

Federal Title I, Part D, Subpart 1 (ND) Funds to Support Neglected or Delinquent Children in State “Long-Term” Care Facilities

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Nationally, What is Title 1, Part D?

[The Title I, Part D, program](#) (also called *The Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent or At Risk*) was most recently reauthorized under the Elementary and Secondary Education Act (ESEA), as amended in 2001. The Title I, Part D, Subpart 1 State agency N or D program was first authorized with P.L. 89-750, the Elementary and Secondary Amendments of 1966. The Title I, Part D, Subpart 2 local educational agency program came into being in its present form with the Improving America Schools Act of 1994.

Title I, Part D, is administered by the [Office of Safe and Healthy Students](#) (OSHS), under the federal Department of Education, Office of Elementary and Secondary Education (OESE). Earl Myers is the Federal Program Manager for the [Title I, Part D, Neglected, Delinquent or At-Risk Program](#).

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; and
3. Prevent youth who are at-risk from dropping out of school, and to provide dropouts and children and youth returning from correctional facilities with a support system to ensure their continued education. (This feature is provided mostly through state Youth In Custody funding.)
4. Under federal guidelines, the state is to spend between 15 and 30 percent of the ND funds in transition-related services and the balance in academic services. Please “Statutory Waiver” below.

Background to Utah Title 1, Part D Program

Utah has a vastly different approach (compared to other states) for using Title 1, Part D (“T1PD”) funds due to the state’s significant usage of state Youth In Custody (YIC) funds that, for about 30 years, annually provide nine (9) months of regular public education to youth who are in state custody and in state care. YIC-supported schools, all independently accredited by AdvancED, offer most of “regular,” rigorous school academic and some career and technical education (CTE) credit-bearing programs that students would expect to find in any high quality “regular” schools. The opportunities include a complement of music and art as well as inter- YIC-schools’ competitive sporting and academic/knowledge “bowls.”

State YIC funding, supported by ND funding during Summer School, provides students access to concurrent enrollment to students who are advanced enough to pursue academic rigor at that level. Additionally, state YIC funds provide for additional post high school classes for those who have graduated from high school and/or received high equivalency credentials.

State YIC funds provide NO transition services. That is the domain of T1PD funding.

See <https://rules.utah.gov/publicat/code/r277/r277-709.htm> for more YIC information.

To this large, main YIC funding and to its robust, well-rounded, academic and CTE programming, T1PD funds currently (2017) provide supplementary supports at selected, eligible sites with the Division of Juvenile Justice Services (DJJS) and the Department of Human Services (DHS) in the following three main ways:

- (a) annually, a 25-to-40-day extended, academic school year (called "Summer School") that is a continuation of the services offered by state YIC funds during the regular 9-month school year;
- (b) a 12-month, rich mix of short-term, market-sensitive, employment-connected, certificated CTE classes that are not offered by YIC funding; and
- (c) ongoing leadership, support, and advocacy for education transition and career advocacy services that are not offered by YIC funding.

Subpart 1

Under SEA programs (Title I, Part D, Subpart 1), States receive federal formula funds based on the number of children in State-operated institutions and per-pupil educational expenditures. Each State's allocation is generated by child counts in State juvenile institutions that provide at least 20 hours of instruction from nonfederal funds and adult correctional institutions that provide 15 hours of instruction a week. The SEA then makes subgrants to State agencies based on their proportional share of the State's adjusted enrollment count of neglected or delinquent children and youth. In Utah, since the Utah State Board of Education and subunits, namely local school districts and charter schools, are the only entities given the statutory responsibility to provide public education, the USBE is both the SEA and SA.

The few eligible subrecipients for T1PD funds that exist are those districts that service youth who are in state care facilities for at least 30 days in a calendar year. Examples of state care sites are "secure care" sites in DJJS at various locations of the state and in the "state hospital" (Oak Springs School) located in Provo, Utah.

