The background of the slide features a large, faint, circular seal of the State of Texas. The seal contains the text "STATE OF TEXAS" around the perimeter and a central five-pointed star surrounded by a wreath of olive and live oak branches.

Structural Oversight and Monitoring Framework for Title I, Part D, Subpart 2

Presented by Gerardo Ramirez

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Documentation Requested

- Documenting overall compliance of a program requirement may require several forms of documentation to be maintained locally and available upon request by TEA and/or an auditor.
- Note: The examples of documentation referenced in this presentation may include information related to services provided by vendors/contractors and are not intended to promote a specific product or specific vendor.



Program Overview

Title I, Part D Formula Grants

- Title I, Part D Subpart 1

- State Agencies

- Windham School District
 - Texas Juvenile Justice Department (also known Lone Star ISD)



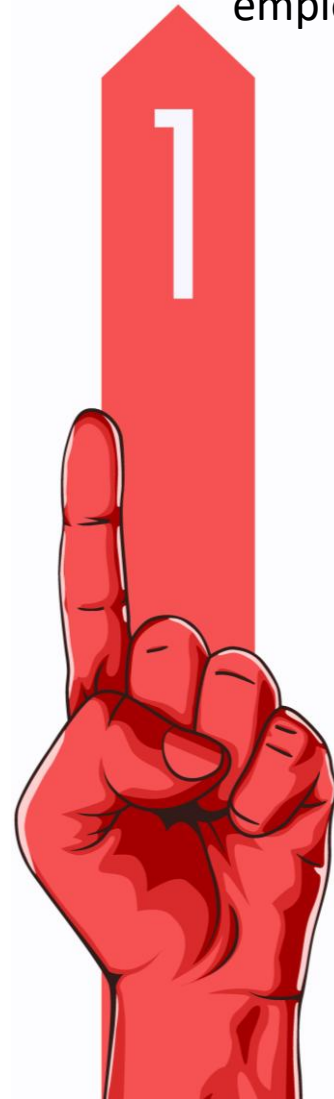
- Title I, Part D, Subpart 2

- Local Education Agencies (LEAs)

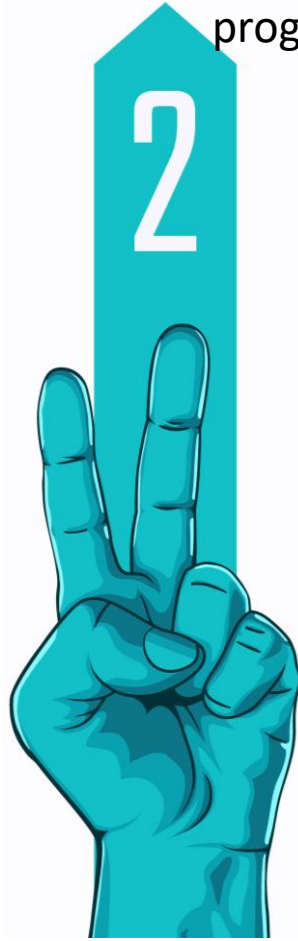


Purposes of Title I, Part D, Subpart 2

- Prepare students for secondary school completion, training, employment, or further education;



- Facilitate transition of students from correctional programs; and



- Operate programs in local schools and schools operated or funded by the Bureau of Indian Education returning from correctional facilities.



Requirements [Sec. 1423, 1-4]

- **Program description**
 - What does our program look like?
 - Do we address the needs as they were identified?
 - Does it list goals?
- **Formal education agreement**
 - Is it signed by everyone mentioned in the agreement?
 - Is it still contemporaneous?
 - How do we know if we need a new one?
- **Coordination with facility education services**
 - Does everyone know what they are in charge of?
 - How can we ensure proper and timely communication?
 - Do we identify points of contact?
- **Facilitation of successful transition services**
 - What does transition look like for us?
 - How do we support our youth into either coming back to us, going into work or going into post-secondary education?

