevant data collections indicating that State plan requirements are being addressed. |  |  |
| 1. Describe how the SEA periodically reviews and, as needed, revises the Title I, Part D section of its approved Consolidated State Plan, as required by §1414(a)(3)(B).   **Suggested Documentation/Evidence:**   * State Plan revisions or amendments, if applicable. * Process documents associated with periodic State plan review. |  |  |

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| **1.4: State Agency Applications and Three-Year Programs and Projects: ESEA §§ 1414(c) and 1417** The SEA ensures that subgrantees’ applications for funds meet statutory requirements. |

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| ***Requirement and Information Requested*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Describe the SEA’s application process for receiving and reviewing SAs’ Subpart 1 applications. Please include the following in the description:  * How application requirements are conveyed to eligible SAs. * The timeline for the application process, including when funds are released to successful applicants. * Technical assistance the SEA provides to SAs before and during the application process. * How the SEA reviews and evaluates applications. * How the SEA ensures that all twenty application requirements in §1414(c) are adequately addressed.   **Suggested Documentation/Evidence:**   * Application template and instructions. * Guidance or technical assistance materials provided to SAs on developing Subpart 1 applications (e.g., webinar or meeting slide decks; notes, minutes, or handouts from meetings with prospective applicants). * Rubrics used in reviewing applications. |  |  |
| 1. Has the SEA made use of the authority in §1417 to approve SA applications for up to three years when the SA operates programs or projects in which individual children or youth are likely to participate for more than one year?   If yes, please describe the SEA’s process for approving such applications.  **Suggested Documentation/Evidence:**   * Samples of data from SAs indicating that their programs or projects serve participants for over a year. * Any application-related documents that differ from those provided above. | Has the SEA made use of the authority in §1417 to approve SA applications for up to three years when the SA operates programs or projects in which individual children or youth are likely to participate for more than one year?  Yes  No |  |

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| **1.5: Administrative Funds: ESEA §§1004 and 8201** The SEA reserves appropriate amounts of program funds for administration and use the funds for appropriate purposes. |

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| ***Requirement and Information Requested*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Describe the process for determining the amount of funds from the Title I, Part D, Subpart 1 grant that are set aside for administrative purposes. If program administrative funds are consolidated with administrative funds from other covered programs, as permitted by §8201, please indicate that.   **Suggested Documentation/Evidence:**   * Documented procedures (or other descriptions) regarding use of administrative funds, including, if applicable, consolidated administrative funds. |  |  |
| 1. How are administrative funds used?   **Suggested Documentation/Evidence:**   * Financial records indicating how administrative funds are used. |  |  |

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| **1.6: Use of Funds: ESEA §1415; 2 CFR Part 200 (the Uniform Guidance)** The SEA ensures that subgrantees use program funds only for allowable purposes. |

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| ***Requirement and Information Requested*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Describe the SEA’s procedures for ensuring that SAs use program funds only for purposes allowed under §1415(a) and in accordance with relevant requirements in 2 CFR Part 200.   **Suggested Documentation/Evidence:**   * Application materials that show how subgrantees intend to use funds. * Information about how applications are reviewed to ensure that funds are used only for allowable purposes. * Monitoring protocols and reports showing that the SEA ensures that activities described in the SA application are carried out. * Financial records and procedures that verify that funds were used appropriately and in accordance with the cost principals in 2 CFR Part 200, Subpart E. * Guidance or technical assistance provided to SAs on allowable uses of funds. * Examples of types of projects funded by SAs. |  |  |
| 1. Describe how the SEA ensures compliance with the requirement that Title I, Part D, Subpart 1 funds supplement the funds that would, in the absence of such funds, be made available from State and local funds, particularly with respect to ensuring that Subpart 1 funds are not used to meet the State’s “regular program of instruction,” as defined in 34 CFR 200.90(b).   **Suggested Documentation/Evidence:**   * Documented procedures for evaluating SA compliance with supplement, not supplant requirements. * Guidance and/or technical support the SEA has provided to SAs regarding supplement, not supplant requirements. |  |  |

