

# A GUIDE TO MEETING COMPLIANCE REQUIREMENTS FOR THE TITLE I, PART D, PROGRAM

*Prepared by the National Evaluation and Technical Assistance Center for the Education of  
Children and Youth Who Are Neglected, Delinquent, and At-Risk*



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**About the National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At Risk**

The mission of the National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At-Risk (NDTAC) is to improve educational programming for neglected and delinquent youth. NDTAC's legislative mandates are to develop a uniform evaluation model for State Education Agency (SEA) Title I, Part D, Subpart I, programs; provide technical assistance (TA) to states in order to increase their capacity for data collection and their ability to use that data to improve educational programming for neglected or delinquent (N or D) youth; and serve as a facilitator between different organizations, agencies, and interest groups that work with youth in neglected and delinquent facilities. For additional information on NDTAC, visit the Center's Web site at <http://www.neglected-delinquent.org>.

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# INTRODUCTION TO THE MONITORING GUIDE

## WHAT IS THE PURPOSE OF THIS GUIDE?

The National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At-Risk (NDTAC) designed this monitoring guide to provide Title I, Part D, State coordinators (Part D Coordinators) with information and tools to better prepare for the Title I, Part D, Federal monitoring review. This guide provides practical information and tips that Part D Coordinators can use to meet the compliance requirements for the Title I, Part D, program.

## HOW IS THE GUIDE ORGANIZED?

This guide addresses many of the questions that Part D Coordinators preparing for an upcoming Title I, Part D, Federal monitoring review may have—from the most basic, such as where to find the monitoring report from the last review, to more advanced questions on how to prepare for the review in relation to each Title I, Part D, monitoring indicator. The guide is divided into three sections.

- **Title I, Part D, Monitoring Basics:** The first section of the guide provides a brief history and overview of the Title I, Part D, Federal monitoring process.
- **Analyses of Title I, Part D, Federal Monitoring Reviews:** The second section examines the results—including the most common findings and recommendations—of monitoring reviews conducted between fiscal years (FY) 2003–04 and 2007–08. Coordinators can use this information to inform and examine activities in their own States as they prepare for their upcoming review.
- **Tips on Preparing for a Monitoring Review:** The third section provides a comprehensive set of tips and tools that coordinators can use to prepare for a Federal Title I, Part D, monitoring review. The first set of tips details what to expect before, during, and after the review process—including logistics and expectations of the reviewers. The second set of tips provides the steps, by indicator, that coordinators can take to prepare for the content of the review.



## TITLE I, PART D, FEDERAL MONITORING BASICS

During FY 2003–04, the United States Department of Education’s (ED’s) Student Achievement and School Accountability Office (SASA) began to use a new framework to monitor formula grant programs being administered by States and territories through their respective State Education Agencies (SEAs), including Title I, Part D.<sup>1</sup> The new framework, which was designed to align with the principles of the Elementary and Secondary Education Act, as amended in 2001 (also known as the No Child Left Behind Act or NCLB), includes indicators that allow SASA to monitor the implementation of the program and the use of Federal funds in three areas: (1) standards, assessment, and accountability; (2) instructional support; and (3) fiduciary.<sup>2</sup> Table 1 describes the indicators SASA currently uses by area.

**Title I, Part D**, of NCLB—also called The Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent, or At-Risk—provides financial assistance to educational programs for youth in State-operated institutions and community day programs. The program also provides financial assistance to support school districts’ programs involving collaboration with locally operated correctional facilities. The goals of Title I, Part D, are to (1) improve educational services for these children so they have the opportunity to meet challenging State academic content and achievement standards; (2) provide them with services to successfully transition from institutionalization to further schooling or employment; (3) prevent at-risk youth from dropping out of school; and (4) provide dropouts and children and youth returning from correctional facilities with a support system to ensure their continued education. Title I, Part D, programs must comply with respective [statutory requirements](#).

**Table 1: SASA, Title I, Part D, Indicators for Monitoring Compliance**

Monitoring Area	#	Level	Description
Standards, Assessment, and Accountability	1.1	State Agency (SA) and Local Education Agency (LEA)	The SEA monitors and evaluates its subgrantees to ensure compliance with Title I, Part D, program requirements and progress toward Federal and State program goals and objectives.
Instructional and Program Support	2.1	SA	The SEA ensures that SA programs for eligible students meet all requirements, including facilities that operate institutionwide projects (IWPs).
	2.2	LEA	The SEA ensures that LEA programs for eligible students meet all requirements.
Fiduciary	3.1	SA	The SEA ensures that each SA complies with statutory and other regulatory requirements that govern State administrative activities; provides fiscal oversight of the grants, including reallocations and carryover; ensures reserve funds for transition services for subgrantees; and demonstrates fiscal maintenance of effort and requirements to supplement, not supplant.
	3.2	LEA	The SEA ensures that each LEA complies with statutory and other regulatory requirements that govern State administrative activities and provide fiscal oversight of the grants—including reallocations, carryover, and allowable uses of funds.

<sup>1</sup> Formula grants are distributed to SEAs in all 50 States, the District of Columbia, and Puerto Rico. SEAs are interchangeably referred to as “SEAs” and “States” throughout this guide.

<sup>2</sup> Beginning in FY 2009–10, SASA reorganized its original six indicators into five indicators to better align with SASA’s other programs. Despite the change, the content of the indicators remains largely unchanged. Appendix A compares both sets of indicators. Throughout this guide, the original indicators are referred to as “former indicators” or “former Indicator #.#” and the others are referred to as the “current indicators” or “currently Indicator #.#.”

## FREQUENCY OF FEDERAL MONITORING REVIEWS

SASA staff monitor approximately 18 States each FY for their compliance with the statute and regulations of Title I, Part D. States are selected for monitoring based on a number of factors, including:

- When they were last monitored
- Whether they have received recurring findings over two reviews or clusters of findings during their most recent monitoring reviews
- Whether ED has flagged risk factors for other SASA or ED programs within the State (if so, the State will be monitored for Title I, Part D, as well)
- Size of their funding allocations

Typically, States are monitored every 2–3 years.

## STRUCTURE OF A FEDERAL MONITORING REVIEW

Each review involves (1) a comprehensive desk review of documents the SEA is asked to submit and (2) interviews with the SEA, all SA subgrantees, and a selection of LEA subgrantees that entail additional review of documentation and program implementation across a State.<sup>3</sup> The interviews occur remotely via video conference or in-person during an onsite review that occurs simultaneously with the Title I, Part A, onsite review.<sup>4</sup> States are selected for onsite monitoring reviews based on the same factors described above.

## FEDERAL MONITORING RESULTS

After each review, SASA prepares a monitoring report that includes an Indicator Summary Table with a list of the indicators and their status. Each indicator receives one or more of the following three status assessments:

1. **Met Requirements.** This indicates that the State has fulfilled all requirements for this indicator, and no action is required on behalf of the State.
2. **Recommendation.** This indicates that SASA *recommends* a certain action to improve programming. The State is not necessarily required to implement the recommendation.
3. **Finding.** This indicates that the State is not fulfilling a requirement of the Title I, Part D, law. The monitoring report cites the part of the law that is not being upheld and indicates required action(s) to be taken by the State to address the issue. In this case, the State must take steps to rectify the problem.

States usually receive the SASA monitoring report a few months after the review is completed. If a State receives any findings, the State must project a timeline for SASA regarding the completion of corrective actions and describe how it will be done within 1 year.

For more details about the basics of the Title I, Part D, Federal monitoring process, refer to the [SASA Monitoring Plan for Formula Grant Programs](#).

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<sup>3</sup> If a State does not participate in the Title I, Part D, Subpart 2, program—that is, does not submit a child count for Subpart 2 or does not accept applications and awarding funds—then SASA will only review the State’s Subpart 1 program. SASA will not interview any LEA staff in relation to Title I, Part D.

<sup>4</sup> Appendix B includes the guiding questions that SASA asks and acceptable evidence they seek for each Title I, Part D, indicator during a monitoring review.

# ANALYSES OF TITLE I, PART D, FEDERAL MONITORING REVIEWS, FY 2003–04 THROUGH 2007–08

One way to help prepare for a Federal monitoring review is to understand the results of previous reviews and the types of issues that have been identified. Part D Coordinators can use this information to inform and examine activities in their States.

The following section presents results from analyses of monitoring reviews that took place from FY 2003–04 to 2007–08 based on the former six indicators used during that period of time. Although the indicators subsequently have been revised, these analyses remain relevant because the former and current indicators are based on the same statute and the patterns and issues that arose in the analyses are still applicable. Appendix A compares both sets of indicators.

## STATE MONITORING RESULTS: A 5-YEAR PERSPECTIVE

Since SASA began using the new monitoring framework in FY 2003–04, 50 State Title I, Part D, programs were reviewed *at least once* between FY 2003–04 and 2007–08. The majority of States were reviewed between FY 2005–06 and 2007–08, and 21 States were reviewed twice within the 5-year period (Table 2).

**Table 2: Monitoring Schedule Since New Framework, FY 2003–04 Through 2007–08**

FY 2003–04	FY 2004–05	FY 2005–06	FY 2006–07	FY 2007–08
2 Reviews	17 Reviews	20 Reviews	15 Reviews	17 Reviews
CA and MN	AL, AZ, CO, FL, ID, IL, IN, MD, NV, NM, NC, ND, PA, TX, VA, WA, and WI	AK, AR, DE, DC, GA, HI, KS, KY, MS, NH, NY, OK, OR, PR, SC, TN, UT, VT, WV, and WY	CA, CT, IA, <b>IN</b> , ME, MA, MI, MO, MT, <u>NV</u> , NJ, OH, RI, SD, and <u>WA</u>	AL, AZ, CO, <b>DE</b> , FL, ID, IL, MD, MN, NC, ND, NM, <u>OK</u> , PA, TX, VA, and WI

NOTE: States in bold indicate that the State was reviewed for a second time using the new framework. States that are underlined indicate that the State was reviewed 2 years after its initial monitoring review.

## Overview of Monitoring Findings and Recommendations

Based on the results of each State’s most recent Title I, Part D, Federal monitoring review during the 5-year period, SASA issued 78 findings to 34 States and 31 recommendations to 24 States (Table 3).

**Table 3: Number of Findings and Recommendations Based on Each State’s Most Recent Review**

Type of Monitoring Result	Number	Number of States With at Least One Finding/Recommendation
Findings	78	34
Recommendations	31	24

## Summary of Monitoring Findings

Of the 50 States reviewed, the majority (68 percent) received at least one finding during its most recent monitoring review during the 5-year period. Of the 34 States that received findings, more than one-third (38 percent) received a finding for just one indicator and only a handful of States (17 percent) received findings for 4 of the 6 former indicators. No State received a finding for five or more of the former indicators (Table 4).