- **Coordination of existing programs to meet the unique educational needs of students**
 - What other programs are out there that may support our youth?
 - How do we communicate with such programs?
 - Are there community programs that may provide support?
- **Coordination with existing social, health, and other services**
 - How do we facilitate youth access to social, health, and other services?
 - Are there campaigns for free or low-cost care that youth can take advantage of?
- **Partnerships with institutions of Higher Education or local businesses**
 - How do we communicate with business and higher education institutions about the needs of our youth?
 - How do we enhance our partnerships with the community?

- **Involvement of parent and family engagement**
 - What does parent and family engagement look like for the youth in these facilities?
 - What outreach do we engage in to meet this requirement?
- **Coordination of other Federal, State, and local programs**
 - How are other programs at these levels involved?
 - What can we do to make sure we do not work in silos?
- **Coordination with Juvenile Justice and Delinquency Prevention**
 - In what ways are we working with the law enforcement stakeholders to support our youth?

- **Coordination and collaboration with probation officers**
 - If applicable, how are we communicating with the probation officers?
 - How are we supporting this dynamic?
- **Coordination with existing individualized education program**
 - Are the IEPs being followed at the facility level?
 - What systems do we have in place to ensure IEPs are enforced?
 - How are we tracking IEPs?
- **Provision of LEA steps to support alternative education programs**
 - Do we have this provision listed somewhere?
 - What steps have we identified to support these programs?



Facility Definitions

- **Adult Correctional Institution:** A facility in which persons under the age of 21 are confined as a result of a criminal offense conviction.
- **Neglected Institution:** A public or private residential facility (other than a foster home) that is operated for the care of children who have been committed or placed by State Law due to abandonment, neglected, or death of parents/guardians.
- **Delinquent Institution:** A public or private residential facility (other than a foster home) for the care of children who have been adjudicated to be delinquent or in need of supervision.



Student Definitions

- **Neglected:** A child, youth, or student who has been committed to an institution (other than a foster home) or voluntarily placed under applicable State Law due to abandonment, neglect, or death of his or her parents or guardians.
- **Delinquent:** A child, youth, or student who resides in a public or private residential facility (other than a foster home) that is operated for the care of children and youth who have been adjudicated delinquent or in need of supervision.
- **At-Risk:** As per statute, section 1432: “The term "at-risk", when used with respect to a child, youth, or student, means a school aged individual who is at-risk of academic failure, dependency adjudication, or delinquency adjudication, has a drug or alcohol problem, is pregnant or is a parent, has come into contact with the juvenile justice system or child welfare system in the past, is at least 1 year behind the expected grade level for the age of the individual, is an English learner, is a gang member, has dropped out of school in the past, or has a high absenteeism rate at school.” Thus, “at-risk programs” are programs implemented by the LEA to assist such youth. It is not related to the state compensatory education program.



Eligibility

- LEA must meet at least one of these criteria:
 - Must serve student(s) who live in a residential facility for neglected or delinquent.
 - Must have a residential facility for the neglected or delinquent located within its boundaries.
 - Must be an open-enrollment charter school that either operates a residential facility for the neglected/delinquent or provides educational services to students who live in such a facility.

- Students must meet the following criteria:
 - Resided in the facility for at least one day during the month of October.
 - Ages 5 to 17 (upon entry to the facility).
 - Exclude children under the conservatorship of the Texas Department of Family and Protective Services.
 - Exclude foster care children.



At- Risk Programs

As per statute, section 1432: “The term "at-risk", when used with respect to a child, youth, or student, means a school aged individual who is at-risk of academic failure, dependency adjudication, or delinquency adjudication, has a drug or alcohol problem, is pregnant or is a parent, has come into contact with the juvenile justice system or child welfare system in the past, is at least 1 year behind the expected grade level for the age of the individual, is an English learner, is a gang member, has dropped out of school in the past, or has a high absenteeism rate at school.” Thus, “at-risk programs” are programs implemented by the LEA to assist such youth. It is not related to the state compensatory education program.

