



# Title I, Part D Handbook

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THE PREVENTION AND INTERVENTION PROGRAMS FOR  
CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT OR  
AT RISK

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Office of Student, School and Family Support  
120 S. Federal Place, Room 206  
Santa Fe, NM 87501

**NMPED**  
**Public Education Department (PED)**  
**TITLE 1 NEGLECTED-DELINQUENT GUIDE**

**Title 1 Neglected-Delinquent (Title 1 D) and the Law**

The Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk, was authorized by Title 1, Part D of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (20 USC 6421) and as further amended by the Every Student Succeeds Act (ESSA)(20 U.S.C. 6421-6472). The authorizing legislation can be found at <https://www2.ed.gov/documents/essa-act-of-1965.pdf> (see pages 133 through 146 of the legislation)

Under section 20 United State Code 6421 section 1401-1432, Federal Statute allows states to carry out the purpose of Title 1 D as authorized by the US Department of Education's Office of Safe and Healthy Students, who makes grants to State Education Agencies (SEA) such as PED <https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1401>

In addition, the US Department of Education provided Non-Regulatory Policy Guidance for Title I Part D which can be found at <https://www2.ed.gov/policy/elsec/guid/nord.doc> (785K)

**NM State Law**

New Mexico Statutes of 1978 annotated (NMSA), Chapters 22 and 22A comprise the laws regulating Public Schools. Children and youth who are residents of the State and have not yet received a high school diploma are entitled to a free public education (NMSA 22-1-4). The state institution in which a school age person is detained or enrolled shall be responsible for providing educational services for the school age person (NMSA 22-12-4). [https://www.lawserver.com/law/state/new-mexico/nm-statutes/new\\_mexico\\_statutes\\_chapter\\_22](https://www.lawserver.com/law/state/new-mexico/nm-statutes/new_mexico_statutes_chapter_22)

**NM State Plan**

It is important that you read the New Mexico PED's Consolidated ESSA State Plan and particularly, pages 160-163 regarding Title 1, part D. Be certain that the services you propose in your application are aligned with the goals, objectives and performance measures as outlined in this State Plan.

<https://webnew.ped.state.nm.us/wp-content/uploads/2018/02/FINAL-APPROVED-NM-State-ESSA-Plan.pdf>

**Title 1, Part D Program Purpose**

The general purpose of the Title 1, Part D Neglected and Delinquent program is to improve educational services for children and youth in local and state institutions for neglected or delinquent children, providing them with the opportunity to meet the same rigorous state academic content standards that are expected of all students. The program provides needed services for children and youth to make a successful transition from institutionalization to further schooling or employment. The intent of the program is to prevent at risk youth from dropping out of school and to provide them with a support system to ensure their continued education toward a high school diploma.

## **Those Served by Part D**

The children and youth who are neglected, delinquent, or considered at risk for school failure and/or delinquency are served. The programs provide supplemental educational services in various settings, including those who reside in juvenile detention, juvenile and adult corrections, those residing in facilities for youth who are neglected, and those attending programs directed at preventing school dropout and/or delinquent involvement in the community.

### **Part D Subpart 1: State Agency Programs (Subpart 1) Structure**

#### **Funding**

The US Department of Education allocates funds to PED based upon a formula based upon a one-day annual count of youth (ages 20 or younger) who are enrolled in a “regular program of instruction” in eligible facilities (juvenile and adult corrections and community day programs) with an average stay of 30 days for youth who are neglected or delinquent. From that allocation, PED makes subgrants to eligible State agency (SA) facilities (juvenile and adult corrections and community day programs) to provide 70% “supplemental” academic services and 30% transitional services to eligible youth. The exception is for institution-wide projects (not allowable in adult corrections).

#### **State Agency Eligibility**

A State Agency (SA) is eligible to apply to the PED for Subpart 1 grant funds if it is responsible for providing free public education for children and youth who are enrolled in:

- Educational programs in neglected or delinquent institutions; or
- Education programs in adult correctional facilities; or
- Educational programs in community day programs for neglected or delinquent youth.