Table 4: Number and Percent of States That Received a Finding, by Number of Indicators

States With No Findings		States With Findings for 1 Indicator		States With Findings for 2 Indicators		States With Findings for 3 Indicators		States With Findings for 4 Indicators	
#	%	#	%	#	%	#	%	#	%
16	32	13	26	10	20	5	10	6	12

### Summary of Monitoring Recommendations

Unlike the results for monitoring findings, of the 50 States most recently reviewed during the 5-year period, the majority (52 percent) did not receive any recommendations. Of the 24 States that received recommendations, nearly all States (87 percent) received a recommendation for only one indicator (Table 5).

Table 5: Number and Percent of States That Received a Recommendation, by Number of Indicators

States With No Recommendations		States With Recommendations for 1 Indicator		States With Recommendations for 2 or More Indicators	
#	%	#	%	#	%
26	52	21	42	3	6

### Most Commonly Cited Indicators

Overall, States received more findings and recommendations on certain indicators than others. States received the most **findings** on the following three indicators:

- Subgrantee Monitoring, former Indicator 3.2 (56 percent)
- SA Application, former Indicator 1.2 (32 percent)
- Transition Reservation, former Indicator 3.1 (30 percent)

Similarly, States received the most **recommendations** on the following three indicators:

- SA Application, former Indicator 1.2 (18 percent)
- Subgrantee Monitoring, former Indicator 3.2 (16 percent)
- LEA Application, former Indicator 1.3 (10 percent)

Table 6 summarizes the number of findings and recommendations per indicator.

Table 6: Number and Percent of States That Received a Finding or Recommendation, by Result and Indicator

Type of Monitoring Result	Former 1.1: State Plan		Former 1.2: SA Application		Former 1.3: LEA Application		Former 2.1: Institution-Wide Projects		Former 3.1: Transition Reservation		Former 3.2: Subgrantee Monitoring	
	#	%	#	%	#	%	#	%	#	%	#	%
Findings	4	8	16	32	3	6	6	12	15	30	28	56
Recommendations	2	4	9	18	5	10	2	4	3	6	8	16

NOTE: Five States received more than one finding for former Indicator 1.2. One State received more than one finding for former Indicator 3.2. One State received more than one recommendation for former Indicator 3.2.

The next part of this overview examines each of the former indicators in greater depth and provides more context for the findings and recommendations received by States.

## Indicator-Specific Summaries

The analyses uncovered commonalities in the types of issues that led to States receiving a finding or recommendation. The results are summarized by indicator below. (Appendix C contains data tables that provide detailed results.)

### *Standards, Assessment, and Accountability Indicators*

**Former Indicator 1.1: The SEA has implemented all required components as identified in its Title I, Part D, N or D plan (State Plan).** Six States (12 percent) received findings and recommendations for Indicator 1.1. The findings and recommendations involved two primary issues:

1. **Whether the content of the State Plan adhered to Federal guidelines.** In these instances, State Plans were indicated as being problematic because States either insufficiently or improperly identified their goals; insufficiently described their activities and/or services, such as funding provisions for transition services; or used out-dated language.
2. **The extent to which States implemented their State Plan.** State Plan implementation issues involved inappropriate allocation of Part D funds or lack of alignment between the content of the plan and how program activities were being conducted.

**Former Indicator 1.2: The SEA ensures that SA applications for services to eligible N or D students meet all requirements (SA Application).** Sixteen States (32 percent) received findings and nine States (18 percent) were given recommendations related to the SA Application. Of the 16 States with findings, 5 (31 percent) received two findings for this indicator. The findings and recommendations involved two primary issues:

1. **Not addressing all 19 required elements in the SA Application per the statute requirements of Title I, Part D.** The majority (87 percent) of findings and recommendations dealt with the SA application lacking all 19 required elements. In particular, the following six elements often were covered insufficiently or not included: parental involvement, the existence of a transition coordinator, SA/SEA monitoring, the fiscal maintenance effort of SAs, academic instruction requirements, and professional development.
2. **Problems with the SA/SEA application process.** Problems with the SA application process included using an inappropriate application, not having evidence that the application had been approved by the SEA, and not using an application to allocate funds.

**Former Indicator 1.3: The SEA ensures that LEA applications for services to eligible N or D students meet all requirements (LEA Application).** Three States (6 percent) received findings, and five States (10 percent) received recommendations around the LEA Application. The findings and recommendations involved the following issues:

1. **Insufficient oversight of LEA subgrantees.** The majority (50 percent) of findings and recommendations dealt with States providing insufficient support to subgrantees. SASA suggested that SEAs communicate better with their subgrantees so that they are aware of SEA and SASA requirements.
2. **Problems with the application process and identification of LEAs.** States with these problems either administered applications that did not meet statutory requirements or did not sufficiently identify and invite LEAs that serve students with the greatest needs to complete an application.
3. **Faulty data collection.** An SEA improperly counted students for the Annual Count. SASA required the State to follow ED's directives for the next count.

## *Instructional Support Indicators*

**Former Indicator 2.1: The SEA ensures that IWPs (Institutionwide Projects) developed by the SA under Subpart 1 use the flexibility provided to them by law to improve the academic achievement of all students in the school (Institutionwide Projects).** Eight States (16 percent) received findings and recommendations related to institutionwide projects. States who were cited under Indicator 2.1 faced problems related to the following issues:

1. **Insufficient monitoring of existing IWPs.** States with this issue were not sufficiently monitoring and ensuring the successful implementation of IWPs, including compliance with the submitted plan. For example, one Subpart 1 grantee was operating an IWP in a facility without the knowledge of the SEA.
2. **Problems with IWP plans.** In this instance, SEAs were found to be negligent in providing subgrantees with an opportunity to submit information related to IWPs on grant applications or for ensuring that each IWP submitted a plan.
3. **Insufficient training and technical assistance to SAs.** States received either a finding or recommendation to provide greater training and technical assistance to SAs on the benefits, requirements, and flexibility of IWPs.

## *Fiduciary Indicators*

**Former Indicator 3.1: The SEA ensures that the SA has not reserved less than 15 percent and not more than 30 percent of its allocation for transition services (Transition Reservation).** Fifteen States (30 percent) received findings, and three States (6 percent) received recommendations about transition reservation. The findings and recommendations concerned the following four issues:

1. **Insufficient evidence of reserving funds for transition.** The largest proportion of findings and recommendations (44 percent) focused on the SEA's ability to provide evidence that SAs were meeting the transition reservation requirement. To clarify how much and which activities were covered by the reservation, SASA requires States to ensure that SA applications include a section for a budget breakdown of each facility or program that received Title I, Part D, Subpart 1, funds.
2. **Not enforcing requirements to reserve funds or reserving insufficient funds for transition.** States with these problems had either not required their SAs to reserve funds for transition or, based on evidence they provided, revealed they did not reserve a sufficient amount.
3. **Questionable use of the transition reservation.** In this instance, a State had reserved a sufficient amount of funds for transition but did not ensure that the services met the needs of all youth transitioning out of N or D institutions.
4. **Inappropriate oversight of transition reservations.** SEAs in States with findings in this category were inappropriately overseeing institutions' reservations of transition funds: SAs should oversee the transition reservation.

**Former Indicator 3.2: The SEA sufficiently monitors subgrantees to ensure compliance with the Title I, Part D, program requirements (Subgrantee Monitoring).** Twenty-eight States (56 percent) received findings, and eight States (16 percent) received recommendations about subgrantee monitoring. Unlike the other indicators, a substantial portion of States (28 percent) received findings for this indicator that dealt with more than one issue.

Reports indicated whether the monitoring problems existed in Subparts 1 (SAs) and/or 2 (LEAs). The majority of States (50 percent) had problems monitoring SAs with Subpart 1 programs, and 43 percent had problems monitoring both Subparts 1 and 2. Five main issues led to the findings:

1. **No evidence of subgrantee monitoring.** The largest proportion of findings (30 percent) dealt with States not having evidence (e.g., schedule, protocol, postmonitoring reports) that they monitored all or some of their subgrantees (e.g., monitored all but one State agency).
2. **Insufficient subgrantee monitoring.** States with this problem only collected data and reviewed annual applications, just provided technical assistance to subgrantees, did not monitor subgrantee compliance in all areas, and/or did not provide postmonitoring results to their subgrantees or implement corrective action processes.
3. **Use of informal and unsystematic monitoring protocols.** Although several States had subgrantee monitoring protocols and schedules, some States did not use the protocols and schedules in a formal or systematic manner. In a few cases, the protocol was not suitable (e.g., used protocol for Subpart 2 when it was most appropriate for Subpart 1) or specific to Title I, Part D.
4. **Faulty data collection processes.** One SEA did not submit its Consolidated State Performance Report (CSPR) data, and another SEA did not ensure the accuracy of its CSPR data because of an informal process of data collection.
5. **Insufficient use of program evaluation information.** One SEA did not use evaluation information to plan and improve programs despite having found a significant issue to address.

In contrast to the findings, recommendations for former Indicator 3.2 focused on how States could improve specific aspects of their monitoring systems, including using additional tools—such as an annual evaluation form and/or data from CSPRs, strengthening monitoring processes (e.g., tracking students after exiting a facility, providing more technical assistance), and planning for the future (e.g., focus on awarding more high school diplomas).

### PROGRESS OF STATES THAT HAVE BEEN MONITORED TWICE UNDER THE NEW SASA MONITORING FRAMEWORK BETWEEN FY 2003–04 AND 2007–08

By the end of FY 2007–08, 21 States (42 percent) had been reviewed twice (see bolded States in Table 2) under the monitoring framework using the six former indicators. During each of these reviews, the expectations and reviewing criteria were the same.

In comparison to the previous review:

- Nearly one-half (47 percent) of States received fewer findings
- One-third (33 percent) of States received the same number of findings
- Less than one-fifth (19 percent) of States received more findings

In relation to recommendations:

- Nine States (43 percent) received fewer recommendations
- Seven States (33 percent) received the same number of recommendations; and
- Five States (24 percent) received more recommendations.

Table 7 summarizes the number of findings and recommendations, compared with the previous review, in States that had been reviewed twice under the new monitoring framework.

**Table 7: Number and Percent of States That Were Reviewed Twice Under the New SASA Monitoring Framework, by Result and Quantity of Results, Compared With Previous Review**

Type of Monitoring Result	Fewer Results		Same Number of Results		More Results	
	#	%	#	%	#	%
Findings	10	47	7	33	4	19
Recommendations	9	43	7	33	5	24

Notably, two States (10 percent) showed substantial improvements (i.e., resolved findings for three to five indicators since the previous review), and three States (14 percent) showed moderate improvements (i.e., resolved findings for two indicators since the previous review).

## Summary of Monitoring Findings Over Time

When examining the overall results by indicator among the States that received findings, most States received fewer findings than the previous review (Table 8). For example, every State that received a finding for LEA Application (former Indicator 1.3) during the first review did not receive any findings for that same indicator during the second review. However, for States that did not receive fewer findings, they were more likely to receive a greater number of findings in the second review than to receive the same number of findings.