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| **1.7: Institution-wide Projects:** **ESEA §1416** The SEA ensures that any institution-wide projects funded by the Subpart 1 program meet statutory requirements. |

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| ***Requirement and Information Requested*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Has the SEA approved any SAs to conduct institution-wide projects (IWP) is the last three fiscal years?   If yes, describe the SEA’s process for approving IWP comprehensive plans and the SEA’s procedures for ensuring that IWPs meet all statutory requirements in §1416.  **Suggested Documentation/Evidence:**   * Technical assistance or guidance materials provided to SAs about IWPs. * Documented procedures for evaluating and approving SA’s plans for IWP. * Documentation showing how the SA ensures that approved IWPs meet all 8 IWP requirements listed in §1416. * Protocols used to monitor IWPs. | Has the SEA approved any SAs to conduct institution-wide projects (IWP) is the last three fiscal years?  Yes  No |  |

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| **1.8: Transition Services:** **ESEA §1418** The SEA ensures that all funded SAs set aside the required amount for grant funds for the purpose of providing allowable transition services. |

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| ***Requirement and Information Requested*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Describe how the SEA ensures that each SA uses not less than 15 percent and not more than 30 percent of the funds it receives under Subpart 1 to support transition services.   **Suggested Documentation/Evidence:**   * Guidance documents discussing transition set-aside requirements. * Budget record, finance records, and/or application forms showing appropriate spending on transition activities. |  |  |
| 1. Describe how the SEA ensures that SAs fund transition activities that are allowable under **§**1418 with their transition set-asides.   **Suggested Documentation/Evidence:**   * Guidance documents discussing transition set-aside requirements. * Monitoring protocols showing that transitions activities are monitored. * Examples of the types of transitions activities funded by SAs. * Documentation showing that students exiting SA facilities successfully make the transition to local schools, higher education or employment. |  |  |

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| **1.9: Data Reporting and Data Quality: ESEA §1431** The SEA ensures that required program data are collected and accurately reported. |

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| ***Requirement and Information Requested*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Describe how the SEA ensures that SAs collect and report data on program outcomes disaggregated by gender, race, ethnicity, and age, while protecting individual student privacy.   **Suggested Documentation/Evidence:**   * Samples of disaggregated data collected from SAs. * Business rules for suppressing data, when necessary, to protect individual student identity. |  |  |
| 1. Describe the SEA’s process(es) for sharing information with SAs regarding reporting requirements (e.g., timelines, data elements, definitions, etc.).   **Suggested Documentation/Evidence:**   * Guidance/instructions provided to SAs listing reporting requirements and timelines (e.g., FAQs, statewide communication to SAs, official calendar for reporting, training materials) * SEA data dictionary that defines each of the required data elements. |  |  |
| 1. Describe the SEA’s review process for ensuring that the data reported by SAs are of high quality (i.e., timely, complete, accurate) and how the SEA provides support to SAs to resolve data quality issues identified through the review process.   **Suggested Documentation/Evidence:**   * SEA business rules for identifying systemic or systematic data quality issues. * SEA guidance, processes, or related documents for reviewing data submitted by SAs. * State documents listing steps and deadlines for data reporting requirements, by required data element (e.g., internal data reporting calendars that are aligned to Federal reporting timelines for each of the files in EDFacts). * Sample SA management certification form or certification language. * Protocols for monitoring how SAs collect program data. * Corrective action plans for correcting erroneous data. |  |  |
| 1. What process does the SEA use to address data quality feedback received from the ED on its Subpart 1 CSPR data submissions?   **Suggested Documentation/Evidence:**   * Documents showing how the SEA processes and responds to data quality feedback from ED. * Examples of corrections, if any, made in response to feedback from ED. |  |  |

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| **1.10: Subgrantee Monitoring: 2 C.F.R. 200.332(d)** The SEA monitors subgrantees for compliance with Federal statute and regulation. |