Subrecipients are required, by federal statute, to use 15 to 30% of ND funds for transition-related services and the balance for academic instruction.

Statutory Waiver

On June 22, 2017, following a request of the US Dept. of Education, the USBE received a statutory waiver to exempt the state from the ratio for spending academic and transition funds -- 70% to 30% respectively -- to be at yearly levels that meet the state's strategic goals. This favorable federal waiver enables the state to create plans for additional outreach to eligible youth who are currently NOT receiving transition services and additional transition-related services that state YIC funds do not provide, but are essential for successful transition of youth out of custody to their next logical steps in life.

See page Appendix A for the USDE response to USBE's request for waiver.

Subpart 2

Under local agency programs (Title I, Part D, Subpart 2), the SEA awards subgrants to districts with high numbers or percentages of children and youth in locally operated juvenile correctional facilities, including facilities involved in community day programs.

Related Requirements

With Title I, Part D, funds come certain requirements and responsibilities on behalf of the State agencies and districts that receive the funds. State agencies and districts that conduct a program under Title I for children and youth who are N or D are required to

1. Meet the educational needs of neglected, delinquent, and at-risk children and youth, and assist in the transition of these students from correctional facilities to locally operated programs,
2. Ensure that these students have the same opportunities to achieve as if they were in local schools in the State, and

- Evaluate the program and disaggregate data on participation by gender, race, ethnicity, and age, not less than once every 3 years.

State (Youth In Custody) Funding

In addition to Title 1/D funds, under [Utah Administrative Code R277-709](#), Utah is favored to have state legislated funds (\$20,974,500 in 2015-16) to address the daily educational needs of “youth in care” (YIC) – students from Juvenile Justice and Foster Care. As such, though eligible to acquire it, the SEA has chosen not to request Subpart 2 funds of Title 1/D since many of the educational needs of these populations are met with state YIC funds.

Youth in Custody and Title 1 Part D funded students are a subset of the traditional Minimum School Program (MSP) population and, as such, these students are included in all of the requisite performance/accountability measures and related outcomes produced by the Utah State Office of Education for all K-12 students.

Eligible Title 1, Part D Funding Usage

- Academic Instruction** – Typically, this is extended-year academic services (average 30 days of Summer School) with the same rigorous standards and delivery as the 180 days of instruction offered in the regular school year (which is currently funded by \$20,974,500 state legislated funds under the line item, “Youth in Custody”);
- Academic Support** – tutoring, computer programs, education supplies and materials,;
- Career and Technical Education (CTE)** – credit-generating classees
- Concurrent enrollment** with postsecondary providers (universities and technical colleges);
- Transition Services – ETCAs or Education Transition and Career Advocates** who work collaboratively with DJJS staff and others to aid students to transition from the custody sites back to schools, to college, to work or any other combination of positive choices.
- Continuous Quality Improvement** – acquiring the support of the American Institutes of Research (AIR) DJJS and USBE have worked to improve collaborative plans and working situations
- USBE / DJJS Collaborative Initiatives** – ND funds have be routed to DJJS to provide educational services in non-instructional hours of public education such as on weekends, evenings, holidays, vacation time and between education sessions. Sample content of the instruction include the following (see table below):

| |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Job Certifications – Food handler, First Aid/CPR, OSHA, Lift Truck, Fire Extinguisher, ServSafe, Alive at 25, Flagger, ACT National Career Readiness Certificate (NCRC) |
| Music Lessons, Instruments, Performances – Wasatch Music Coaching Academy, Guitar, Keyboard, Vocal, Percussion |
| DrumBus |
| Why Try – Level I & II Training & Implementation |
| Work Keys / Key Train – Training & Implementation, Certificates |
| Literacy – Books for Libraries |
| Digital Equity - Rachel Servers & Endless OS Computers |