The indicators in which States received more findings in the second review reflected the same indicators for which States usually receive findings: SA Application, Transition Reservation, and Subgrantee Monitoring (former Indicators 1.2, 3.1, and 3.2, respectively).

**Table 8: Number and Percent of States That Were Reviewed Twice Under the New SASA Framework, by Indicator and Whether They Had More or Fewer Findings on the Second Review Than on the First Review**

Level of Improvement	Former 1.1: State Plan		Former 1.2: SA Application		Former 1.3: LEA Application		Former 2.1: IWPs		Former 3.1: Transition Reservation		Former 3.2: Subgrantee Monitoring	
	#	%	#	%	#	%	#	%	#	%	#	%
Fewer Findings	2	9	5	24	3	14	1	5	6	29	8	38
Same Number of Findings	0	0	1	5	0	0	0	0	0	0	2	9
More Findings	1	5	3	14	0	0	3	14	3	14	4	19

NOTE: Two States received the same finding for both reviews.

When focusing on the actual findings that States received, as opposed to the number of findings by State, a slightly different picture arises. Thirty-two of the 34 findings (94 percent) from the first review were rectified by the time States were reviewed a second time. During the second review, 14 new findings were issued that fell under different indicators from what the States had received during the first review. Four States received findings for the same indicator but for different issues, and two States did not rectify a specific issue that was identified in the first review.

## Summary of Monitoring Recommendations Over Time

Like the pattern of findings by indicator, a larger proportion of States received fewer recommendations per indicator after the second review (with the exception of increased recommendations for Subgrantee Monitoring—former Indicator 3.2) (Table 9). For States that received more recommendations in the second review, they were focused on 3 of the 6 former indicators: SA Application, Transition Reservation, and Subgrantee Monitoring (former Indicators 1.2, 3.1, and 3.2, respectively). These indicators also have the most recommendations in general. In contrast, no State received more recommendations for SEA Plan or IWPs (former Indicators 1.1 and 2.1, respectively).

Table 9: Number and Percent of States That Were Reviewed Twice Under the New SASA Framework, by Indicator and Whether They Had More or Fewer Recommendations on the Second Review Than on the First Review

Level of Improvement	Former 1.1: State Plan		Former 1.2: SA Application		Former 1.3: LEA Application		Former 2.1: IWPs		Former 3.1: Transition Reservation		Former 3.2: Subgrantee Monitoring	
	#	%	#	%	#	%	#	%	#	%	#	%
Fewer Recommendations	2	10	3	14	3	14	1	5	4	19	3	14
More Recommendations	—	—	2	10	1	5	—	—	3	14	5	24

NOTE: Three States received a recommendation during the second review but not during the first. Six States did not receive a recommendation during the second review after receiving one during the first.

## SUMMARY OF ANALYSES

The review of the Title I, Part D, program monitoring results since SASA began implementing its new framework using the original six indicators, identified several patterns:

- Particular indicators systematically generated more findings than others: Subgrantee Monitoring (former Indicator 3.2), SA Application (former Indicator 1.2), and Transition Reservation (former Indicator 3.1).
- For States that received findings, common issues prevented them from meeting requirements:
  - **State Plan (former Indicator 1.1).** Goals and services were not described in a comprehensive and complete fashion. Program implementation did not match the content of the State Plan.
  - **SA Application (former Indicator 1.2).** SA Applications did not address all required elements. Application processes were insufficient during application development and administration.
  - **LEA Application (former Indicator 1.3).** LEA Applications did not address all required elements. Application processes were insufficient during application development and administration.
  - **IWPs (former Indicator 2.1).** IWP applications were not being submitted separately (by institution). SEAs provided only limited evidence of IWP application processes and offered insufficient training and technical assistance to SAs on how to monitor IWPs.
  - **Transition Reservation (former Indicator 3.1).** Some States were not reserving a sufficient percentage of allocations, if at all, for transition. Evidence of the transition reservation was often insufficient.
  - **Subgrantee Monitoring (former Indicator 3.2).** States often lacked appropriate monitoring tools. Subgrantees were not sufficiently monitored. Data collection processes were faulty.
- Most States (94 percent) successfully resolved findings from the first review by the second review, thereby making important programmatic improvements.
- Despite the recent reorganization of SASA indicators for the Title I, Part D, program, the content and patterns of the findings and recommendations issued between FY 2003–04 and 2007–08 are relevant and should be considered by States as they prepare for upcoming Federal monitoring reviews.



## TIPS ON PREPARING FOR A TITLE I, PART D, FEDERAL MONITORING REVIEW

States can prepare for their next review by understanding the Title I, Part D, Federal monitoring process and having information about the issues that States typically face during a Federal monitoring review. Although preparing for the review may seem overwhelming, especially for new Part D Coordinators, the larger purpose of the monitoring process is important to keep in mind.

- **Meeting compliance requirements for the Title I, Part D, program is important.** The Federal monitoring indicators represent the backbone of the Title I, Part D, program. If SEAs have the correct policies and procedures in place, then children who are neglected, delinquent, or at-risk have a higher likelihood of receiving a fair, equal, and significant opportunity to obtain a high-quality education.
- **Meeting compliance requirements for the Title I, Part D, program is possible.** In addition to benefitting students, if SEAs have correct policies and procedures in place, then the Federal monitoring review should go smoothly. Based on the 5-year examination of Title I, Part D, reviews, most States were already compliant with nearly all monitoring indicators to start,<sup>5</sup> and SEAs that received findings during their first review were able to resolve them by the following review.<sup>6</sup>

With this in mind, the final section of this guide provides practical tips on how Part D Coordinators (and their teams)<sup>7</sup> can approach the review process efficiently and effectively and meet the compliance requirements for the Title I, Part D, program. In addition, these tips may identify ways to improve an N or D program, even if a review is not in the immediate future.

The first set of tips is broken down by activities to do before the review, during the review, and after the review. The second set provides detailed tips for each of the current Title I, Part D, monitoring indicators—including background information to review, ways to assess your compliance, and how to address areas in which you are not compliant.

The tips are written for and addressed to Part D Coordinators but are intended to be relevant for all staff and team members who are preparing for a Title I, Part D, Federal monitoring visit. Both sections are formatted as checklists so that they can be copied, adapted, and/or shared during the monitoring preparation process.

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<sup>5</sup> Based on the results of each State's most recent Title I, Part D, Federal monitoring review during a 5-year period from FY 2003–04 to FY 2007–08, the majority (58 percent) of States had either zero findings or one finding to resolve as a result of the most recent review.

<sup>6</sup> Based on an analysis of the progress that States have made since SASA instituted its new monitoring framework, 32 of the 34 findings (94 percent) from the first review were rectified by the time States were reviewed a second time.

<sup>7</sup> A team may include additional State staff (e.g., staff responsible for managing data and staff and consultants responsible for subgrantee monitoring) and subgrantee representatives. Team members should be knowledgeable about each indicator and be able to speak to the requirements.

# START TO FINISH: TIPS FOR PARTICIPATING IN A FEDERAL MONITORING REVIEW

## Pre-Review

### *Pre-Contact With SASA*

States often think that the pre-review process begins with a call from SASA regarding the upcoming review. To put your best foot forward, think ahead, even before getting that call. By starting earlier, you will have time to understand the current monitoring indicators, assess your State's compliance with those indicators, and adjust policies and practices as necessary. Even if a review is not scheduled, you should become familiar with the current Title I, Part D, monitoring indicators and have a process in place to periodically organize and review documents. The following list identifies steps that you and your team can take in advance.

- Familiarize yourself with each monitoring indicator (see respective *Background Information* by indicator on pages 21–30).
- Check when your State was last reviewed to determine the possibility of being reviewed during the next cycle.
- Review your last Federal monitoring report and any corrective action materials and identify any findings that your SEA received during the last review. For a copy of your last monitoring report, go to <http://www.ed.gov/admins/lead/account/monitoring/index.html>. For a copy of the required written response sent to ED after your SEA received the monitoring report, contact your Title I Director.
- Identify your program's team at each level (SEA, SA, and LEA, if there is a Subpart 2 program). Include people who are knowledgeable about each indicator and can speak to the requirements.
- Locate the materials for which SASA will request at least 2 months in advance of your review, including:
  - A copy of your SEA Title I, Part D, State plan
  - A copy of the process that you use to award and distribute Subpart 1 and Subpart 2 grants, including a list of all current subgrantees and award amounts
  - A copy of guidance and technical assistance materials that you have provided to subgrantees
  - Copies of your completed SA applications for Subpart 1 funds, including budgets
  - Copies of your completed LEA applications for Subpart 2 funds, including budgets
  - Information about IWPs, as appropriate, including IWP plans and the rating or review of the plan, if applicable
  - Materials from monitoring activities, guides, or practices (e.g., copies of recent monitoring activities, schedule of upcoming visits, and followup to any corrective action required)
  - Any program evaluation reports for LEAs and SAs that you anticipate being interviewed (e.g., ones being submitted to the SEA in addition to the CSPR data, if available)
- Assess your State's compliance with each indicator (see Indicator Tip Sheets on pages 21–30 for questions that you can ask yourself to assess the compliance of your program). Several meetings may be required to fully assess compliance.
- Address any areas of noncompliance by rectifying the issue or planning how it will be rectified. If your State is out of compliance in several areas, then you may wish to prioritize necessary changes.

### *Contact With SASA*

In preparation for your review, SASA and your SEA will communicate a number of times.

- In general, SASA will inform Title I Directors about which States are slated for a review the summer before each ED fiscal year begins on October 1.

- Approximately 2 to 6 months before the visit, a SASA monitoring team leader will contact your Title I Director again to begin making more detailed plans.
- Shortly after the SASA monitoring team leader contacts the Title I Director, the Title I, Part D, Federal program manager will contact you to finalize the selection of subgrantees for review and discuss the schedule for the week of the review. This communication is usually followed up by a memorandum that is e-mailed to you, your Title I Director, and the monitoring team leader at SASA.
- After this notification, you will coordinate the logistics of the review with the Title I, Part D, Federal program manager; prepare the requested documents for the review; and send all materials that are required to the SASA monitoring team leader. If the Title I, Part D, Federal program manager is not scheduled to participate in your review, then your assigned Title I, Part D, monitor may also contact you for additional details, as needed.

The following tips describe things that you can do to facilitate the early stages of communication with SASA.