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| ***Requirement*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Describe the SEA’s monitoring process.   **Suggested Documentation/Evidence:**   * Subrecipient monitoring protocols, including suggested evidence or documentation from subrecipients. * Subrecipient monitoring report from a recent SA monitoring. * Monitoring schedule. * Financial and performance reports showing SA compliance with fiscal and programmatic requirements. * Documentation of process for resolving any monitoring corrective actions * Sample of communications with an SA regarding monitoring follow-up and evidence of implementation of corrective action (if available). |  |  |
| 1. Describe how the SEA ensures that each SA carries out activities described, and assurances contained in the SA’s approved application for funds (§1414(c)). In particular, please address how the SEA monitors the following application requirements:   SA procedures for assessing the educational needs of students (§1414(c)(1)).  The SA has maintained fiscal effort (§1414(c)(7)).  The SA has encouraged coordination between LEAs and correctional facilities in sharing student assessments and academic records (§1414(c)(9)).  The SA provides professional development to teachers and other facility staff (§1414(c)(10)).  The SA provides services and qualified staff for students with disabilities (§1414(c)(15) and (17)).  **Suggested Documentation/Evidence:**  Documentation for needs assessment.   * Sample MOE report comparing subrecipient fiscal effort of first preceding year with second preceding year. * If an SA did not maintain effort, the SEA calculations to determine how much the SA’s allocation is reduced.   Documentation showing efforts to coordinate record sharing between facilities and LEAs.  Evidence of professional development provided to facility staff (e.g., agenda, slide decks, etc.).  Evidence of services provided to meet the needs of students with disabilities. |  |  |

**Section 2—Title I, Part D, Subpart 2**

The purpose of Title I, Part D, Subpart 2 of the Elementary and Secondary Education Act of 1965 (ESEA) is as follows:

***SUBPART 2: SEC. 1421. PURPOSE.***

*The purpose of Subpart 2 is to support the operation of local educational agency programs that involve collaboration with locally operated correctional facilities —*

1. *To carry out high quality education programs to prepare children and youth for secondary school completion, training, employment, or further education.*
2. *To provide activities to facilitate the transition of such children and youth from the correctional program to further education or employment; and*
3. *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.*

The Title I, Part D, Subpart 2 LEA program requires each SEA to retain from its Title I, Part A allocation, the funds generated by the number of children and youth ages 5-17 living in local facilities for delinquent children, including adult correctional facilities. From these funds, the SEA awards subgrants to LEAs with high numbers or percentages of children and youth residing in locally operated correctional facilities for children and youth. Funds may be used to support education programs and transition activities in such facilities, as well as drop-out prevention programs for at-risk youth in schools within the LEA.

**Local Educational Agencies (LEAs) participating in the monitoring visit:**

**Total number of LEAs that were eligible for and received a Subpart 2 grant:**

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|  | **FY 20XX** | **FY 20XX** |
| Number of Eligible LEAs |  |  |
| Number of Funded LEAs |  |  |

**Subpart 2 Amounts Available as Part of State’s Title I, Part A Grant:**

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| --- | --- | --- | --- |
| **FY 20XX** | **$ Available** | **FY 20XX** | **$ Available** |
| Total State Allocation | $0.00 | Total State Allocation | $0.00 |

**SEA Monitoring Assessment—Subpart 2**

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| **2.1: Programs Operated by Local Educational Agencies: ESEA §1422** The SEA ensures that Subgrant 2 funds are awarded only to eligible LEAs. |

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| ***Requirement and Information Requested*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Describe how the SEA ensures that subgrants under Subpart 2 are made only to LEAs with “high numbers or percentages of children and youth residing in locally operated (including county operated) correctional facilities for children and youth (including facilities involved in Community day programs)” (§1422(a)).   **Suggested Documentation/Evidence:**   * Documentation showing how the SEA determines LEA eligibility to receive Subpart 2 funds. * Documentation showing how the SEA defines what constitutes a high numbers or percentages of children and youth residing in locally operated correctional facilities. |  |  |
| 1. If applicable, describe how the SEA implements the special rule in §1422(b), which indicates that an LEA that “serves a school operated by a correctional facility is not required to operate a program of support for children and youth returning from such school to a school that is not operated by a correctional agency but served by such local educational agency, if more than 30 percent of the children and youth attending the school operated by the correctional facility will reside outside the boundaries served by the local educational agency after leaving such facility.”   **Suggested Documentation/Evidence:**   * Written procedures for implementing the special rule. |  |  |
| 1. Describe how the SEA notifies LEAs that they are eligible to receive Subpart 2 funds, as required by §1422(c).   **Suggested Documentation/Evidence:**   * Sample notifications to LEAs of their eligibility to apply for Subpart 2 funds (emails, letters, public notices, notices sent through the State’s consolidated application for funds, etc.) |  |  |