- At-Risk Youth would need to meet one of the criteria in statute.
- The school system is responsible for making sure that appropriate documentation supports the At-Risk program they are implementing. This documentation speaks about identified needs, student identification, program implemented and evaluation.
- Typically, these at-risk youth are not living in the facility.
- At-risk programs may be run at the school system level.
- Please note that while there are other definitions of “At-Risk,” we are strictly using the one found in Title I, Part D, statute.

Reporting At-Risk Numbers

Part 1: LEA Program/Facility Type

LEA Program/Facility Type											
LEA Program/Facility Type	Number of Programs/Facilities	Average Number of Days Served	Average Length of Stay (days)								
Neglected Programs (Subpart 1 only)											
Delinquent Programs (Subpart 1 or Subpart 2)											
1. Adult Corrections											
2. Community Day Programs											
3. Juvenile Detention Centers											
4. Shelters											
5. Group Homes											
6. Ranch/wilderness camps											
7. Residential Treatment Centers											
8. Long-term secure juvenile facilities											
9. Other											
At-Risk (Subpart 2 only)											
1. At Risk											
Totals											
Total											

- When reporting numbers via the PR2000 Compliance report, please note that there is a section specifically for At-Risk.
- Make sure your totals are considering the At-Risk numbers.
- For example, if you report 45 youth in line 3, Juvenile Detention Centers, and then report 45 in At-Risk line 1 at the bottom for a grand total of 45, that means you are double counting youth as delinquent and at-risk.



Title I, Part D, Subpart 3

- LEAs must evaluate Title I, Part D Programs
 - Annual data reported on the TEA Compliance Report
 - Includes demographic and educational data
- Results must be used to plan and improve future programs.
- This can be found in Section 1431, which states that “each State agency or local educational agency that conducts a program under subpart 1 or 2 shall evaluate the program [...] not less than once every 3 years.”



Annual Count

Federal Fiscal and Compliance Reporting Division (FFCR)

- TEA's SC9000 Annual Survey of Children in Local Residential Facilities for the Neglected/Delinquent (data collection form)
 - TEA data requested in October and due in December
- To remove a closed facility, add a new facility, or for any SC9000 related questions, please email:



compliance@tea.texas.gov

Student Count and how does it affect funding

- Local Delinquent Count is used to calculate the State's Subpart 2 allocation (received as a portion of the State's Title I, Part A grant).
- Local Neglected Count figures into the Title I-A allocation for the LEA in which the facility is located.
- At-risk can be served with TID Subpart 2 delinquent funds, but they do not generate funding.
- To receive funding, the LEA needs to report at least 10 students on the SC9000 to receive TID Subpart 2 funds.
- Refer to the ESSA Funding Reference Manual for how TEA administers these allocations.

Counting vs. Serving

Agency Type	Counting	Serving
LEA	Children and youth COUNTED must be^d <ul style="list-style-type: none">• Living in local institutions for children and youth who are N or D or adult correctional institutions• Living in the institution for at least 1 day during the 30-day count period• 5 through 17 years of age	Children and youth SERVED with Subpart 2 funds must be^e <ul style="list-style-type: none">• Living in local institutions for children and youth who are delinquent or in adult correctional institutions; eligible for services under Title I, Parts A and C; or identified as at-risk (e.g., migrants, immigrants, gang members, pregnant or parenting youth)• 21 years of age or younger

^a 34 CFR §200.91 [SEA Counts of Eligible Children](#)

^b ED's [Instructions for Identifying Eligible Institutions and Counting Children](#)

^c Title I, Part D Nonregulatory Guidance State Agency Programs, [Section E-1](#)

^d Title I, Part D Nonregulatory Guidance, [Section K-2](#)

^e Title I, Part D Nonregulatory Guidance, [Section N-3](#)



Title I, Part D Monitoring Protocol

- Through the Program Monitoring Validations (PMV) the Federal Program Compliance Division is developing a Title I, Part D Monitoring Protocol.
- The monitoring protocol follows the process that the U.S. Department of Education uses.
- This protocol is meant to assist school systems in identifying the strongest documentation possible that may be used during the PMV process.
- School systems may use this protocol to self-assess and identify areas of documentation that need improvement.