- Assist the Title I, Part D, Federal program manager with the selection of the Subpart 2 LEA subgrantee that it will interview, if appropriate. Criteria for Subpart 2 LEA selection include the following:
  - Coordination with Title I, Part A, selection of LEAs
  - Whether an LEA also receives a McKinney-Vento subgrant
  - The relative size of the Subpart 2 award
  - The number of students served by the subgrant
  - N or D programs or facilities that have experienced problems

Logistics and travel time are also considered when identifying locations to visit if doing an onsite review. Monitors are not often able to travel more than 1 or 2 hours from the SEA office.
- Finish preparing copies of ED-requested materials and deliver them, via express mail, to the Title I, Part D, Federal program manager. Ideally, scan and then burn materials onto a CD. Additionally, you can include links to any materials that are available via the Internet.
- Identify your program’s team at each level (SEA, SA, and LEA, if there is a Subpart 2 program) if you have not done so already. Include people who are knowledgeable about each indicator and can speak to the requirements.
- Coordinate the monitoring schedule between the Title I, Part D, monitor and appropriate SEA and subgrantee representatives.

#### Typical Schedule\* for the Title I, Part D, Portion of the Onsite SASA Monitoring Site Review

- States that receive both Subpart 1 and Subpart 2 funding:
  - **Tuesday:** LEA Subpart 2 interview #1 conducted.
  - **Wednesday:** LEA Subpart 2 interview #2 conducted. SA Subpart 1 interview conducted in the afternoon at the SEA office.
  - **Thursday:** SEA interview conducted.
  - **Friday:** Exit conference is held in the morning, if it was not held on Thursday afternoon.
- States that receive only Subpart 1 funding:
  - **Wednesday:** Subpart 1 interview conducted in the afternoon at the SEA office.
  - **Thursday:** SEA interview conducted.
  - **Friday:** Exit conference is held in the morning, if it was not held on Thursday afternoon.

#### Scheduling Considerations for Interviews

- The Subpart 1 review involves a group interview with at least one representative from each SA subgrantee in attendance. This takes place at the SEA office.
- If you plan to include a variety of program representatives who can speak to your program’s compliance with Title I, Part D, requirements, then schedule additional time.
- The Subpart 1 and Subpart 2 reviews do not involve site visits to facilities, unless that is logistically the best arrangement for ED, SEA, and the subgrantees.

\* Subject to change

- Meet in person or via phone with the team that will be involved in the review to educate them on the process and describe the roles and responsibilities of each person. If you have not yet assessed the compliance of your program, then several meetings may be required to fully assess compliance and make necessary changes to programs and practices.
- Contact the Title I, Part D, Federal program manager at any time to confirm the delivery of the requested materials, ask questions about the process, seek clarification, and so forth. If communicating by e-mail, include your Title I Director and the SASA monitoring team leader in the e-mail. The Title I, Part D, Federal program manager is also likely to include them in any communications.
- Continue to assess your compliance with each indicator. (See Indicator Tip Sheets on pages 21–30 for questions that you can ask yourself to assess the compliance of your program.)
- Continue to address areas of noncompliance by rectifying the issue or planning how it will be rectified.

## **During the Review**

After following the previous tips, you should have a good idea of what to expect, who will be doing what, and roughly the degree to which your program complies with each monitoring indicator. The next section includes tips on how best to manage the logistics of the onsite review, facilitate the Federal monitor's review of documents, and participate in interviews.

### ***Logistics***

- Confirm whether the Title I, Part D, monitor has appropriate logistical information. For offsite reviews, the monitor should know with whom, when, and how to connect with the State, SA subgrantees, and selected LEA subgrantees for each interview being held via video conference. For onsite reviews, the monitor should know where he/she is going, have appropriate directions, and know with whom and at what time he/she will be meeting. Providing a sheet with details can facilitate this process.
- Make sure appropriate meeting space and/or video conference equipment are ready and available for the SEA, SA, and LEA interviews.
- Provide the Title I, Part D, monitor with a list of names, phone numbers, and e-mail addresses for essential staff with whom he/she may need to speak while monitoring. SASA prefers to have the names of those attending the subgrantee interviews before the interview.
- For onsite reviews, provide the Title I, Part D, monitor with a list of eateries in the area. The monitor must pay for his/her own meals, even if the SEA offers or provides food. However, SEA staff and subgrantees may join SASA monitors for a meal, if the schedule permits.

### ***Documentation***

- Organize documents by indicator. For example, a series of paper or electronic folders per indicator should include ways to easily differentiate between documents.
- In addition to the initial document request, refer to SASA monitoring indicators in Appendix B for lists of documents by indicator that you will have to prepare.
- Include only documents relevant to the respective indicators.
- If you want to share a few additional documents with the Title I, Part D, monitor, then place them in a miscellaneous section behind the other documents or in a separate file.
- Include documents from the current FY. If you have not yet conducted some activities during the current FY (e.g., monitoring, application processes), then include documents from the previous FY.
- Identify appropriate staff to assemble the documents or files (e.g., a budget staff member to prepare the budget-related documentation).
- Provide copies of CSPR data for only subgrantees that will be interviewed. SASA will have a copy of the latest State report.

- Provide copies of other program evaluation reports—that include evaluation of the Title I, Part D, program—submitted to the SEA or conducted by the SA, LEA, or facility.
- DO NOT share individual student records. However, you may show a sample page that summarizes individual data. Be sure to conceal identifying information to maintain student confidentiality.
- DO NOT include case files.

### ***Interviews***

- Review the questions included in the SASA monitoring guide (See Appendix B).
- Invite only appropriate staff—such as administrators or supervisors of programs (decisionmakers) or providers of direct service to students—who can answer the questions described in the SASA monitoring guide.
  - Note: Including extra staff as attendees or respondents will make the interview longer; plan the schedule in accordance with the number of staff involved.
  - SEA staff are welcome to attend SASA interviews with subgrantees.
- Prepare yourself and appropriate staff to answer all questions that are outlined in the SASA guide.
- If you create PowerPoint presentations as part of your technical assistance to subgrantees, then provide a copy of all the slides in handout form (e.g., six slides per page, two-sided) or just the first few slides. DO NOT submit copies of every slide in color on a separate page.
- Identify documents to which you will refer to during the interviews. Print outs of all e-mail communications with partners or subgrantees are NOT necessary. However, agendas from meetings attended by the subgrantee may be useful to have at hand.
- Attend the exit conference and take notes.
- Get the monitor’s input on the ways in which you can make improvements, particularly if he/she has identified preliminary issues and has agreed to share tips on how to remedy or address findings.

#### **Exit Conference**

At the conclusion of the monitoring review, the SASA monitoring team will meet with your Title I Director and appropriate SEA representatives, per the Director’s invitation, to (a) discuss its *preliminary* assessment of the SEA’s compliance to Federal requirements, (b) consider how to rectify *preliminarily* issues, and/or (c) describe the next steps of the process. This meeting is designed to close the review and allows monitors to follow up with their respective State coordinator. During this meeting, the SASA monitoring team will not give you a final assessment as to whether and in which areas you are and are not compliant. For offsite reviews, your monitor will participate via phone or video conference; you can also participate remotely from your SEA office.

### **Post-Review**

#### ***Report and Findings***

When the interviews have been completed (whether offsite or onsite), the SASA monitoring team will finalize a monitoring report. If SASA identifies any Title I, Part D, findings, then you will be expected to rectify them. Before the monitoring report is finalized, a draft version will be sent to your Title I Director and Chief State School Officer. Your Title I Director will have 5 business days to review the draft and point out inaccuracies. Once the final version of the report is received, your Title I Director has 30 business days to respond to any findings and required actions. During this time, you will have to project a timeline to complete the required action(s). Related tips are below.

- Expect to receive your monitoring report from SASA about 40 days after the review is completed.
- If you don’t receive your report after 2 months, then follow up with your Title I Director.

- DO NOT contact the Federal program manager or Title I, Part D, monitor about the review before receiving your report unless he/she contacts you with followup questions.
- Use information from your exit conference and monitoring report in your response to any findings and required actions.

### ***Additional Activities***

Although the review is officially over, the work that you did for the review can be helpful in ensuring all of the required program elements are implemented. You can do a number of things to conclude the review process and prepare for the next one, including sharing and using the knowledge you obtained from the process.

- Debrief with your team of staff and subgrantees. What worked well? What didn't? How can this experience inform your subgrantee monitoring processes?
- Revisit findings and monitoring indicators on a regular basis to minimize preparation for the next review and to ensure that your program maintains compliance over time.
- Document the process that you used for the review and archive related materials in an easily accessible location to facilitate preparations for the next review.

## INDICATOR BY INDICATOR: TIPS FOR EXAMINING YOUR N OR D PROGRAM

To prepare for the content of the Title I, Part D, Federal monitoring review, the following section provides comprehensive tip sheets for each of the current Title I, Part D, monitoring indicators. Each tip sheet provides basic steps that you can take in preparation for your review, including detailed lists with:

- Background information that you can review to better understand the requirements (e.g., links to relevant sections of the statute, Nonregulatory Guidance, and so forth)
- Questions that your team can answer to assess program compliance
- Steps that you can take to address areas in which you are not compliant, including helpful tools to which you may refer to gain compliance

Because of the comprehensive nature of the tip sheets, your team of State and subgrantee staff may need several meetings to work through all of them (see pages 14–16 for general, related tips). For example, after an initial meeting to describe your upcoming monitoring review, you could arrange a couple of meetings for each indicator with appropriate staff (data and monitoring staff for current Indicator 1.1, budget staff for current Indicators 3.1 and 3.2). During those meetings, designated teams can work through their respective indicator tip sheet and then gather needed documents and prepare for SASA interviews.



## INDICATOR 1.1 (STANDARDS, ASSESSMENT, AND ACCOUNTABILITY)

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- **Review background information on Indicator 1.1**
  - SASA's criteria for Indicator 1.1 in Appendix B
  - Relevant sections of statute: Sec. [1426](#); [1431](#)
  - Relevant sections in ED's *Nonregulatory Guidance*: [F-1](#), [G-1](#), [Q-1](#), [R-1 through R-3](#)
  - NDTAC's *State Coordinator's Orientation Handbook*: [pages 16-23](#)
  
- **Assess compliance with standards, assessment, and accountability requirements**

### **Monitoring**

#### *Tools*

- Do you have subgrantee monitoring protocols and checklists for your SA and LEA subgrantees?
- Are your subgrantee monitoring protocols and checklists aligned with the Title I, Part D, law?
- Do your protocols and checklists allow you to determine whether SA and LEA applications are submitted, complete, and being implemented fully?
- Do your protocols and checklists allow you to determine whether students in Part D-funded programs receive instruction that is aligned with State standards?

#### *Process*

- Do you have a subgrantee monitoring schedule for all of your subgrantees? Is the schedule being followed?
- Do you notify all of your subgrantees about the monitoring schedule and upcoming reviews?
- Do you share the monitoring protocol and checklists with all subgrantees in advance of the review?
- Do you provide guidance or training to all subgrantees on the monitoring process in advance of their review (e.g., explain the process and provide tips on how to prepare)?
- Do you prepare and send a monitoring report to each subgrantee after its review?
- Do you require corrective action from all subgrantees who are not compliant?
- Do all of your subgrantees have the documents they submitted to you to resolve a compliance finding?
- Do you provide guidance and technical assistance to all of the subgrantees that have to prepare corrective action plans?
- Do you have a process to review and revise subgrantee applications?

