

Annual Count Guidelines

The US Department of Education collects information on the location and number of children who live in local institutions for neglected or delinquent children or who are in local adult correctional facilities.

Department of Education (USDE) uses the:

- Neglected count in calculating state and Local Education Agency (LEA) Title I Part A allocations.
- Delinquent count in calculating the portion of a State Education Agency's (SEA's) Title I Part A grant award allocated for Title I Part D Subpart 2.

Definitions of Facilities

Delinquent institution – local institution for delinquent children that meets the follow definition: “a public or private residential facility for the care of children who have been adjudicated to be delinquent or in need of supervision” (section 1432(4)(B) of the ESEA). In this category also include children in local adult correctional institutions as defined in section 1432(1) of the ESEA and in 34 CFR § 200.90(c).

Neglected facility- is a public or private residential facility, other than a foster home, that is operated primarily for the care of children and youth who have been committed to the institution or voluntarily placed in the institution under applicable state law due to abandonment, neglect, or death of their parents or guardians. (section 1432(4)(A) of the ESEA).

Community day program – a regular program of instruction provided by a State agency at a community day school operated specifically for neglected or delinquent children and youth.

Eligibility

In order to be eligible to be counted, a child aged 5 through 17 must live in a locally operated facility that meets one of the following three definitions:

- An institution for neglected children (excluding foster homes)
- An institution for delinquent children
- A locally operated correctional facility is 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. (ESEA section 1432 and 34 CRF §200.90(c))

Counts Reported

Report only the number of children who live in an eligible institution for at least one day during a consecutive day period.

- At least one day of the 30 consecutive day period must fall within the month of October 2023 (ESEA section 1124 (c)(4)(B)).

Submit separate counts for each LEA on USDE's list of LEAs in

- Any local institutions for Neglected children.
- Any local institutions for Delinquent children and include children in local correctional institutions.

Count only children ages 5 through 17, inclusive, of any child who was ages 5 through 17 during any point of the 30-day count period.

Questions to Consider

What is the purpose of the facility?

How are students placed in the facility?

Does the facility placement determine Neglected and Delinquent?

Facility

For the annual count, all reported students must be reported based on the facility type, even if a combination of neglected and delinquent students are served.

Example: An institution is operated for the care of neglected children, but the majority of the children residing in the institution during October are children adjudicated to be delinquent. The children in that institution must still be reported as neglected children until the institution's purpose (including licensure) is officially changed to show that it is an institution operated for the care of delinquent children. Consistency in reporting from year to year is necessary.

- A facility must be designated if it is a Neglected **OR** Delinquent facility; it cannot be both.
- The facility determinations have been made for the 2024–25 School Year.
- Facility designations should be consistent from year to year.
- The facility's primary purpose and license determine the type of facility.

Count Window

Children and youth who return to the facility within the same 30 days on a new separate case (not returning from a home visit, hospital stay, etc.) should be counted once for each case.

Duplicated count - every admission by a student is counted during the annual count window.

Example: A individual enters the facility on week one for running away from home (Count of One) Oct. 1. The same individual returns in week two for a Curfew Violation (Count of two) Oct. 9. Returned on week five not returning from a home visit (Count of three) Oct. 29.

Note: If Oct 1–30 is the 30-day window you choose to count kids, then the individual would count three times because he returned to the facility three times on three different cases. Only count students in the program during the specified annual count window. Count students, not beds.

LEA's Subpart 2 count window can start as early as September 2 or as late as October 31. The window must be for 30 consecutive days and at least one day of that window must be in October. Choose the count window for each facility that maximizes its count of students.

Date Ranges that are Acceptable for the Annual Count

October 1 – October 30 or October 31 -November 29.