Formal Agreement

- Section 1423 (2) a description of formal agreements, regarding the program to be assisted between-
- (A) the local education agency; and
- (B) correctional facilities and alternative school programs serving children and youth involved with the juvenile justice system, including such facilities operated by the Secretary of the Interior and Indian tribes;

Part 6, Section A, Item 1 of the Compliance Report: The LEA has a formal, written agreement with each local facility it serves under Title I, Part D, Subpart 2, and the agreement addresses the program provided by the LEA, as well as the responsibilities of the facility as described in §1423 (2).
[Section 1423 (2)]

- What is the process the school system uses to collaborate with facilities for Neglected and Delinquent youth to provide educational services for such youth residing in those facilities?
- 1.1 Documentation of Formal Agreement between the school system and applicable facility to provide education services and support.
- Copy of one Formal Agreement that includes signatures of all involved parties, dates, timeframe of the agreement, a description of the school system's responsibilities, a description of the facility's responsibilities, and, if applicable, a description of the program.

1.1 Documentation – Good Example

IN [REDACTED] SCHOOL DISTRICT
and
[REDACTED] COUNTY JUVENILE JUSTICE DEPARTMENT

MEMORANDUM OF UNDERSTANDING

The [REDACTED] Independent School District ([REDACTED] and the [REDACTED] in [REDACTED] Juvenile Justice Department ([REDACTED]) agree to provide educational services to high school students under probationary supervision.

The terms and conditions set forth in the following document shall constitute the entire agreement between the [REDACTED] and may not be amended except by a written document signed by [REDACTED].

[REDACTED] School District will:

- Provide one secure office per site which includes one computer with Internet access, one desk with chair, one functional telephone land line, and one telephone to implement the services agreed upon on this MOU;
- Provide the At Risk Counselors and the Dropout Intervention Specialist at each campus to meet with the probation officer once a week to plan and communicate the juvenile's progress including but not limited to academic growth, attendance, behavior, substance abuse, etc...;
- Connect probation officer's computers to the [REDACTED] for case management and juvenile referral information;
- Pay [REDACTED] ([REDACTED]) a year which is payable on a monthly basis, for one (1) probation officer.

[REDACTED] Juvenile Justice Department will:

- Have one (1) probation officer to be assigned to provide services at the [REDACTED] and [REDACTED] campus and splitting their time accordingly based on the needs of the campus(s).
- Provide a match for a minimum of up to [REDACTED] within the year;
- Monitor juvenile's progress including but not limited to academic growth, attendance, behavior, substance abuse, etc...;
- Provide the probation officer at each campus to meet with the At Risk Counselor and the Dropout Intervention Specialist once a week to plan and communicate the

- The Campus Principal is the point of contact at an individual campus. As point of contact, the campus principal works closely with the probation officer during regularly scheduled school hours. The probation officer is expected to operate under the guidelines and policies set forth by [REDACTED] and the individual campus handbook in addition to guidelines set forth by [REDACTED] Juvenile Justice Department.
- This MOU may be amended or modified only in writing and executed by both parties. This MOU will be applicable for one year and may be terminated by either party upon written notice of thirty (30) days.

This Memorandum of Understanding shall be effect from September 1, 2023 through August 31, 2024.