### **Evaluation**

#### *Data Collection*

- Did all of your subgrantees submit data during the last data collection?
- Have you established consequences for subgrantees that do not collect and submit data?
- In addition to the CSPR, do you require subgrantees to submit additional data for evaluation purposes (e.g., are subgrantees expected to set and account for meeting targets in transition services)?
- Do you require subgrantees to use multiple measures of student progress?
- Do you provide subgrantees with guidance and technical assistance on data collection and the CSPR submission?

### *Data Use*

- Do you require subgrantees to determine the program's impact on students?
- Are students in N or D programs receiving instruction that meets your State standards and measures?
- Do you provide subgrantees with guidance and technical assistance on how to use data to evaluate the effectiveness of the program(s)?
- Do you evaluate your program's effectiveness according to the *five requirements* listed in Section 1431(a)?
- Have you taken action with a subgrantee if one of its programs has not met its targets or increased its outcomes or is otherwise underperforming?
- Have you developed materials that describe Statewide program performance?
- Have you disseminated materials to your agency, subgrantees, collaborative partners, and/or the public that describe Statewide program performance?
- Do your subgrantees have the most recent CSPR report or other program evaluation report?
- Do your subgrantees have evidence of longitudinal tracking and comparison of program performance for 2 or more years?
- Do your subgrantees have their most recent agency- or program-specific evaluation report that concerns or includes Title I, Part D?

### **Adjust policy and/or practices to meet standards, assessment, and accountability requirements**

- If you answered "no" to any of the questions above and changes are possible, then try to make them before the monitoring review.
- If you answered "no" to any of the questions above and more substantive changes are necessary, then start planning how to make the respective changes. Be prepared to discuss initial thoughts and plans with your monitor.

### **Tools Related to Standards, Assessment, and Accountability Policies and/or Practices**

#### *Monitoring*

- NDTAC's Webinar: [Subgrantee Monitoring: How do States Monitor Their SAs and LEAs?](#)
- [NDTAC's Topic Library pages](#), which include information and resources on topics related to monitoring and compliance
- Contact NDTAC or your N or D community members for examples of tools and processes that other States are using

#### *Evaluation*

- NDTAC's Data Corner: Information on the [CSPR](#), [data and analyses](#), [data systems](#), and [pre-post assessment](#)
- Data, reporting, and counts section of the [Webinar Events page](#) on the NDTAC Web site
- NDTAC's [Assessment Toolkit: Measuring Student Academic Performance](#)
- Report card templates and related presentations and materials from the [NDTAC 2007 National Conference](#)

Consult your [NDTAC State liaison](#) and/or N or D community for ideas, guidance, and support. Check the [NDTAC Web site](#) regularly for additional products related to standards, assessment, and accountability.

## INDICATOR 2.1 (INSTRUCTIONAL SUPPORT—STATE AGENCY)

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*Indicator Applies to Subpart 1 Only*

### Review background information on Indicator 2.1

- SASA's criteria for Indicator 2.1 in Appendix B
- Relevant sections of the Title I, Part D, statute: Sec. [1412\(a\)](#), [1414\(a\) and \(c\)](#), [1416](#), 9302
- Relevant sections in ED's *Nonregulatory Guidance*: [A-1 through A-6](#), [B-1 through B-6](#), [D-1 through D-4](#), [E-1 through E-3](#), [F-1 through F-2](#), [G-1 through G-11](#), [I-1](#), and [J-1 through J-4](#)
- NDTAC's *State Coordinator's Orientation Handbook*: [pages 7-10](#), [12-14](#)

### Assess compliance with instructional support requirements for SA programs

#### **State Plan**

- Do you have a copy of your State plan?
- Does your State plan set specific goals and measures?
- Are you systematically tracking your program's performance based on the goals and measures included in your State plan?
- Do the goals and measures of your State plan align with program implementation (e.g., SA and LEA applications, monitoring processes, evaluation)?

#### **Funding**

- Do you have a list of subgrant awards to all SAs and facilities served by Subpart 1 for the current fiscal year?
- If applicable, do you have information to explain a significant difference in the number or amounts of subgrant awards?

#### **SA Application**

- Are you using applications to allocate funds to SAs?
- Does your SA application include all *19 required elements* listed in Sec. [1412](#) of the statute?
- Do you review a facility's eligibility to receive Title I, Part D, funds?
- Do you provide SAs with guidance and technical assistance on their eligibility to apply for Title I, Part D, funds?
- Do you provide SAs with guidance and technical assistance on developing and revising their SA application?
- Do you review and evaluate submitted SA applications for thoroughness and quality? (See Appendix D for a sample SA application review checklist)
- Do you have copies of SA applications for each agency that your State approved?

#### **Institutionwide Projects (IWPs)**

- Do you have a list of all SA-funded facilities that are operating an IWP?
- Do you require that IWP plans include all eight required elements listed in Section [1416](#) of the statute? (See Appendix D for a sample IWP plan checklist.)
- Have you reviewed and approved plans for each IWP?
- Do you provide SAs with guidance and technical assistance on working with facilities to operate IWPs? If so, do you have supporting evidence?
- Are you involved in the evaluation of IWPs after approving the IWP plans submitted as part of each SA application?

*For any SAs with facilities operating an IWP....*

- Do the SAs have documentation related to the eight required elements (e.g., needs assessment, evidence of professional development, evaluation report)?
- Do you have evidence that a facility has conducted a comprehensive needs assessment to identify the needs of students who are 20 years of age and under and expected to leave incarceration within 2 years?
- Do the SAs ensure that their needs assessment, curriculum, plans for professional development, and program evaluation process are aligned?
- Are the SAs evaluating the projects in consultation with personnel who are providing direct instructional services and support services?

### **SA Program Implementation**

- Are SAs sufficiently assessing the needs of students, including special education students?
- Are SAs providing sufficient Title I, Part D-supported, professional development to teachers?
- Are SAs effectively coordinating the Title I, Part D, program with other education programs?
- Are SAs in regular contact with students' parents and previous school regarding their education?
- Do students earn school credits that are transferable to public schools?
- Do your SAs have a system to transfer records?
- Do your SAs have a way to follow up on students once they leave the institution to determine what happens next?
- Do you provide SAs with guidance on allowable uses of Subpart 1 funds?

### **□ Adjust policies and/or practices to meet instructional support requirements for SA programs**

- If you answered “no” to any of the questions above and changes are possible, then try to make them before the monitoring review.
- If you answered “no” to any of the questions above and more substantive changes are necessary, then start planning how to make the respective changes. Be prepared to discuss your initial thoughts and plans with your monitor.

#### **Tools Related to SA Instructional Support Policies and/or Practices**

- NDTAC's guide [Planning and Implementing Institutionwide Projects](#)
- [NDTAC's Topic Library pages](#), which include information and resources on topics related to family involvement, transition, learning and behavior management, and teacher quality and professional development.

Consult your [NDTAC State liaison](#) and/or N or D community for other examples, ideas, guidance, and support. Check the NDTAC Web site regularly for additional products related to SA instructional support.

## **INDICATOR 2.2 (INSTRUCTIONAL SUPPORT—LOCAL EDUCATION AGENCY)**

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*Indicator Applies to Subpart 2 Only*

**Review background information on Indicator 2.2**

- SASA’s criteria for Indicator 2.2 in Appendix B
- Relevant sections of statute: Sec. [1423](#), [1425](#)
- Relevant sections in ED’s *Nonregulatory Guidance*: [L-1 through L-4](#), [M-1 through M-6](#), [N-1 through N-3](#), and [P-1 through P-2](#)
- NDTAC’s *State Coordinator’s Orientation Handbook*: [pages 11–14](#)

**Assess compliance with instructional support requirements for LEA programs**

**Funding**

- Do you have a list of subgrant awards to all LEAs and facilities and programs served by Subpart 2 for the current fiscal year?
- If applicable, do you have information to explain the significant difference in the number or amounts of subgrant awards?

**LEA Application**

- Are you using applications to allocate funds to LEAs?
- Does your LEA application include all *13 required elements* listed in Section 1423 of the statute?
- Do you notify all eligible LEAs regarding the opportunity for Title I, Part D, funds?
- Do you provide LEAs with guidance and technical assistance to help them determine whether they are eligible to apply for Title I, Part D, funds?
- Do you provide LEAs with guidance and technical assistance on developing and revising their LEA application?
- Do you review and evaluate submitted LEA applications for thoroughness and quality? (See Appendix E for a sample LEA application review checklist)
- During the LEA application review, do you use criteria to select programs with “high numbers or percentages” of eligible students?
- During the LEA application review, do you use criteria to select only programs that address the purposes of the Title I, Part D, program?
- Do you have copies of LEA applications for each LEA the State approved?
- Do you require that LEAs enter formal agreements with locally operated correctional facilities?
- Do you have copies of formal agreements between each funded LEA and locally operated correctional facility?

**LEA Program Implementation**

- Do you provide funded LEAs with information or guidance on operating Title I, Part D, programs?
- Do the LEAs ensure that their funded program(s) assist(s) students in meeting high academic achievement standards?
- Do the LEAs ensure that correctional facilities with more than 70 percent of students residing within the boundaries served by the LEA have appropriate transitional services?
- Do correctional facilities funded by LEAs identify, assess, and address needs of special education students?

- Do LEAs ensure that their programs coordinate with other services (e.g., health) and Federal programs (e.g., vocational and technical programs)?
- Do LEAs ensure qualified instructional staff? For LEAs that provide educational services, staff must be highly qualified according to the Elementary and Secondary Education Act, as amended in 2001 (also known as the No Child Left Behind Act or NCLB).
- Do you make sure that the LEA education program is comparable to the education in schools that children would otherwise attend?

**□ Adjust policies and/or practices to meet instructional support requirements for LEA programs**

- If you answered “no” to any of the questions above and revisions are possible, then try to make them before the monitoring review.
- If you answered “no” to any of the questions above and more substantive changes are necessary, then start planning how to make the respective changes. Be prepared to discuss your initial thoughts and plans with your monitor.

**Tools Related to LEA Instructional Support Policies and/or Practices**

- [NDTAC's Topic Library pages](#), which include information and resources on topics related to family involvement, transition, learning and behavior management, and teacher quality and professional development.

Consult your [NDTAC State liaison](#) and/or N or D community for other examples, ideas, guidance, and support. Check the NDTAC Web site regularly for additional products related to LEA instructional support.