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| **2.2: Local Educational Agency Applications: ESEA §1423** The SEA ensures that subgrantees’ applications for funds meet statutory requirements. |

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| ***Requirement and Information Requested*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. If Subpart 2 funds are awarded competitively, describe the application and review process, including how the SEA ensures that applicants meet all LEA application requirements.   **Suggested Documentation/Evidence:**   * Application form showing that all 13 application requirements in §1423 are met. * Timeline for the application process, including when funds are released to successful applicants. * Documentation for application review, such as rubrics for evaluating and scoring proposals. * Technical assistance or guidance documents for applicants. |  |  |
| 1. If Subpart 2 funds are awarded by formula, describe the process by which the SEA allocates funds among eligible grantees.   **Suggested Documentation/Evidence:**   * Process documents and spreadsheets showing how formula allocations are calculated. * If applicable, data other than annual counts of students in locally operated correctional facilities that the SEA uses to determine LEA eligibility and awards. |  |  |
| 1. If Subpart 2 funds are awarded by formula, describe the process for how the SEA awards funds to LEAs, including whether the SEA uses a separate application or a consolidated application (as authorized by §8305).   **Suggested Documentation/Evidence:**   * Application template, or if applicable, the template for the relevant section of a consolidated LEA application. * Guidance or technical assistance materials provided to LEAs on developing and completing Subpart 2 applications (e.g., webinar or meeting slide decks, technical assistance emails to States). * Rubrics and checklists used in reviewing and approving applications. * Timeline for application process. * Grant award notifications for Subpart 2 grantees. |  |  |
| 1. 4. If eligible LEAs choose to provide services to at-risk students, in addition to providing academic and transitional services to students exiting delinquent facilities, what information does the SEA require the LEAs to provide about such services in their applications?   **Suggested Documentation/Evidence:**   * Written guidance or instructions detailing the SEA’s expectations for information LEAs must provide in the application if they choose to serve at-risk students and for how program funds may be used to serve at-risk students. * Information showing how the SEA verifies that at-risk students served with Subpart 2 funds meet the definition of “at-risk” in §1432(2). |  |  |

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| **2.3: Uses of Funds: ESEA §1424; 2 CFR Part 200 (the Uniform Guidance)** The SEA ensures that subgrantees use program funds only for allowable purposes. |

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| ***Requirement and Information Requested*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Describe the SEA’s procedures for ensuring that LEAs use program funds only for purposes allowed under §1424(a) and in accordance with relevant requirements in 2 CFR Part 200.   **Suggested Documentation/Evidence:**   * Application materials that show how subgrantees intend to use funds. * Information about how applications are reviewed to ensure that funds are used only for allowable purposes. * Monitoring protocols and reports showing that the SEA ensures that activities described in the LEA application are carried out. * Financial records and procedures that verify that funds were used appropriately and in accordance with the cost principals in 2 CFR Part 200, Subpart E. * Guidance or technical assistance provided to LEAs on allowable uses of funds. * Examples of types of projects funded by LEAs. As applicable, provide samples both for projects serving students in correctional facilities and projects serving at-risk students. |  |  |

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| **2.4: Program Requirements for Correctional Facilities: ESEA §1425** The SEA ensures that when subgrantees enter into agreements with locally operated correctional facilities, those agreements meet statutory requirements. |