[REDACTED]
Superintendent of Schools
[REDACTED] School District

7/24/2023
Date

[REDACTED]
Chief Juvenile Probation Officer
[REDACTED] Juvenile Justice Department

8/1/2023
Date

[REDACTED]
Honorable Judge [REDACTED]
[REDACTED] County Juvenile Board

8/3/2023
Date

1.1 Documentation – Not so good example

■ Why?

- Signature is missing.
- If this is a scan issue, please ensure that the signature shows on your documentation.

Shared Responsibilities of [REDACTED] and Department

1. Supply necessary instructional equipment and materials for all students;
2. As appropriate, work with local businesses and organizations to develop training, vocational opportunities, and mentoring programs for students;
3. Provide transition assistance to help juveniles stay in school, including coordination of services for the family, counseling, assistance in accessing drug and alcohol abuse prevention programs, and family counseling;
4. Where feasible, involve parents in efforts to improve the educational achievement of their children and prevent further involvement in delinquent activities;
5. If applicable, coordinate programs operated under Title I-Part D with other private, local, state, and federal funds available to provide services to juveniles

General Provisions:

1. [REDACTED] is entitled to all funds from any state and federal source related to the education of students.
2. Department is entitled to all funds from [REDACTED] Commissioners Court appropriated for juvenile probation services.
3. Department is entitled to all funds from the Texas Legislature appropriated for juvenile services except for funds appropriated for the Juvenile Justice Alternative Education Program.
4. Employees of [REDACTED] and Department are employees of [REDACTED]
5. Employees of [REDACTED] and Department are subject to the directives of [REDACTED], the [REDACTED] Juvenile Board, and the Executive Director of the Department.

This agreement shall be in effect for the 2022-2023 school year.

[REDACTED]

[REDACTED]
Deputy Director Residential Facilities Division
[REDACTED] Juvenile Probation Department

June 21, 2022
Date

[REDACTED]

[REDACTED]
Deputy Director Education Services Division
[REDACTED] Juvenile Probation Department

June 21, 2022
Date



Program Evaluations

Section 1431

- (a) Scope of Evaluation—
 - Each State agency or local educational agency 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 —
 - (1) 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;
 - (2) to accrue school credits that meet State requirements for grade promotion and high school graduation;

- (3) to make the transition to a regular program or other education program operated by a local educational agency or school operated or funded by the Bureau of Indian Education;
 - (4) 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
 - (5) as appropriate, to participate in postsecondary education and job training programs.
- (b) Exception—
 - The disaggregation required under subsection (a) 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.

- (c) Evaluation Measures—
 - In conducting each evaluation under subsection (a), a State agency or local educational agency shall use multiple and appropriate measures of student progress.
- (d) Evaluation Results—
 - Each State agency and local educational agency shall—
 - (1) submit evaluation results to the State educational agency and the Secretary; and
 - (2) use the results of evaluations under this section to plan and improve subsequent programs for participating children and youth.

Part 5, Section A, Item 2 of the Compliance Report:

Title I, Part D, Subpart 2 data are collected, disaggregated, and evaluated to show the program's impact on the ability of participants to: maintain and improve educational achievement; accrue school credits that meet State requirements for grade promotion and secondary school graduation; make the transition to a regular program or other educational program operated by a LEA; complete secondary school (or secondary school equivalency requirements) and obtain employment after leaving the facility; and, as appropriate, to participate in postsecondary education and job training programs. [Section 1431(a)]

- How does the school system ensure that its Title I, Part D, Subpart 2 program is evaluated at least once every three years using data trends to determine the program's impact?

- 1.1 Documentation of evaluation of the Title I, Part D, Subpart 2 program showing the program's impact in the areas referenced. Note: To ensure compliance with FERPA, please do not submit documentation that includes personally identifiable information for students.
- Copy of the most current evaluation of the Title I, Part D, Subpart 2 Program. The evaluation should include an analysis of data showing the program's impact on each of the youth referenced below:
 - 1) youth who have maintained and improved educational achievement and graduated from high school,
 - 2) youth who have accrued school credits that meet State requirements for grade promotion and high school graduation,
 - 3) youth who have made the transition to a regular program or other educational program operated by a school system,
 - 4) youth who have completed high school or its equivalent, and obtained employment after leaving the facility, and
 - 5) youth who have participated in postsecondary education and/or job training programs.