## INDICATOR 3.1 (FIDUCIARY—STATE AGENCY)

*Indicator Applies to Subpart 1 Only*

### **Review background information on Indicator 3.1**

- SASA's criteria for Indicator 3.1 in Appendix B
- Relevant sections of statute: Sec. [1004](#); [1414\(c\)\(7\)](#); [1415\(b\)](#); [1418](#)
- Relevant sections in ED's *Nonregulatory Guidance*: [C-1 through C-2](#), [F-1](#), [K-1 through K-5](#)
- Relevant sections of *Nonregulatory Guidance on Title I Fiscal Issues*: Maintenance of Effort (page 15), Supplement/Not Supplant (page 37), Carry Over (page 42)
- Relevant sections of EDGAR: [Part 80, Subpart C](#) (Post-Award Requirements)
- Relevant OMB Circulars: [Circular A-87](#) (Cost Principles) and [Circular A-133](#) (Audits)

### **Assess compliance with fiduciary requirements for SA programs**

#### **General**

- Did your SAs receive subgrants within 3 months of submitting their application?
- Do you review general fiscal reports from your subgrantees (e.g., monitor periodic financial reports, lists of staff, how funds are carried over if appropriate)?
- Do you oversee other SA financial activities (e.g., budget amendment requests and approvals)?

#### **Administrative Expenses**

- Are you reserving and using an appropriate amount of your funds for administrative expenses during the current year (see [Section H-3](#) in the *Nonregulatory Guidance* and [Section 1004](#) of ESEA as amended in 2001)? Do you have evidence of that?
- Did you reserve and use an appropriate amount of funds for administrative expenses during the previous fiscal year? Do you have evidence of that?

#### **Transition Reservation**

- Do you provide SAs with written guidance and technical assistance on the transition reservation requirement?
- Do you calculate or review whether subgrantees have reserved the proper amount for transition (15–30 percent of their grant award)?
- Can your SAs describe the transition-related activities funded by the transition reservation and any organizations with which they may contract to provide these services?

#### **Maintenance of Effort**

- Have you calculated or checked fiscal maintenance of effort for each SA?
- Did you take action with an SA if the fiscal maintenance of effort was under 90 percent?

#### **Use of Funds**

- Are your subgrantees and facilities implementing activities as approved and budgeted in their SA application?
- Do you check whether SAs are using funds to supplement (and not supplant) the regular program of instruction?
- If an SA has used funds to supplant the regular program of instruction, have you taken action?

- **Adjust policies and/or practices to meet fiduciary requirements for State agency programs**
  - If you answered “no” to any of the questions above and changes are possible, then try to make them before the monitoring review.
  - If you answered “no” to any of the questions above and more substantive changes are necessary, then start planning how to make the respective changes. Be prepared to discuss your initial thoughts and plans with your monitor.

#### Tools to Adjust LEA Fiduciary Policies and/or Practices

- Refer to *Background Information* on the previous page.
- Consider subscribing to the [No Child Left Behind Financial Insider](#) and/or [Title I Monitor](#), publications that provide guidance on NCLB fiscal issues.

Consult your [NDTAC State liaison](#) and/or N or D community for other examples, ideas, guidance, and support. Check the NDTAC Web site regularly for additional products related to fiduciary policies and practices.

## **INDICATOR 3.2 (FIDUCIARY—LOCAL EDUCATION AGENCY)**

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*Indicator Applies to Subpart 2 Only*

**Review background information on Indicator 3.2**

- SASA's criteria for Indicator 3.2 in Appendix B
- Relevant sections of statute: Sections [1004](#) and [1424](#)
- Relevant sections in ED's *Nonregulatory Guidance*: [F-1](#), [O-1 through O-7](#), [Q-1](#)
- Relevant sections of EDGAR: [Part 80, Subpart C](#) (Post-Award Requirements)
- Relevant OMB Circulars: [Circular A-87](#) (Cost Principles) and [Circular A-133](#) (Audits)

**Assess compliance with fiduciary requirements for LEA programs**

**General**

- Did your LEAs receive subgrants within 3 months of submitting their application?
- Do you review general fiscal reports from your subgrantees (e.g., monitor periodic financial reports, lists of staff, how funds are carried over if appropriate)?
- Do you oversee other LEA financial activities (e.g., budget amendment requests and approvals)?

**Administrative Expenses**

- Are you reserving and using an appropriate amount of funds for administrative expenses during the current year (see [Section 1004](#) of ESEA as amended in 2001)? Do you have evidence of that?
- Did you reserve and use an appropriate amount of funds for administrative expenses during the previous fiscal year? Do you have evidence of that?

**Use of Funds**

- Do you provide LEAs with guidance on allowable uses of Subpart 2 funds?
- Do you review whether LEAs and their programs are using funds appropriately, according to Section [1424](#) of the statute and Section [O](#) of the *Nonregulatory Guidance*.
- Are the LEAs and locally operated correctional facilities implementing activities as approved and budgeted in their LEA application?
- Are the LEAs and locally operated correctional facilities providing services and using funds as described in their formal agreement?
- Can the LEAs provide documentation that shows how much of the subgrant was used in the previous year and for what expenditures and activities?
- Can the LEAs list all personnel who are paid with Title I, Part D, funds and the proportion of their salaries, benefits, and duties that are funded by Title I, Part D?

**Adjust policies and practices to meet fiduciary requirements for LEA programs**

- If you answered "no" to any of the questions above and changes are possible, then try to make them before the monitoring review.
- If you answered "no" to any of the questions above and more substantive changes are necessary, then start planning how to make the respective changes. Be prepared to discuss your initial thoughts and plans with your monitor.

### Tools to Adjust LEA Fiduciary Policies and/or Practices

- Refer to *Background Information* on the previous page.
- Consider subscribing to the [No Child Left Behind Financial Insider](#) and/or [Title I Monitor](#), which are publications that provide guidance on NCLB fiscal issues.

Consult your [NDTAC State liaison](#) and/or N or D community for other examples, ideas, guidance, and support. Check the NDTAC Web site regularly for additional products related to fiduciary policies and practices.

APPENDIX A  
REORGANIZATION OF SASA, TITLE I, PART D,  
MONITORING INDICATORS



**Table A-1: Comparison of Current and Former Monitoring Indicators for Title I, Part D**

Current Indicators (Beginning FY 2009–10)	Former Indicators (FYs 2003–04 through 2008–09)
<p><b>Indicator 1.1: Standards, Assessment, and Accountability</b> The State Education Agency (SEA) monitors and evaluates its subgrantees to ensure compliance with Title I, Part D, program requirements and progress toward Federal and State program goals and objectives.</p>	<p><b>Former Indicator 3.2 (Subgrantee Monitoring)</b> The SEA sufficiently monitors subgrantees to ensure compliance with Title I, Part D, program requirements.</p>
<p><b>Indicator 2.1: Instructional Support—State Agency</b> The SEA ensures that State agency (SA) programs for eligible students meet all requirements, including facilities that operate institutionwide projects (IWPs).</p>	<p><b>Former Indicator 1.1 (State Plan)</b> The SEA has implemented all required components as identified in its Title I, Part D (N or D), plan.</p> <p><b>Former Indicator 1.2 (SA Application)</b> The SEA ensures that SA plans for services to eligible N or D students meet all requirements.</p> <p><b>Former Indicator 2.1 (IWPs)</b> The SEA ensures that IWPs developed by the SA under Subpart 1 use the flexibility provided to them by law to improve the academic achievement of all students in the school.</p>
<p><b>Indicator 2.2: Instructional Support—Local Education Agency</b> The SEA ensures that local education agency (LEA) programs for eligible students meet all requirements.</p>	<p><b>Former Indicator 1.3 (LEA Application)</b> The SEA ensures that LEA plans for services to eligible N or D students meet all requirements.</p>
<p><b>Indicator 3.1: Fiduciary—State Agency</b> The SEA ensures that each SA complies with statutory and other regulatory requirements that govern State administrative activities; provides fiscal oversight of grants, including reallocations and carryover; ensures subgrantees reserve funds for transition services; and demonstrates fiscal maintenance of effort and requirements to supplement, not supplant.</p>	<p><b>Former Indicator 1.1 (State Plan)</b> The SEA has implemented all required components as identified in its Title I, Part D (N or D), plan.</p> <p><b>Former Indicator 3.1 (Transition Reservation)</b> The SEA ensures that each SA has reserved not less than 15 percent and not more than 30 percent of the amount it receives under Subpart 1 for transition services.</p>
<p><b>Indicator 3.2: Fiduciary—Local Education Agency</b> The SEA ensures that each LEA complies with statutory and other regulatory requirements that govern State administrative activities and provide fiscal oversight of grants—including reallocations, carryover, and allowable uses of funds.</p>	



## APPENDIX B

### MONITORING INDICATORS AND EXPECTATIONS BASED ON THE FY 2009–10 SASA MONITORING PLAN



**Indicator 1.1: The SEA conducts monitoring and evaluation of its Subgrantees sufficient To Ensure Compliance With Title I, Part D Program Requirements and Progress Toward Federal and State Program Goals and Objectives .[§1426 and §1431]**

Guiding Questions	Acceptable Documentation of SEA Evidence	Acceptable SA/LEA Evidence
<ul style="list-style-type: none"> <li>▪ How does the SEA ensure that students in Title I, Part D programs receive instruction that is aligned with state standards and accountability?</li> <li>▪ What is the SEA process for monitoring Subpart 1 and 2 programs from selection and notification to reporting and corrective action follow-up?</li> <li>▪ What is the process for data collection that the SEA uses to obtain demographic, academic and vocational outcome information on all Subpart 1 and 2 programs?</li> <li>▪ How does the SEA evaluate statewide and subgrantee program performance and report the results of such evaluations?</li> </ul>	<ul style="list-style-type: none"> <li>▪ Written material describing statewide program performance for the last school year: reports, report cards, handouts, PowerPoint slides, agendas and notes, etc.</li> <li>▪ Evidence SEA provided technical assistance to subgrantees on how to efficiently and effectively collect and use data, including training or conference agendas, presentation materials, activity descriptions, evaluations.</li> <li>▪ A subgrantee monitoring schedule for the current fiscal year.</li> <li>▪ A plan for monitoring all subgrantees through desk review and site visits.</li> <li>▪ Monitoring interview protocols for Subpart 1 and Subpart 2.</li> <li>▪ Application review checklists or notes.</li> <li>▪ The most recent monitoring reports for subgrantees.</li> <li>▪ SEA documents tracking subgrantee responses to corrective actions.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The most recent annual data report for the SA or LEA subgrantee.</li> <li>▪ Any longitudinal tracking of annual outcome data for the SA or LEA subgrantee.</li> <li>▪ The most recent agency or program-specific evaluation reports that include mention of the Title I, Part D program.</li> <li>▪ Documents submitted to the SEA to address corrective actions required by the SEA.</li> </ul>

**Indicator 2.1: The SEA Ensures That State Agency (SA) Programs for Eligible Students Meet All Requirements, Including Facilities That Operate Institutionwide Projects. [§1412(A); §1414(a) and (c), 1416] {Formerly Indicators 1.2 and 2.1}**