#### **Institution Eligibility**

A State Agency who receives Subpart 1 funds distributes funds to eligible institutions within its jurisdiction in accordance with the needs assessment described in its application submitted to PED. To be eligible for state N and D funds, juvenile institutions must provide 20 hours a week of instruction from nonfederal funds; adult correctional institutions must provide 15 hours. An eligible institution is:

- A public or private facility that operates for the care of children who are neglected or delinquent; and
- That provides free public education and a “regular program of instruction” to the children in the institution.

Institutions must be one of the following types:

- An adult correctional institution; or
- An institution for delinquent children and youth; or
- An institution for neglected children and youth; or
- A community day program.

#### **Student Eligibility**

Students who are eligible to be served must be in a program for neglected or delinquent youth, and:

- 21 years of age or younger; and
- Entitled to free public education up to grad 12; and

- Enrolled in a State-funded “regular program of instruction” for 20 hours per week if in an institution or community day program or 15 hours per week if in an adult correctional institution.

**The Count Window and Formula (Subpart 1)**

The SA selects any one school day during the current calendar year, and all institutions must use that date for the enrollment count. Institutions adjust the count to reflect the relative length of the school year of the specific agency or institutions

The adjustment is made by (a) multiplying the number of students enrolled in the institution (on the day selected by the SA), by the number of days per year the regular program of instruction operates, and (b) dividing that number by a number that represents the number of school days in the academic year for the state (i.e. 180).

single day count x length of school year in days

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180

**Part D Subpart 2: Local Agency Programs (Subpart 2) Structure**

**Funding**

The US Department of Education allocates a portion of the Title 1 Part A funds to PED specifically for this subpart, based on an annual count of the number of children and youth (ages 5-17) living in local institutions for neglected or delinquent children for at least one day during the 30-day count period. From that allocation, PED makes subgrants to eligible Local Education Agency (LEA) facilities to provide transition services to eligible youth.

**Facility Eligibility**

The PED requires each Subpart 2 Local Education Agency Program to reserve from its Title I, Part A allocation funds generated by the number of children in locally operated institutions for neglected or delinquent youth. These funds may be awarded to Local Education Agencies (LEAs) with high proportions of youth in local correctional facilities to support dropout prevention programs for at-risk youth. The PED has broad discretion in determining LEA eligibility. They may include youth participating in locally operated community school programs and schools not operated by the State that serve youth who are neglected or delinquent and do not live in a facility.

**Student Eligibility**

Students who are eligible to be served must be:

- 21 years of age or younger; and
- Those living in local institutions for youth who are delinquent; plus
- All youth eligible for Title 1 parts A and C; and
- All youth identified as “at risk”.

**The Count Window (Subpart 2)**

This period is 30 consecutive days, and at least one day must be in the month of October. The PED selects the count period for all LEAs to use.

## Neglected Facilities

Title I Part A funds are allocated through LEAs to support public or private residential facilities, other than foster homes, that are 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 the abandonment, neglect, or death of their parents.

## Title 1 D Program Applications

The general purpose of the Neglected and Delinquent program is to improve educational services for 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. Be certain that the services you propose in your application and the Needs Assessment are both aligned with this purpose.

Carefully read the all federal requirements outlined in your Title 1 D application to make sure you are in compliance with these requirements.

Be sure that the services you are providing with the Title 1, part D funds are all SUPPLEMENTAL to the State's required educational program and not supplanting any state education programming activity.

## Title 1 D Program Budgets

The Title 1 D grant budgets are subject to the provisions of Title 1, Parts A, D, and F, and Title VIII, as applicable, of the ESEA as amended by the ESSA, and the General Education Provisions Act (GEPA-P.L. 103-382). These grants are also subject to the Title 1 Regulations in 34 CFR Part 200 and the Education Department General Administrative Regulations (EDGAR) in 34 CFR Parts 76, 77, 81, and 82, and 2 CFR 3485, and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR Parts 200 and 3474.

Overarching Budget Guidelines—Costs must be reasonable, necessary for the performance of the program, and allocable. Costs also must be most appropriate, meaning that they address the broad program goal of improving educational services for neglected/delinquent youth in order to provide them with the opportunity to meet the State's rigorous academic standards expected of all students.