1.1 Good Documentation

Title I, Part D Subpart 2 1.1

2

Impact Area #1

Youth that have maintained and improved educational achievement and graduated from high school

Please describe the services provided to students/families to assist in the ability of participants to maintain and improve educational achievement and to graduate from high school in the number of years established by the TEA.

When students enroll, our teachers perform assessments in the four core subjects to identify their academic needs. Additionally, we review any paperwork from the receiving district to determine if there are specialized services needed to support an Individualized Education Program (IEP) or to address language concerns.

Teachers at JDC are instrumental in identifying areas of need to address the academic challenges of students. Identified areas of focus for the upcoming school year are:

- to focus on language and vocabulary specifically for the LEP/SPED populations
- to attend professional development on cross-curricular in reading and writing in all content areas
- to provide tutorials for at-risk and struggling students
- to implement one-on-one instruction focusing on gaps and math skills
- to promote the identification and use of common reading/writing and math vocabulary
- to increase independent reading time for self-selected text to 45 minutes
- to increase the usage of technology to maximize learning

JDC staff in their commitment to foster a supportive environment are also aware that to help with academic success, the classroom environment, and a student's social-emotional well-being play a huge part in their success. Therefore focusing on the following is also part of JDC's commitment to participants.

Positive Behavior Intervention Supports (PBIS)

Key Focus Areas:

DNAC 3-01

1.1 Good Documentation

Describe any barriers that may limit the impact of this area.

- Length of stay of students
 - Impacts the staff's ability to access and track academic progress while enrolled at JDC
- Unpredictable student release dates
 - Impacts the information that is able to be sent to the student's home campus upon release; may not have been at JDC long enough to make any necessary impact
- Communication between JDC and receiving campuses in preparing for transition back to campus from JDC

Title I, Part D Program Evaluation 2023-2024

Title I, Part D Support 2 1.1

4

Are there any areas of refinement/improvement that can be utilized to better meet this area in the upcoming school year?

Areas of refinement/improvement to include:

- Development of a transition protocol to
 - Help parents and home campuses understand and navigate the re-enrollment process
 - Allow JDC staff to communicate with the student's home campus academic challenges, PBIS Success and Challenges, and/or Social Emotional Successes and Challenges
 - Identify key staff members on the home campus to assist with identifying grade-appropriate support in the following areas:
 - academic
 - counseling availability for students and families covering topics such as substance abuse, mental

1.1 Documentation – Not So good example

Last	First	Graduated	Credits	Growth	Date Withdrawn	Comments
A	A	No	9.5	1 Grade Level		Graduated
B	B	No	8			
C	C	No	7	1 Grade Level		
D	D	No	10	1 Grade Level		
E	E	No	9			
F	F	No	12	1 Grade Level		Unsuccessful Termination
						8th grade student promoted at the end of the school year
G	G	No	8.5			
H	H	No	7	1 Grade Level		
I	I	No	6.5	1 Grade Level		

- When the roster only has so few students, keep in mind that submitting this kind of information may not comply with FERPA.
- When conducting a program evaluation, consider that small numbers like these may provide identifiable information.
- You may state that due to the small number of students, some information is redacted or hidden.

Note: This is made-up data to represent a similar submission.

- [Title I, Part D, Webpage](#)
- [Title I, Part D, Subpart 2 Program Guide](#)
- [Title I, Part D, Subpart 2 Program Overview \(Video\)](#)
- [Title I, Part D, Subpart 2 Frequently Asked Questions Document](#)
- [ESSA Program Monitoring Validations](#)



Thank you!

Federal Program Compliance Division



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