Guiding Questions	Acceptable Documentation of SEA Evidence	Acceptable Documentation of SA/LEA Evidence
<ul style="list-style-type: none"> <li>▪ What are the SEA's goals and objectives for the Title I, Part D, program? Have the goals been reviewed and updated recently?</li> <li>▪ How does the SEA inform SAs about their eligibility and application requirements for a Title I, Part D, subgrant?</li> <li>▪ What technical assistance does the SEA provide to SAs on developing or revising their Subpart 1 applications?</li> <li>▪ How does the SEA review and evaluate the Subpart 1 applications?</li> <li>▪ Do IWP plans include a comprehensive needs assessment across all education program services?</li> <li>▪ How are the needs assessment, curriculum, plans for professional development, and program evaluation aligned in IWPs?</li> </ul>	<ul style="list-style-type: none"> <li>▪ Updated State plan tracking performance of Statewide goals and objectives</li> <li>▪ Documents concerning eligibility of SA facilities for Title I, Part D, funds or IWPs, including checking the Child Count, minimum hours of a regular program of instruction, age of students, and average length of stay in institutions</li> <li>▪ Written SEA guidance to SAs on developing or revising Subpart 1 applications, including IWPs for specific facilities or programs—such as written instructions, agendas, notes, minutes, and handouts from meetings with prospective applicants</li> <li>▪ Checklists, notes, or other written evidence that the SEA has a review process for awarding subgrants to SAs and approving IWP plans</li> <li>▪ A list of subgrant awards to all SAs and facilities served by Subpart 1 funds.</li> </ul>	<ul style="list-style-type: none"> <li>▪ SA applications and supporting documents that address the 19 application elements—including assurances and descriptions—from the current or past fiscal year, including the length of the school day, weekly hours of a regular program of instruction, and parental involvement activities</li> <li>▪ Documents related to the eight IWP application requirements for each facility that is conducting an IWP, such as comprehensive needs assessment or program evaluation reports</li> <li>▪ Documents from professional development meetings and program evaluation meetings for IWPs—such as reports, agendas, notes, and handouts</li> </ul>

**Indicator 2.2: The SEA Ensures That Local Education Agency (LEA) Programs for Eligible Students Meet All Requirements .[§1423 and §1425] {Formerly Indicator 1.3}**

Guiding Questions	Acceptable Documentation: SEA Evidence	Acceptable LEA Evidence
<p><b>SEA Questions:</b></p> <ul style="list-style-type: none"> <li>▪ How do you inform LEA's about the application requirements for a Title I, Part D subgrant?</li> <li>▪ What criteria does the SEA use to determine Subpart 2 programs with "high numbers"?</li> <li>▪ What technical assistance does the SEA provide to LEAs and eligible institutions about operating Title I, Part D programs including developing or revising its Subpart 2 application?</li> <li>▪ How does the SEA review and evaluate the Subpart 2 applications?</li> </ul> <p><b>LEA Questions:</b></p> <ul style="list-style-type: none"> <li>▪ How does the LEA consult with each N or D facility in the program planning and evaluation process?</li> <li>▪ Are formal agreements between the LEA and these facilities reviewed and updated annually?</li> </ul>	<ul style="list-style-type: none"> <li>▪ Written guidance to LEAs on developing or revising Subpart 2 applications such as written instructions, agenda, notes or minutes and handouts from meetings with prospective applicants.</li> <li>▪ Checklists, notes, or other written evidence of the SEA review process for subgrants to LEAs that ensures that all funded facilities meet program goals and provide qualified instructional staff.</li> <li>▪ Written information used by the SEA to identify eligible institutions, such as State agency licensing lists, and notifications to LEAs of their eligibility to submit child counts and apply for funds.</li> <li>▪ A list of all LEA subgrant awards and N or D facilities served by these subgrants.</li> </ul>	<ul style="list-style-type: none"> <li>▪ LEA applications and supporting documents that address the 13 application elements, including assurances and descriptions, from the current or past fiscal year.</li> <li>▪ Formal agreements between LEAs and neglected or delinquent facilities and programs outlining responsibilities for providing services mentioned in the 13 application elements.</li> <li>▪ Qualifications of Title I, Part D staff when a facility is privately managed and served by the LEA.</li> </ul>

**Indicator 3.1 The SEA Ensures Each State agency Complies With the statutory and Other Regulatory Requirements governing State Administrative Activities, providing Fiscal Oversight of the Grants Including Reallocations and Carryover, ensuring Subgrantees Reserve Funds for Transition Services, demonstrating Fiscal Maintenance of Effort and Requirements To Supplement not Supplant.** [§1004, §1414 (c)(7), §1415(b) and §1418] [Also OMB Circular A-87, Part 80, Subpart C of EDGAR, and any other relevant standards, circulars, or legislative mandates] {Includes and exceeds Old Indicator 3.1}

Guiding Questions	Acceptable SEA Evidence	Acceptable SA Evidence
<ul style="list-style-type: none"> <li>▪ How much of the Subpart 1 allocation does the SEA reserve for State administration activities and for what activities?</li> <li>▪ When do State agencies receive their Title I, Part D subgrants?</li> <li>▪ How does the SEA ensure that 15%–30% of funds are reserved and used for transition activities?</li> <li>▪ What is the SEA's policy regarding carryover and reallocation of funds?</li> <li>▪ What kind of internal fiscal controls does the SEA have in place to account for the use of Title I, Part D funds in a way that meets Federal requirements?</li> <li>▪ What other technical assistance does the SEA provide to the SAs on uses of funds?</li> </ul> <p><b>For the State agency:</b></p> <ul style="list-style-type: none"> <li>▪ For what transition-related activities are reserved funds used by the SA?</li> <li>▪ How does the SA demonstrate fiscal maintenance of effort?</li> <li>▪ How is the Title I, Part D program supplemental to the regular instructional program?</li> <li>▪ What internal fiscal controls does the SA have in place to account for uses of funds in a way that meets Federal requirements?</li> </ul>	<ul style="list-style-type: none"> <li>▪ SEA budget detail on reserved funds for State administrative activities for the current fiscal year and use of funds for the last fiscal year.</li> <li>▪ Written guidance sent to SAs outlining requirements for reserving funds for transition services under Subpart 1.</li> <li>▪ Requirements on the State agency application to calculate the percentage and provide budget detail on transition services.</li> <li>▪ Evidence that the SEA reviews fiscal maintenance of effort (MOE) for State agencies and any follow-up action when an SA fails to maintain effort.</li> <li>▪ Any other fiscal reporting or oversight of Subpart 1 subgrantees; for example, quarterly reports, budget amendment requests and approvals, etc.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Evidence that the SA reserves the appropriate amount of funds as required for transition services.</li> <li>▪ Documentation of expenditures from the transition reservation for the current and prior fiscal years and/or documentation concerning the transition services provided at each of the funded facilities or programs.</li> <li>▪ Evidence that the SA is implementing planned and approved activities, for example, budget reports at the end of a fiscal year, records of expenditures, carryover and other summary reports.</li> <li>▪ A current list of all personnel (instructional and administrative staff) paid with Title I, Part D funds and the proportion of their salaries, benefits and duties that are funded by Title I, Part D.</li> </ul>

**Indicator 3.2 The SEA Ensures Each LEA Complies With the statutory and Other Regulatory Requirements governing State Administrative Activities, providing Fiscal Oversight of the Grants Including Reallocations and Carryover, and Allowable Uses of Funds.** [§1424] [Also OMB Circulars A-87, Part 80, Subpart C of EDGAR and any other relevant standards, circulars, or legislative mandates] {New Indicator}

Guiding Questions	Acceptable SEA Evidence	Acceptable LEA Evidence
<ul style="list-style-type: none"> <li>▪ How do the SEA and LEA ensure that the Title I, Part D program activities are within the uses of funds and purposes of the Title I, Part D program? What other technical assistance does the SEA provide to the LEAs on uses of Title I, Part D and ARRA funds?</li> <li>▪ When do LEAs receive their Title I, Part D subgrants?</li> <li>▪ What is the SEA's policy regarding carryover and reallocation of regular Title I, Part D and ARRA funds?</li> <li>▪ What kind of internal fiscal controls do SEAs and LEAs have in place to ensure that they can account for the use of regular Title I, Part D and ARRA funds in a way that meets Federal requirements?</li> </ul> <p><b>For the LEA:</b></p> <ul style="list-style-type: none"> <li>▪ What kind of consultations does the LEA have with each N or D facility or program that will be served with Subpart 2 funds?</li> </ul>	<ul style="list-style-type: none"> <li>▪ SEA budget detail on reserved funds for State level activities for the current fiscal year and use of funds for the last fiscal year .</li> <li>▪ Any other fiscal reporting or oversight of Subpart 2 subgrantees, for example, quarterly reports, budget amendment requests and approvals, etc.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Formal agreements between an LEA, an N or D facility or alternative school program governing the use of Subpart 2 funds when they are subcontracted to a facility or program.</li> <li>▪ Evidence that the LEA or facility is implementing planned and approved activities, including budget reports, records of expenditures, carryover and other summary reports.</li> <li>▪ A current list of all personnel (instructional and administrative staff) paid with Title I, Part D funds.</li> </ul>



## APPENDIX C

### DATA TABLES SUMMARIZING TYPES OF FINDINGS AND RECOMMENDATIONS PER INDICATOR



## Standards, Assessment, and Accountability

**Table C-1: Former Indicator 1.1—Number of States That Received a Finding or Recommendation About Their State Plan, by Result and Issue**

Type of Monitoring Result	Content of Plan Was Problematic	Implementation of Plan Was Problematic
Findings	1	3
Recommendations	1	1

**Table C-2a: Former Indicator 1.2—Number of States That Received a Finding or Recommendation About Their SA Application, by Result and Issue**

Type of Monitoring Result	Application Lacked Required Elements	Application Process Was Problematic
Findings	13	4
Recommendations	9	—

NOTE: Four States received two findings for the same issue: plan lacks required elements. One State received two findings, one for each issue: plan lacks required elements and application process was problematic.

**Table C-2b: Former Indicator 1.2—Number of States That Received a Finding or Recommendation Because Their SA Application Lacked All Required Elements, by Result and Required Element**

Type of Monitoring Result	Common Required Elements Missing From SA Applications						
	Parent Involvement	Transition Coordinator	Monitoring	Fiscal Efforts	Academic Instruction	Professional Development	Majority, if not All, Elements Missing
Findings	4	4	2	2	2	1	2
Recommendations	4	—	2	2	—	1	—

NOTE: Four States received two findings, because they lacked all required elements in the SA application.