- A cost is **reasonable** if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost.
- A cost is **allocable** to the grant if the goods or services involved are chargeable or assignable to the grant in proportion to the benefits received.
- A cost is **allowable** if used to address the specific educational needs of Title 1 D students as identified in the needs assessment. Title 1 D funds are intended to support strategies and activities designed to raise academic achievement of low achieving students. Title 1 D funds may not be used for activities such as building maintenance and repairs, furniture, landscaping, custodial or other facility services, and general education district/school administrative functions.
- Costs must comply with the federal Uniform Guidance at 2 CFR Section 200 which streamlines and consolidates government requirements for receiving and using federal awards; <http://www2.ed.gov/policy/fund/guid/uniform-guidance/index.html>

Examples of allowable costs:

- Necessary and reasonable technology (such as computers, laptops, tablets, overheads, internet connections) to assist youth to meet the challenging State academic content and keep up with mainstream students.
- Necessary and reasonable costs to increase the total number of hours of instruction, providing supplemental reading, mathematics, language arts and vocationally oriented/CTE programs that include “academic classroom instruction” tied to common core standards (purchase books, supplies, and educational material; purchase scanners for IEP documents).
- Hire additional Title 1 D staff to tutor, add hours to basic education classrooms or provide transition services (advocates, teachers, aides, counselors); provide Title 1 D staff with professional development and training.
- Dual-enrollment courses (college and high school) or college placement/application services.

Examples of non-allowable costs:

- Education instructional activities providing a “regular program of instruction”.
- Social Emotional programs, curricula and materials that are not integrated and aligned with state academic standards for reading, mathematics, language arts, and CTE.
- Art supplies for programs, projects, and curricula that are not integrated and aligned with state academic standards for reading, mathematics, language arts, and CTE.
- College course enrollment.
- Food and refreshments for district/building staff or for students.
- Building construction or furniture; landscaping or maintenance costs.
- Standard equipment for Physical Education courses and sports equipment for athletics.
- Costs for banquets, ceremonies, celebrations or social events.
- Gifts or promotional items.
- Costs for general basic education student information systems (unless it is supplemental to an existing system).
- Non-educational field trips.

### **Supplement, not Supplant**

Title 1 D, Subpart 1 grants may only be used to provide services that supplement, not supplant, those services that would, in the absence of Subpart 1 funds, be provided to children participating in the regular school education program. However, Subpart 1 funds may be used to increase the total number of hours of instruction in reading, language arts, mathematics, or vocational/CTE courses, which are integrated and aligned with state academic standards and that students receive with State or local funds.

## Reporting and Program Evaluation

Data collection, data reporting, and program evaluation are important components of Title 1, part D programs, as they provide the information you need to assess student progress, demonstrate whether the programs are meeting State and federal requirements, and to inform and identify needs for program improvements.

*The Annual Child Count* is the point-in-time count of eligible students which determines the funding allocations for the Title 1, part D grants for the following year. The Annual Child Count is reported to PED annually and in turn, PED is required to report these numbers to the US Department of Education.

*The End of Year (EOY)* data collection is the reporting of all outcomes which resulted from the Title 1, Part D programming throughout the July 1-June 30 funded year. Each sub-grantee is required to collect timely and accurate outcome data and report them to PED on a quarterly basis through an online data collection system. These outcomes are essential for data quality for students in Title 1, Part D programs because it can affect their services at the Federal, State and local levels. Collection and reporting of this data is important part of program evaluation and accountability.

PED is required to evaluate each program receiving Title 1 D funds, once each three years. The US Department of Education is also required to monitor and evaluate each state's grants every 3 years.

### Federal Performance Measures

The US Department of Education has outlined the 5 federal performance measures which exist for Title 1, part D grant programs:

1. The percentage of 16 - 21-year-old students who obtained a diploma or GED.
2. The percentage of 13 - 21-year-old students who earned high school course credits.
3. The percentage of long-term students who improved on mathematics assessments.
4. The percentage of long-term students who improved on reading assessments.
5. The average cost per GED/high school diploma.

The average cost of the GED/high school diploma is calculated by data provided to the US Department of Education by PED.