| |
|---------------------------------------------------------------------------------|
| Additional Before or After School Programs Funded by ND and YIC Funds |
| Bicycle Collective: <i>Bicycle Mechanic Program</i> |
| Competitive Sports: <i>Football, Volleyball, Basketball, Table Tennis</i> |
| Academic Competitions: <i>Scholastic Bowl, Poetry, Untold Stories, Robotics</i> |

| Additional Before or After School Programs Funded by ND and YIC Funds |
|------------------------------------------------------------------------------------------------------------------|
| Creative: <i>Writing, Poetry, Improvisation, Drama, Art, Murals, Recitals, Talent Shows, Student Newsletters</i> |
| Film SPARK I Documentaries + STEM II Documentaries |
| Library: <i>Book Clubs, Facility Library, Read-a-thon, Presenters</i> |
| Microsoft Certifications, Imagine Academy |
| SPARK Health & Fitness |
| SPYHOP: <i>Sending Messages</i> |
| U of U Reading Clinic |
| U of U STEM Ambassadors: <i>Roots of Success</i> |
| Speakers & Community Groups, Weber Sport Camps |
| Transition Planning, Soft Skills Training, UtahFutures, WAGES |
| Work-Based Learning Opportunities / Job Training |
| Post-Secondary Programs – College, Applied Tech, CTE, College Now |

| Career Preparation Funded by ND and YIC Funds |
|------------------------------------------------------------------------------------------------------------------------|
| Facility Vocational / Applied Technology Programs: Construction, Greenhouse, Culinary, Screen Printing, Lathe, Cooking |
| College Course: Art History, Math English, Psychology |
| Work-Based Learning (WBL)/ Job Training / Certificates |
| Service/ Job Experience/ Certificates |

Input from Partners

Please reference state statute, [R277-709-11: Coordinating Council](#). In advisory roles, the Utah Coordinating Council for Youth in Custody (UCCYIC) and State Education Oversight Committee (SEOC) and ad hoc committees thereof offer advisory support to USBE. The Oversight Committee or SEOC works most closely with Title 1/D programs while the UCCYIC advises both state and federal funding sources and impacts Foster Care, Juvenile Detention, Residential Treatment Facilities, Secure Care, Work Camps, and Observation and Assessment settings.

Main partners – Utah State Board of Education, Utah Department of Human Services, Utah Juvenile Court – created and Memorandum of Understanding (MOU) that creates the foundation and framework for data sharing among three entities. Please see **Appendix B: Three Agency Memorandum of Understanding (MOU)**.

Bi-Sector Continuous Quality Improvement

The needs of society are constantly changing. The methods of providing for the needs of students, staff and parents are constantly changing and/or improving. There is always room for improvement. All these factors and others urge us to continuously seek ways to provide better technology, instruction, management, humanistic skills, etc.

In the two primary funding areas associated with Utah’s ND program, namely “academic instruction” and “transition services,” the following lists how these two areas are serving youth and what is being done to create a culture of continuous quality improvements (Kaizen).

A. Program Objectives and Outcomes -- ESEA section 1414(a)(2)(A) -- Assessing effectiveness of the Title I, Part D program in improving the academic, career, and technical skills of children in the program

(excludes “transition” services).

Overview

To understand the delivery of Title 1, Part D (T1PD) services in Utah, one must understand that T1PD funds are a small piece of and supplement the significant, 9-month, state-funded "Youth In Custody" (YIC) program.

Program Objectives

To meet the listed program objectives and outcomes, USBE is using and will continue to use the following:

1. dual agency, state-level strategic planning and guidance,
2. student outcomes data collection,
3. external analysis and consultation, and
4. onsite monitoring.

1. **Dual-Agency, State-Level Strategic Planning and Guidance**

The state has the good fortune of agencies being willing to work in collaborative relationships.

Please see the Interagency Information Sharing Memorandum Among the Utah State Board of Education, Utah Department of Human Services (encompassing the Division of Juvenile Justice Services), and Utah Juvenile Court.