**Table C-3: Former Indicator 1.3—Number of States That Received a Finding or Recommendation About Their LEA Application, by Result and Issue**

Type of Monitoring Result	Application Process Was Problematic	More Oversight Was Needed	Data Collection Was Faulty
Findings	2	1	—
Recommendations	—	4	1

## Instructional Support Indicators

Table C-4: Former Indicator 2.1—Number of States That Received a Finding or Recommendation About Institutionwide Projects (IWPs), by Result and Issue

Type of Monitoring Result	IWPs Were Insufficiently Monitored	IWP Application Was Problematic	Training/Technical Assistance Was Required
Findings	3	3	1
Recommendations	—	—	2

NOTE: One State received a finding for this indicator that dealt with two issues.

## Fiduciary Indicators

Table C-5: Former Indicator 3.1—Number of States That Received a Finding or Recommendation About Their Transition Reservation, by Result and Issue

Type of Monitoring Result	States Did Not Have Requirements To Reserve Funds for Transition	States Did Not Enforce Requirements To Reserve Funds or Reserve Funds for Transition Were Insufficient	State's Use of Transition Reservation Was Questionable	States Used Inappropriate Oversight of Transition Reservation
Findings	5	7	—	2
Recommendations	—	2	1	—

Table C-6a: Former Indicator 3.2—Number of States That Received a Finding About Subgrantee Monitoring, by Issue and Title I, Part D, Subpart

Finding	Subpart 1 (State Agencies)	Subpart 2 (Local Education Agencies)	Both Subparts
No Evidence of Monitoring	9	1	5
Insufficient Monitoring	5	3	2
Protocol Problems	5	1	3
Missing/Unreliable Data	1	—	1
Program Evaluation	—	—	1

NOTE: One State received two findings for Indicator 3.2. Eight States received a finding for this indicator that dealt with two issues.

**Table C-6b: Former Indicator 3.2—Number of States That Received a Recommendation About Subgrantee Monitoring, by Issue**

Expand Monitoring Tools	Strengthen Monitoring Process	Encourage Program Direction
3	5	1

NOTE: One State received two findings for Indicator 3.2.



APPENDIX D  
SAMPLE CHECKLISTS FOR STATE AGENCIES AND  
INSTITUTIONWIDE PROJECTS



## SAMPLE APPLICATION REVIEW CHECKLIST FOR STATE AGENCIES

*Each State Agency (SA) that receives funds must complete and submit an application to the State Education Agency according to Section 1414(c) of the statute. Part D Coordinators can use the following sample checklist to determine if an SA application includes all required elements.*

- Does the SA application describe procedures consistent with the State Plan/State consolidated application to be used to serve the educational needs of children who are neglected or delinquent served by the agency?
  - Is any reference to the State Plan/State consolidated application made in the SA application?
  - Is any reference made to State-specific curriculum standards or Statewide assessments?
- Has the SA provided an assurance that priority will be given to children and youth who are likely to complete incarceration within a 2-year period if the agency is serving an adult correctional facility with Title I, Part D, funds?
- Does the SA application describe the program and include a budget for the first year of the program?
  - If the application is approved for 3 years, is there an annual update to the budget and description of services provided by the program?
- Does the SA application describe how the program will meet the goals and objectives of the State Plan/State consolidated application?
- Does the SA application describe how the SA will consult with experts and provide the necessary training for appropriate staff to ensure that the planning and operation of institutionwide projects are of high quality? (*Note: This is not applicable for SAs that fund facilities that operate institutionwide projects.*)
- Does the SA application describe how the SA will carry out the evaluation requirements for the program (i.e., collecting Consolidated State Performance Report and EDFacts data) and how the results of the most recent evaluation will be used to plan and improve the program?
- Does the SA application include data showing that the SA has maintained the fiscal effort required of a local educational agency?
  - What percentage of effort was maintained? Specifically, what percentage was maintained from three fiscal years before two fiscal years prior (since the last fiscal year probably would not have been closed out)?
- Does the SA application describe how the Title I, Part D, program will be coordinated with other appropriate State and Federal programs operated by the SA at facilities being served by Title I, Part D, funds?
  - Are there any other Title I programs operated by the SA?
  - Are there any vocational and technical education programs?
  - Are there any State and local dropout prevention programs?
  - Are there any special education programs?

- Does the SA application describe how the SA will encourage any correctional facilities it is serving with Title I, Part D, funds to coordinate with local education agencies or alternative education programs attended by incarcerated children and youth before their incarceration to ensure that student assessments and appropriate academic records are shared jointly between these entities?
- Does the SA application describe how appropriate professional development will be provided to teachers and other staff?
- Does the SA application designate an individual in each affected facility to be responsible for issues relating to the transition of children and youth from the facility to locally operated programs?
- Does the SA application describe how the SA will coordinate with businesses for training and mentoring for participating children and youth?
- Does the SA application provide an assurance that the SA will assist in locating alternative programs through which students can continue their education if the students are not returning to school after leaving the facility?
  - Is there any description of how the SA will do this?
- Does the SA application provide assurances that the SA will work with parents to secure their assistance in improving the educational achievement of their children and youth and preventing their further involvement in delinquent activities?
  - Does the SA application describe how the SA will do this?
- Does the SA application provide an assurance that the SA will work with children and youth with disabilities to meet an existing individualized education program?
  - If yes, does the SA application also provide assurance that the SA will notify the child or youth's local school if the child or youth is identified as needing special education services while the child or youth is in the facility and intends to return to the local school?
  - Does the SA application describe how the SA will do this?
- Does the SA application provide assurance that the SA will work with children and youth who dropped out of school before entering a facility to encourage them to reenter school once the term of the incarceration is completed or provide them with the skills necessary to gain employment, continue their education, or achieve a secondary school diploma or its recognized equivalent if they do not intend to return to school?
  - Does the SA application describe how the SA will do this?
- Does the application provide assurance that teachers and other qualified staff are trained to work with and consider the unique needs of children and youth with disabilities and other students with special needs?
  - Does the SA application describe how the SA will do this?
- Does the application describe any additional services to be provided to children and youth, such as career counseling, distance learning, and assistance in securing student loans and grants?
- Does the application provide assurance that the program will be coordinated with any programs operated under the Juvenile Justice and Delinquency Prevention Act of 1974 or other comparable programs, if applicable?

## SAMPLE PLAN APPROVAL CHECKLIST FOR INSTITUTIONWIDE PROJECTS

*Each facility that operates an institutionwide project (IWP) must complete and submit a plan to their State Agency (SA) according to Section 1416 of the statute. The State Education Agency (SEA) must later approve it. Part D Coordinators can use the following checklist to determine whether IWP plans for facilities funded by an SA meet requirements.*

- Among the facilities that the SA serves with Title I, Part D, funds, how many operate an IWP?
  - Do you have an approved plan for every facility operating an IWP?
  
- Does each IWP plan provide for a comprehensive assessment of the educational needs of all the children and youth in the facility or program?
  - Do any plans mention serving youth aged 20 years and or younger in adult correctional facilities? (Note: The law requires a comprehensive educational needs assessment of youth aged 20 or younger in adult facilities who are expected to complete incarceration within a 2-year period, but the preamble to Section 1416 and Non-Regulatory Guidance do not allow adult correctional facilities to operate IWPs.)
  
- Does each IWP plan describe the steps that the SA has taken, or will take, to provide all children and youth under age 21 with the opportunity to meet challenging State academic content standards and student academic achievement standards to improve the likelihood that they will complete secondary school, attain a secondary diploma or its recognized equivalent, or find employment after leaving the institution?
  
- Does each IWP plan describe the instructional program, pupil services, and procedures that will be used to meet the needs identified in the comprehensive needs assessment including, to the extent feasible, the provision of mentors for children and youth?
  
- Does each IWP plan specifically describe how Title I, Part D, funds will be used at the facility level?
  
- Does each IWP plan describe the measures and procedures that will be used to assess student progress?
  
- Does each IWP plan describe how the agency will implement and evaluate the IWP or programwide project in consultation with personnel providing direct instructional services and support services and with personnel from the SEA?
  
- Does each IWP plan include assurance that the SA has provided for appropriate training to enable teachers and other instructional and administrative personnel to carry out the project effectively?
  - Does each IWP plan describe how the SA will do this?



APPENDIX E  
SAMPLE APPLICATION REVIEW CHECKLIST FOR  
LOCAL EDUCATION AGENCIES



## SAMPLE APPLICATION REVIEW CHECKLIST FOR LOCAL EDUCATION AGENCIES

*Each Local Education Agency (LEA) that receives funds must complete and submit an application to the State Education Agency (SEA) according to Section 1423 of the statute. Part D Coordinators can use the following sample checklist to determine if an LEA application includes all required elements.*

- Does the LEA application describe the program to be assisted?
  - Is the LEA planning to operate an LEA-based program not at an N or D facility?
- Does the LEA application describe the formal agreements between the LEA and the local N or D facilities or alternative school programs serving children or youth involved with the juvenile justice system?
- Does the LEA application describe how the LEA will coordinate with N or D facilities to ensure that such children and youth are participating in an education program comparable to one operating in the local participating school that such youth would attend?
- If 70 percent or more of the children and youth residing in the local N or D facilities will be returning to schools in the LEA, does the LEA application describe the program operated by the LEA and the types of transition services that will be provided to children and youth and others at risk?
- Does the LEA application describe (a) the characteristics (including learning difficulties, substance abuse problems, and other special needs) of the children and youth who will be returning from N or D facilities and, as appropriate, other at-risk children and youth expected to be served by the program and (b) how the LEA and participating schools will coordinate existing educational programs to meet the unique educational needs of such children and youth?
- Does the LEA application describe how schools will coordinate with existing social, health, and other services to meet the needs of students returning from N or D facilities or other participating children or youth, including prenatal health care and nutrition services related to the health of the parent and the child or youth, parenting and child development classes, child care, targeted reentry and outreach programs, referrals to community resources, and scheduling flexibility?
- Does the LEA application describe any partnerships with local businesses to develop training, curriculum-based youth entrepreneurship education, and mentoring services for participating students?
- Does the LEA application describe how the program will involve parents in efforts to improve the educational achievement of their children, assist in dropout prevention activities, and prevent the involvement of their children in delinquent activities?
- Does the LEA application describe how the Subpart 2 program will be coordinated with other Federal, State, and local programs that operate at the N or D facilities or in the LEA?
  - Is there any coordination with other Title I programs operated by the LEA and/or in the N or D facilities?
  - Is there any coordination with other vocational and technical education programs that serve at-risk children and youth at the N or D facilities or in the LEA?

- Does the LEA application describe how the program will be coordinated with any programs operated under the Juvenile Justice and Delinquency Prevention Act of 1974 or other comparable programs, if applicable?
- Does the LEA application describe how schools will work with probation officers to assist in meeting the needs of children and youth returning from correctional facilities?
- Does the LEA application describe the efforts that participating schools will make to ensure correctional facilities working with children and youth are aware of a child or youth's existing individualized education program?
- Does the LEA application describe the steps that participating schools will take to find alternative placements for children and youth interested in continuing their education but unable to participate in a regular public school program?