For further information:

An Evaluation Study of the Title 1, part D programs nationwide was completed by the US Department of Education in early 2019. It can be found at: <https://www2.ed.gov/rschstat/eval/neglected/volume-i.pdf>

## **NEW MEXICO PED TITLE 1, PART D, NEEDS ASSESSMENTS**

### **What is a Needs Assessment?**

A needs assessment is a process by which programs identify and address the needs, or “gaps” between current and desired conditions. A needs assessment should guide the development of a comprehensive program plan and help establish benchmarks for evaluating a program.

### **How Will a Needs Assessment be Utilized in Title 1, Part D Programs?**

To help ensure Title 1, Part D programs in New Mexico are aimed at meeting the needs of children and youth. The PED, starting in the 2020-21 grant year, will be REQUIRING SAs (Subpart 1 sub-grantees) and LEAs (Subpart 2 sub-grantees) to conduct and report details of a needs assessment within each grant application.

These needs assessments must describe within their applications:

1. the processes that they undertake to assess those needs (consistent with the NM ESSA State Plan);
2. the description of the participant teams conducting the assessment;
3. the data collected and analyzed;
4. a description of how progress will be evaluated;
5. a description of how the targeted population to be served will be selected, and finally; and
6. what program will be provided to fit the assessed need.

### **What are the steps to conduct a needs assessment?**

1. Identify the scope of the assessment and develop a planning and implementation team. The team will bring together data, knowledge and guide the process to develop a program.
2. Identify guiding questions that respond to areas of concerns and that will lead to creating an accurate overview of the program.
3. Determine what data need to be collected, how data can be collected, and how data will be analyzed.
4. Analyze the data.
5. Prioritize which needs to focus on first, determine how best to do so, and identify how progress will be evaluated.
6. Determine which youth will be targeted.
7. Identify the program details which will be included to meet the needs of the group of youth.
8. Determine which federally required outcomes will be the result of the program.

### **What Tool is Available to Assist Title 1, Part D Subgrantees to Conduct an Assessment?**

The Neglected-Delinquent Technical Assistance Center (NDTAC) has created a tool that can be utilized in conducting a needs assessment for Title 1, Part D programs. <https://neglected-delinquent.ed.gov/resource/title-i-part-d-program-administration-planning-toolkit>



## GLOSSARY OF ACRONYMS

CFR	Code of Federal Regulations
EDGAR	Education Department General Administrative Regulations
EOY	End of Year
ESEA	Elementary and Secondary Education Act
ESSA	Every Student Succeeds Act
GEPA	General Education Provisions Act
LEA	Local Education Agency
NMSA	New Mexico Statutes Annotated
PART D	Title 1 Neglected-Delinquent
PED	Public Education Department
SA	State Agency
SEA	State Education Agency
STARS	Student Teacher Accountability Reporting System

## GLOSSARY OF PROGRAM DEFINITIONS

The following definitions apply to the programs authorized in Title 1, Part D:

***Institution for delinquent children and youth*** means, as determined by the SEA, a public or private residential facility that is operated primarily for the care of children and youth who:

- (1) Have been adjudicated to be delinquent or in need of supervision; and
- (2) Have had an average length of stay in the institution of at least 30 days.

***Institution for neglected children and youth*** means, as determined by the SEA, a public or private residential facility, other than a foster home, that is operated primarily for the care of children and youth who:

- (1) 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; and
- (2) Have had an average length of stay in the institution of at least 30 days.

***Locally operated correctional facility*** means a facility in which persons are confined as a result of a conviction for a criminal offense, including persons under 21 years of age. The term also includes a local public or private institution and community day program or school not operated by the State that serves delinquent children and youth.

***Regular program of instruction*** means an educational program (not beyond grade 12) in an institution or a community day program for neglected or delinquent children that consists of classroom instruction in basic school subjects such as reading, mathematics, and vocationally oriented subjects, and that is supported by non-Federal funds. Neither the manufacture of goods within the institution nor activities related to institutional maintenance are considered classroom instruction. The regular program of instruction must be State funded and must meet the required number of hours; the instructional program cannot include additional instructional time provided with Title 1 or other federal funds.

(34 CFR Section 200.90(b) Program Definitions)

***A community day program*** means, a regular program of instruction is provided with State funds and operated specifically for neglected or delinquent children and youth, by a State Agency at a community day school.