Along with designated local-level educators and DJJS staff, the state’s senior staff from YIC, federal T1PD and DJJS Director, Deputy Director and senior staff meet in person annually for strategic planning and then, in person, monthly to address progress, alignment, training, outcomes, etc. Since YIC and T1PD staff (hired by LEAs) must work well together in JJS sites, the two agencies have and continue to work hard to assure that educators and DJJS local-level staff know each other’s vocabulary, key goals, aspirations, weak spots, strengths, challenges, measurables, etc., and to work collaboratively to assure the success of achieving each other’s desired outcomes. With this dualistic approach of unified vision, the following are in motion:

- (a) a single mission statement for all entities has been developed and guides them,
- (b) combined oversight and regular review of goals’ measurable progress,
- (c) ongoing sharing of goals, roles, procedures, struggles and successes occurs, and
- (d) monitored alignments and adjustments are regularly employed,
- (e) with the combined efforts improving all outcomes, including academic, career and technical measurables.

2. **Student Outcomes Data Collection** – (four items)

First, individual student-level, education data are collected via UTREx for many (not all) students.

Second, though other states that use ND funds can measure gains since most of their funds are used in regular, 9-month education programs, in Utah due to how ND funds may be legally permitted to be used, it is difficult to attribute and/or measure cause-and-effect usage of T1PD funds in the academic areas. T1PD academic funds primarily support 25-to-35-day Summer School district (LEA) programs – a time in which pre/post testing (to measure gains) does not make a lot of sense and is marginally valid. Other than to set goals that each student will earn at least some credit during Summer Schools towards high school graduation, very few other logical, measurable, academic goals can be set. Hence, Summer School is

- (a) a "finishing" or "focus" school in which students have been given the gift of extended days to complete subjects that they did not complete during the 9 months of YIC-supported classes;
- (b) an "early start" school to give students an early start on some subjects that interest them;
- (c) a "tutoring" school to "beef up" skills that have challenged them;
- (d) a "credit recovery" school, in some circumstances, to aid students to catch up on classes and credits that have alluded them.

Third, as part of the dual agency efforts to achieve academic, career and technical goals, Utah seeks to have every student leave custody with "positive marketable skills" in area(s) that may interest each student and is feasible to be pragmatically offered to each student. Therefore, the two agencies measure -- by using a two-agency, online, student-by-student, LEA-by-LEA, live document -- the number of short-term, market-sensitive, skill certificates that each student earns, among other variables. Please see the report below and attached, "**Secure Care Programming, School and Transition Outcomes.**"

For the report, Columns A, B, and C are completed by the Division of Juvenile Justice Services (DJJS), columns 1 – 13 are completed by LEAs (Education Transition and Career Advocates – ETCAs) and the balance are completed mostly by DJJS with some ETCA support.

Secure Care Programming, School and Transition Outcomes: The form is completed by local-level Education and JJS staff to record the outcomes of specific student outcomes. This is a secured, online form used by both staff (DJJS and Education). It is designed to also give an instant dashboard status report of each site and the ability for all staff to recognize gaps and to report on accumulative efforts locally and statewide.