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| ***Requirement and Information Requested*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Describe how the SEA ensures that, when LEAs enter into agreements with correctional facilities that receive funds under Subpart 2, the correctional facilities meet all requirements in §1425.   **Suggested Documentation/Evidence:**   * LEA application materials that show how correctional facilities that enter into agreements with LEAs to receive program funds meet statutory requirements. * Monitoring protocols and reports showing that the SEA ensures that correctional facilities that enter into agreements with LEAs to receive program funds meet requirements. * Guidance or technical assistance provided to LEAs and correctional facilities on requirements for correctional facilities that enter into agreements with LEAs in order to receive program funds. * Sample agreements between LEAs and correctional facilities. |  |  |

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| **2.5: Accountability: ESEA §1426** The SEA properly implements optional Subpart 2 accountability provisions. |

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| ***Requirement and Information Requested*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Has the SEA made use of the optional authority in §1426 to reduce or terminate funding for projects funded under Subpart 2 if the LEA does not show progress in the number of children and youth attaining a regular high school diploma or its recognized equivalent?   If the SEA has exercised the optional authority, describe how the SEA required LEAs to demonstrate, after a project has received Subpart 2 funds for three years, that there has been an increase in the number of children and youth returning to school, attaining a regular high school diploma or its recognized equivalent, or obtaining employment after such children and youth are released.  **Suggested Documentation/Evidence:**   * Data/evaluation reports submitted by LEAs that show an increase in the number of students returning to school, obtaining a high school diploma or GED, or obtaining job training or employment after release. * Evaluation criteria the SEA uses to determine if an LEA’s allocation should be reduced or terminated. * Documentation illustrating how a reduction or termination in funding occurs and examples of a reduction or termination (if applicable) in the prior three years. | Has the SEA made use of the optional authority in §1426 to reduce or terminate funding for projects funded under Subpart 2 if the LEA does not show progress in the number of children and youth attaining a regular high school diploma or its recognized equivalent?  Yes  No |  |

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| **2.6: Data Reporting: ESEA §1431** The SEA ensures that required program data are collected and accurately reported. |

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| ***Requirement and Information Requested*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Describe how the SEA ensures that LEAs collect and report data on program outcomes disaggregated by gender, race, ethnicity, and age, while protecting individual student privacy.   **Suggested Documentation/Evidence:**   * Samples of disaggregated data collected from LEAs. * Business rules for suppressing data, when necessary, to protect individual student identity. |  |  |
| 1. Describe the SEA’s process(es) for sharing information with LEAs regarding reporting requirements (e.g., timelines, data elements, definitions, etc.).   **Suggested Documentation/Evidence:**   * Guidance/instructions provided to LEAs listing reporting requirements and timelines (e.g., FAQs, statewide communication to LEAs, official calendar for reporting, training materials). * SEA data dictionary that defines each of the required data elements. |  |  |
| 1. Describe the SEA’s data review process for ensuring that the data reported by LEAs are of high quality (i.e., timely, complete, accurate) and how the SEA provides support to LEAs to resolve data quality issues identified through the review process.   **Suggested Documentation/Evidence:**   * SEA business rules for identifying systemic or systematic data quality issues. * SEA SOPs or related documents for reviewing data submitted by LEAs. * State documents listing steps and deadlines for data reporting requirements, by required data element (e.g., internal data reporting calendars that are aligned to Federal reporting timelines for each of the files in EDFacts). * Sample LEA management certification form or certification language. * Protocols for monitoring how LEAs collect program data. * Corrective action plans for correcting erroneous data. |  |  |
| 1. What process does the SEA use to address data quality feedback received from ED on its Subpart 2 CSPR data submissions?   **Suggested Documentation/Evidence:**   * Documents showing how the SEA processes and responds to data quality feedback from ED. * Examples of corrections, if any, made in response to feedback from ED. |  |  |

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| **2.7: Monitoring: 2 C.F.R. 200.332(d)** The SEA monitors subgrantees for compliance with Federal statute and regulation. |

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| ***Requirement and Information Requested*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Describe the SEA’s subgrantee monitoring process.   **Suggested Documentation/Evidence:**   * Subrecipient monitoring protocols, including suggested evidence or documentation from subrecipients. * Subrecipient monitoring report from a recent LEA monitoring. * Monitoring schedule. * Financial and performance reports showing LEA compliance with fiscal and programmatic requirements. * Documentation of process for resolving any monitoring corrective actions. * Sample of communications with an LEA regarding monitoring follow-up and evidence of implementation of corrective action (if available). |  |  |