***An adult correctional institution*** is a facility in which persons (including youth under 21 years of age) are confined as a result of conviction for a criminal offense.

***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 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.

(20 USC 6472 Definitions as amended July 2018)

### **Additional Definitions regarding Title 1, Part D:**

**Academic Instruction** means reading, oral language development, language arts, mathematics, basic and advanced skills (not beyond grade 12). In 9<sup>th</sup> through 12<sup>th</sup> grades, academic instruction must meet PED academic content and performance standards (per NMSA 22-13-1).

**Needs Assessment** is a tool which is a vital first step in completing an application for Title 1, Part D funding. This tool is the vehicle for reviewing current programming available, assessing the current needs of students, and using the outcome to determine if the services align with the needs of the student population. The findings from the needs assessment will aid in developing a plan to address the needs of the students which could be filled with the Title 1, Part D funding. The results of the needs assessment can drive improved student educational services, student performance, and student outcome planning. (See Needs Assessment document)

**Supplement, not Supplant** means the sub-grantee shall use Title 1, Part D funding only to supplement, or add to existing funded activities that would, in the absence of Title 1, Part D funds, be made available from State and local sources for the education of students in schools, and not supplant such funds.

**Transition Services in Title 1, Part D** are those services which assist youth as they move or transition through the juvenile justice system as well as through the education system and into employment. Transition has been defined as "a coordinated set of activities for the youth, designed within an outcome-oriented process, which promotes successful movement from the community to a correctional program setting, and from a correctional program setting to post-incarceration activities." As this definition conveys, a critical component of transition is coordination. Coordination requires individuals from multiple systems to work together to ensure that a youth involved in the juvenile justice system receives all of the needed support services throughout the process. Learning how to come together and effectively work with other agencies is essential to the educational and life outcomes of youth who are neglected, delinquent, or at-risk of school failure. (NDTAC Inter-agency Collaboration: An Innovative Transition Practice, 2008)

**TITLE 1, PART D (STATE AGENCY) USE OF FUNDS DECISION-MAKING TOOL**

**Used to Determine if an Expenditure Is Allowable and Appropriate**



**Purpose of this Tool**

State Agency subgrantees will utilize this tool to assist them in determining if the proposed use of funds is allowable and appropriate prior to sending the request to PED.

This tool provides a set of decision rules that can help determine whether or not a proposed use of Title I, Part D, funds is allowable and appropriate.

Note: The assumption throughout this tool is that the New Mexico Public Education Department (PED) has already determined the SAs and LEAs are eligible to receive Title I, Part D, funds.

**How to Use the Tool:**

This tool includes 4 steps users can take to determine whether a proposed use of funds is allowable and appropriate: Step 1: Federal Requirements, Step 2: State Plan, Step 3: Subgrantee Application, and Step 4: Additional Areas.

For each step, users should refer to the information listed under “How do I know?” to answer the question. If a subgrantee has answered yes to each question listed in the steps and provided the Narrative Explanations for the questions at the end of the form, then he/she has the most support for the use of funds being considered. When seen by the PED State Part D coordinator, any step that results in a “no” response provides reason to question or reject the proposed use. The coordinator may ask the subgrantee to amend the funding proposal or may deny it altogether. Similarly, when used by a SA or LEA administrator, any step resulting in a “no”, or gives no HOW response, would give good reason to amend or withdraw the proposal made by staff at one of their institutions.

**Appendix 1**

<b>Agency/Facility Name:</b>	
<b>Proposed Uses of Funds:</b>	

<b>Steps to Review in Proposing State Agency (SA) Programs Title I, Part D, Subpart 1, Use of Funds</b>	
<b>Step 1: Do the proposed uses comply with Federal requirements regarding the use of Title I, Part D, Subpart 1, funds?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
a) <b>Title I, Part D, statute: Section 1415 Use of Funds</b> (including “supplement, not supplant” clause). Do the proposed uses provide participants with the knowledge & skills needed to make successful transitions to secondary school, vocational or technical training, further education or employment? <a href="https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1415">https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1415</a>	<input type="checkbox"/> Yes <input type="checkbox"/> No
b) ( <b>Supplement, not supplant clause included in the link above</b> ) Do the proposed uses supplement and improve the number of hours and quality of basic education instruction already provided with State funds?	<input type="checkbox"/> Yes <input type="checkbox"/> No
c) Title I, Part D, statute: <b>Section 1416 Institution-Wide Projects</b> . Is the proposed project serving ALL children in the facility under the rules of an Institution-wide Project? <a href="https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1416">https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1416</a>	<input type="checkbox"/> Yes <input type="checkbox"/> No
d) Title I, Part D, statute: <b>Section 1418 Transition Services</b> . Do the proposed uses provide participants with services that facilitate the transition from State-operated facilities to schools served by local agencies? <a href="https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1418">https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1418</a>	<input type="checkbox"/> Yes <input type="checkbox"/> No