| | A | B | C | D | E | F | G | H | I | J | K |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------|----------------------------|---------------------|----------------------|---------------------|----------------------------|---------------------|---|
| 66 | STUDENT OUTCOMES (2.4.1.3.2) | | | | | | | | | | |
| 67 | Students' Outcomes While in the State Agency Program/Facility/Site <u>AND</u> Within 180 Calendar Days After Each Student's Exit | | | | | | | | | | |
| 68 | In the table below, for ND programs offered from the <u>beginning of your normal school year of August XX, 2016 to the end of your school year in August XX(-1), 2017</u> , provide the unduplicated number of students who attained outcomes while in (a) specific program/facility and (b) 180 days after exiting the program. Please follow the guidance on each row. | | | | | | | | | | |
| 69 | Section 8: NUMBER OF STUDENTS Please enter the <u>UNDUPLICATED count</u> of students. | | Oak Springs School | | Observation and Assessment | | Juvenile Corrections | | Adult Corrections /At Risk | | |
| 70 | | | While in site | 180 days after exit | While in site | 180 days after exit | While in site | 180 days after exit | While in site | 180 days after exit | |
| 71 | 1a | Number of students who <u>enrolled</u> in any district school <u>AFTER EXIT</u> . (Do NOT count students in "1b" if counted here.) | | | | | | | | | |
| 72 | 1b | Number of students who <u>planned to enroll</u> in any school <u>AFTER EXIT</u> . (Do NOT count students in "1a" if counted here.) | | | | | | | | | |
| 73 | 2 | Number of students who <u>earned CTE credits</u> | | | | | | | | | |
| 74 | 3 | Number of students who <u>earned high school NON-CTE course credits</u> | | | | | | | | | |
| 75 | 4 | Total # of Students who <u>earned any credits</u> (CTE or non CTE) (This is <u>NOT</u> the sum of above lines 2 and 3.) | | | | | | | | | |
| 76 | 5 | Number of students who <u>earned employability credential/certificate</u> like "Food Handlers Permit, Flagging, OSHA, etc." | | | | | | | | | |
| 77 | 6 | Number of students who <u>enrolled in a GED[®] preparation program</u> | | | | | | | | | |
| 78 | 7 | Number of students who <u>earned GED[®]</u> (earned while in a facility <u>OR</u> by 90 days after exit) | | | | | | | | | |
| 79 | 8 | Number of students who <u>obtained a high school diploma</u> (earned while in a facility <u>OR</u> by 90 days after exit) | | | | | | | | | |
| 80 | 9 | Number of students who <u>accepted and/or enrolled in post-secondary education</u> | | | | | | | | | |
| 81 | 10 | Number of students who <u>enrolled in job training course(s)/program(s)</u> | | | | | | | | | |
| 82 | 11 | Number of students who <u>obtained employment</u> | | | | | | | | | |
| 83 | 12 | Number of students who <u>earned postsecondary credits</u> | | | | | | | | | |
| 84 | 13 | Number of students who <u>obtained employment related to skill certificates earned</u> | | | | | | | | | |
| 85 | 14 | Number of students who <u>attended school consecutively for 2 weeks after release.</u> | <i>Two Weeks after release</i> | | | | | | | | |
| 86 | | | | | | | | | | | |
| 87 | STUDENT ACADEMIC PERFORMANCE | | | | | | | | | | |

Fifth, student portfolios and transcripts are given to each student in hard copy and electronic copy. Additionally, the LEAs keep a "back up" copy for each student for the times when former custodial students require replacement copies.

3. **External Analysis and Consultation**

The Utah State Board of Education (USBE) formerly retained the services of the University of Utah Criminal Justice Center (UCJC) and then the American Institutes for Research (AIR) to aid the Educators

and DJJS staff to maximize their collaborative student services in all areas – academic instruction and support, full scope of transition services, and CTE and career development matters. Continued consultation has resulted in and will continue to result in measurable outcomes. Additionally, USBE YIC/ND staff, DJJS state leadership, and local leadership are building internal staff and systemic capacities (including but not limited to local-level “trained staff training staff”) to support and build upon what has been learned so far and to implement future strategic goals.

4. **Onsite Monitoring**

Onsite at Division of Juvenile Justice (DJJS) facilities that house YIC/ND schools, USBE YIC and T1PD staff conduct thorough reviews of selected programs annually. These reviews examine pedagogy, all aspects of finance, collaboration with other agencies, program implementation, teacher qualifications/licensures, cross agency supports, quality of instruction, transition services, etc. In addition, special education service delivery and results are monitored by USBE staff, and reported to each facility/school district providing the services.

B. Transitions Plans Between Correctional Facilities and Local Programs -- ESEA section 1414(a)(1)(B) -- that provide assistance for transitioning children and youth between correctional facilities and locally operated programs.