**Section 3—Annual Count**

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| **3.1: Annual Count of Students in State Operated Facilities: 34 CFR 200.91** The SEA ensures that the annual count of students in programs operated by SAs is conducted in accordance with Federal requirements. |

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| ***Requirement*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Describe how the SEA ensures that the annual count of children and youth under the age of 21 enrolled in a regular program of instruction operated or supported by State agencies in institutions or community day programs for neglected or delinquent children and youth and adult correctional institutions conforms to statutory and regulatory requirements and is accurate.   **Suggested Documentation/Evidence:**   * Evidence (e.g., master schedules for educational services, sample student schedules) showing how the SEA verifies that students included in counts of neglected or delinquent children and youth are enrolled for an appropriate number of hours in educational programs. * Evidence showing how the SEA verifies that students included in the count are under 21 at the time the count is conducted. * Evidence showing how the SEA verifies that institutions for delinquent children and youth and institutions for neglected children and youth that are included in the annual count meet the definitions for such institutions in 34 CFR 200.90(b). * Documentation showing how the SEA verifies count accuracy when counts for an institution differ markedly from counts in prior years. * Audits of annual counts. * Technical assistance or guidance materials provided to SAs about the annual count. * Verification that each SA conducted the annual count for all institutions under its jurisdiction on “a school day in the calendar year preceding the year in which funds become available” (34 CFR 200.91(a)(2)(ii). |  |  |
| 1. Describe how the SEA adjusts the annual count as required in 34 CFR 200.91(b) prior to submitting the annual count to ED.   **Suggested Documentation/Evidence:**   * Documentation of adjustment calculations conforming to regulatory requirements. |  |  |

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| **3.2: Annual Count of Students in Locally Operated Facilities: ESEA §§ 1124(c)(1)(B) and (4)(B), 1402(b), and 1432(1), (3) and (4)** The SEA ensures that the annual count of students in programs operated by locally operated facilities is conducted in accordance with Federal requirements. |

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| ***Requirement and Information Requested*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Describe how the SEA ensures that local institutions for neglected or for delinquent children included in the annual count meets the definition of an institution for neglected children, an institution for delinquent children, or an adult correctional institution as provided in **§**1432(1) and (4).   **Suggested Documentation/Evidence:**   * Evidence, such as institution charter, that show that facilities meet required definitions. * Processes for periodic review of facilities, including new facilities, to ensure that all potentially eligible facilities are included in the count. |  |  |
| 1. Describe how the SEA ensures that the annual count of children and youth in locally operated facilities for neglected or delinquent children and youth conforms to statutory requirements for which students in eligible facilities may be included and is accurate.   **Suggested Documentation/Evidence:**   * Evidence showing how the SEA verifies that only students ages 5 through 17 (inclusive) at the time of the count are included in the count. * Documentation showing how the SEA verifies count accuracy when counts for an institution differ markedly from counts in prior years. * Audits of annual counts. * Technical assistance or guidance materials provided to LEAs about the annual count. * Processes to verify that counts include only students who lived 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. * State processes for ensuring that facilities included in the annual count of students in locally-operated facilities for neglected or delinquent children and youth are not also included in the count of children in foster homes the State submits to the U.DS. Department of Health and Human Services in the Annual Report on Children in Foster Homes (Form ACF-4125). |  |  |

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| **3.3: Annual Count Data Quality** |

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| ***Requirement*** | ***SEA response*** | ***Submitted Documentation File Name[s]*** |
| 1. Describe the remediation process the SEA uses if it determines that annual count information submitted by an SA or by an LEA is inaccurate.   **Suggested Documentation/Evidence:**   * Corrective action plans for correcting erroneous data. |  |  |

1. Several States operate programs only under Subpart 1; one State currently operates programs only under Subpart 2. [↑](#footnote-ref-2)