**How do I know?**  
 Additional References can be found in Title I, Part D, Nonregulatory Guidance: [MS WORD](#) (785K).

**Appendix 1**

<p><b>Step 2: Do the proposed uses align with the goals and objectives of the New Mexico ESSA Consolidated State Plan, Section Title I, Part D?</b></p> <ul style="list-style-type: none"> <li>• <b>Goal 1:</b> Provide educational opportunities for all students enrolled in Title I, Part D programs to gain the academic skills needed to earn a high school diploma or equivalent.</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>• <b>Objective 1a:</b> Do the proposed uses provide a means to increase participant proficiency in reading?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>• <b>Objective 1b:</b> Do the proposed uses of funds provide a means to increase participant proficiency in mathematics?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>• <b>Objective 1c:</b> Do the proposed uses of funds provide a means for participants to earn credits toward a high school diploma or equivalent?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>• <b>Objective 1d:</b> Do the proposed uses of funds provide a means for participants to earn a high school diploma or equivalent?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No

**How do I know?**  
 The New Mexico ESSA Consolidated State Plan: <https://www2.ed.gov/admins/lead/account/stateplan17/nmcsa2017.pdf>

<p><b>Step 3: Do the proposed uses align with the requirements for and the needs expressed in the SA Subpart 1 application?</b></p> <ul style="list-style-type: none"> <li>• Review current program narrative of Instructional Activities as stated in the subgrantee’s Title I D application. Do the proposed uses align with the stated needs of the children as expressed in the narrative?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No
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**How do I know?**

- Statute: Section 1414 State Plan and State Agency Applications <https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1414>

Nonregulatory Guidance: Section G, State Agency Applications <https://neglected-delinquent.ed.gov/title-i-part-d-nonregulatory-guidance-state-agency-programs-part-d-subpart-1>

**Appendix 1**

<b>Additional Area(s) of Consideration:</b>	
<b>EVALUATION DATA: Is evaluation data being utilized to assist in determining the proposed use of funds?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Check YES for each evaluation data being utilized:</b>	
<b>Disaggregated data on participation by age, gender, race and ethnicity?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Number of youths receiving high school diplomas or equivalent?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Number of youths successfully transitioning to a local educational program in the community?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>OUTCOME DATA: Will the proposed use of funds improve outcomes for the youth served?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Check YES to indicate which specific outcomes will be increased:</b>	
<b>Number of youths receiving high school diplomas or equivalent?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Number of youths successfully transitioning to a local educational program in the community?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No

<p><b>How do I know?</b></p> <ul style="list-style-type: none"> <li>• Consolidated State Performance Report (CSPR)</li> <li>• Other student and program performance data/evaluation results</li> </ul> <p>*The Title I, Part D, statute Section 1431 Program Evaluations <a href="https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1431">https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1431</a> and the Nonregulatory Guidance Section R Evaluation Requirements address the requirements for SA programs using funds in this manner. <a href="https://neglected-delinquent.ed.gov/title-i-part-d-nonregulatory-guidance-program-evaluations-part-d-subpart-3#evaluation">https://neglected-delinquent.ed.gov/title-i-part-d-nonregulatory-guidance-program-evaluations-part-d-subpart-3#evaluation</a></p>
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<b>NARRATIVE QUESTIONS</b>	<b>NARRATIVE RESPONSES</b>
1. What will this expenditure supplement?	
2. What program of instruction will this expenditure support?	
3. How will this expenditure increase the number of instructional hours?	
4. How will this expenditure increase the quality of instruction provided?	

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<b>TITLE 1, PART D (LOCAL AGENCY) USE OF FUNDS DECISION-MAKING TOOL</b>
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<b>Used to Determine if an Expenditure Is Allowable and Appropriate</b>
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This tool provides a set of decision rules that can help determine whether or not a proposed use of Title I, Part D, funds is allowable and appropriate.

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**How to Use the Tool:**

This tool includes 4 steps users can take to determine whether a proposed use of funds is allowable and appropriate: Step 1: Federal Requirements, Step 2: State Plan, Step 3: Subgrantee Application, and Step 4: Additional Areas.

For each step, users should refer to the information listed under “How do I know?” to answer the question. If a subgrantee has answered yes to each question listed in the steps and provided the Narrative Explanations for the questions at the end of the form, then he/she has the most support for the use of funds being considered. When seen by the PED State Part D coordinator, any step that results in a “no” response provides reason to question or reject the proposed use. The coordinator may ask the subgrantee to amend the funding proposal or may deny it altogether. Similarly, when used by a SA or LEA administrator, any step resulting in a “no”, or that gives no “HOW” response, would give good reason to amend or withdraw the proposal made by staff at one of their institutions.

Appendix 2

Agency/Facility Name:	
Proposed Uses of Funds:	

<b>Steps to Review in Proposing Local Educational Agency (LEA) Programs Title I, Part D, Subpart 2, Use of Funds</b>	
<b>Step 1: Do the proposed uses comply with Federal requirements and funding priorities for the use of Title I, Part D, Subpart 2, funds?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>Statute: <b>Section 1421 Purpose.</b> <a href="https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1421">https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1421</a> Do the proposed uses provide:           <ul style="list-style-type: none"> <li>a) assistance in transition of exiting youth to local schools? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li>b) dropout prevention programs serving at-risk youth? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li>c) coordination of health/social services (day care, drug/alcohol counseling, mental health services) to improve education access? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li>d) vocational/technical education, special education, career counseling, entrepreneurship, assistance with securing student loans? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li>e) mentoring or peer mediation? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> </ul> </li> <li>Statute: <b>Section 1424 Uses of Funds</b> (no “supplement, not supplant” clause) <a href="https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1424">https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1424</a> Do the proposed uses provide:           <ul style="list-style-type: none"> <li>a) high quality education programs preparing youth for secondary school completion, training, employment of further education? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li>b) activities to facilitate their transition from the correctional program to further training? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li>c) programs in local schools for youth returning from correctional facilities? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> </ul> </li> </ul>	

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<ul style="list-style-type: none"> <li>Statute: <b>Section 1425 Program Requirements for Correctional Facilities Receiving Funds.</b> <a href="https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1425">https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1425</a> Do the proposed uses provide:</li> </ul>	
a) coordination with the youth’s home schools regarding IEPs and Special Education services?	<input type="checkbox"/> Yes <input type="checkbox"/> No
b) support services to reengage exiting youth back into the local schools or employment programs?	<input type="checkbox"/> Yes <input type="checkbox"/> No
c) technology to assist in coordinating educational programs between the correctional facility and the community school?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>How do I know?</b> <b>Nonregulatory Guidance: Section O, Use of Funds</b> <a href="https://neglected-delinquent.ed.gov/title-i-part-d-nonregulatory-guidance-local-programs-risk-youth-part-d-subpart-2#lea_funds">https://neglected-delinquent.ed.gov/title-i-part-d-nonregulatory-guidance-local-programs-risk-youth-part-d-subpart-2#lea_funds</a> and <b>Section P, Program Requirements for Subpart 2 Programs</b> <a href="https://neglected-delinquent.ed.gov/title-i-part-d-nonregulatory-guidance-local-programs-risk-youth-part-d-subpart-2#lea_requirements">https://neglected-delinquent.ed.gov/title-i-part-d-nonregulatory-guidance-local-programs-risk-youth-part-d-subpart-2#lea_requirements</a>	

<b>Title 1, Part D (LOCAL AGENCY)</b>	
<b>Step 2: Do the proposed uses align with the goals and objectives of the New Mexico ESSA Consolidated State Plan, Section Title I, Part D?</b> <ul style="list-style-type: none"> <li><b>Goal 1:</b> Provide educational opportunities for all students enrolled in Title I, Part D programs to gain the academic skills needed to earn a high school diploma or equivalent.</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li><b>Objective 1a:</b> Do the proposed uses provide a means to increase participant proficiency in reading?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li><b>Objective 1b:</b> Do the proposed uses of funds provide a means to increase participant proficiency in mathematics?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li><b>Objective 1c:</b> Do the proposed uses of funds provide a means for participants to earn credits toward a high school diploma or equivalent?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li><b>Objective 1d:</b> Do the proposed uses of funds provide a means for participants to earn a high school diploma or equivalent?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>How do I know?</b> The New Mexico ESSA Consolidated State Plan: <a href="https://www2.ed.gov/admins/lead/account/stateplan17/nmcsa2017.pdf">https://www2.ed.gov/admins/lead/account/stateplan17/nmcsa2017.pdf</a>
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<p><b>Step 3: Do the proposed uses align with the requirements for and the needs expressed in the LEA, Subpart 2 application? Review program narrative of Instructional Activities as stated in the subgrantee’s LEA application.</b></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>Do the proposed uses align with the stated needs of the children as expressed in the application narrative?</li> </ul>	

**How do I know?**  
 Statute: Section 1423 Local Educational Agency Applications <https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1423>  
 And Nonregulatory Guidance: Section N, LEA Applications [https://neglected-delinquent.ed.gov/title-i-part-d-nonregulatory-guidance-local-programs-risk-youth-part-d-subpart-2#lea\\_applications](https://neglected-delinquent.ed.gov/title-i-part-d-nonregulatory-guidance-local-programs-risk-youth-part-d-subpart-2#lea_applications)

Title 1 Part D (LOCAL AGENCY) Additional Area(s) of Consideration	
<p><b>EVALUATION DATA: Is evaluation data being utilized to assist in determining the proposed use of funds?</b></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p><b>Check YES for each evaluation data being utilized:</b></p>	
<ul style="list-style-type: none"> <li>Disaggregated data on participation by age, gender, race and ethnicity?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>Number of youths receiving high school diplomas or equivalent?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>Number of youths successfully transitioning to a local educational program in the community?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>Disaggregated data on participation by age, gender, race and ethnicity?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>Number of youths receiving high school diplomas or equivalent?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>Number of youths successfully transitioning to a local educational program in the community?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No

**How do I know?**

- Consolidated State Performance Report (CSPR)
- Other student and program performance data/evaluation results

\*The Title I, Part D, Statute **Section 1431 Program Evaluation** <https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1431> and the Nonregulatory Guidance **Section R, Evaluation Requirements** address the requirement that LEA programs use funds in this manner. <https://neglected-delinquent.ed.gov/title-i-part-d-nonregulatory-guidance-program-evaluations-part-d-subpart-3#evaluation>

Appendix 2

<p><b>OUTCOME DATA: Will the proposed use of funds improve outcomes for the youth served?</b></p> <p><b>Check YES to state which specific outcomes will be increased:</b></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p><b>An increase in youth returning to the local schools?</b></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p><b>An increase in number of high school diplomas or equivalent?</b></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p><b>An increase in employment after release?</b></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

**How do I know?**

- Consolidated State Performance Report (CSPR)/ New Mexico End of Year Report Data
- Other student and program performance data/evaluation results

\*The Title I, Part D, Statute **Section 1426 Accountability** <https://neglected-delinquent.ed.gov/title-i-part-d-statute#sec1426> and the Nonregulatory Guidance Section Q Accountability [https://neglected-delinquent.ed.gov/title-i-part-d-nonregulatory-guidance-local-programs-risk-youth-part-d-subpart-2#lea\\_accountability](https://neglected-delinquent.ed.gov/title-i-part-d-nonregulatory-guidance-local-programs-risk-youth-part-d-subpart-2#lea_accountability) address the requirement that LEA programs use funds in this manner.

NARRATIVE QUESTIONS (Based upon	NARRATIVE RESPONSES
1. What will this expenditure supplement?	
2. What program of instruction will this expenditure support?	
3. How will this expenditure increase the number of instructional hours?	
4. How will this expenditure increase the quality of instruction provided?	