Transition services to youth in care is a critical factor in aiding students to make the often gargantuan leap from a heavily programmed and monitored, orderly, daily routine to one that is self governing.

Since more than one human service agency is responsible for transition, USBE and DJJS organized a matrix of responsibilities and tasks that are needed to serve youth who are exiting and preparing to exit state care. Please see the matrix, “**Multi-Agency Statewide Transition Alignment.**”

From Custody/Care to Non-custodial care

Education transition services to eligible Utah youth in care/custody are primarily provided through federal Title 1, Part D (T1PD) funds. To achieve this service, the Utah State Board of Education (USBE) contracts with districts (LEAs) to hire staff who provide education transition and career advocacy services to eligible students found in LEAs. The staff positions are called “Education Transition and Career Advocates” (ETCAs).

Please see further below the “**Multiagency Statewide Transition Alignment**” document. In this document, education-related transition roles and services align with Division of Juvenile Justice Services (DJJS) staff roles and services who include, but are not limited to, DJJS Transition Services Specialists (TSS), DJJS Case Managers, Clinicians, etc. Usage of this document, which was jointly created and is “owned” by all levels of DJJS and Education staff, predictably stabilizes the quality and impact of services regardless of who is serving in the various levels of staff positions.

Starting in November 2015, through state-level and grass-roots staff input in face-to-face, statewide, strategic planning meetings, the main goals and roles associated with successful transitioning of students into and out of state care are clearly outlined, collaboratively implemented, systematically reported, and regularly evaluated by DJJS and Education senior-to-local level staff in meetings that are held semi-annually.

The matrix distributes all of the key transition services among relevant Utah agencies, thereby eliminating redundancies and service gaps while creating **self-regulating, cross-agencies’ accountability processes, and systematized** transition services to eligible students.

In the matrix, a number “1” in any cell symbolizes which position and agency has PRIMARY responsibility for a particular transition function for students and a “2” symbolizes who has secondary responsibility while “X” symbolizes a persons’ supportive roles.

Between “Non-Custodial Care and State Custody/Care”

The Utah State Board of Education is the sole provider of public education in this state -- through School Districts (LEAs). Inside UTah’s (student information and) Record Exchange (UTREx) systems, student transcripts are updated by, available to, and exchanged among all LEAs – daily. Schools, including all YIC and ND-funded schools, are supposed to update daily and have full access to these transcripts and other relevant student information pieces. In short, records are to move seamlessly between/among/to/from YIC/ND accredited schools and other public accredited schools.

The benefits of UTREx include, among others, relevant records of what each student is currently studying, what each student has for accumulative subject-by-subject credits -- regardless of which school (including YIC/ND schools in LEAs) helped students to gain credits. Between public non-custodial and custodial care schools, records are constantly updated, accurate and shared.

| 1=Most Resp. 2=2nd Resp. X=Participant | Multi-Agency Statewide Transition Alignment | | | | | | | | | | | | | |
|----------------------------------------------|--------------------------------------------------------------------------------------|-----|------|----------|-------|----------|-------------|-----------|-----------|-----------|------|-----|---------|--|
| | STUDENT NEEDS (* = future considerations) | TSS | ETCA | SC STAFF | CM/CW | Advocate | C&C Mentor* | Education | Clinician | Voc Rehab | WIOA | POs | Parents | |
| TRANSITION PLANNING | Interagency Collaboration/Team Planning | 1 | X | | 1 | X | | X | X | | | | | |
| | Transition Plan/Exit Plan/CCR (ETCA) | X | X | | 1 | | | | | | | | X | |
| | TSS Weekly Group Class | 1 | | | | | | | | | | | | |
| ASSESSMENTS | TABE Scores | | 1 | | | | | | | | | | | |
| | Career Assessments/Utah Futures | | 1 | | | | | | | | | | | |
| | Identify Stability Factors/Needs/Risk | 2 | | | 1 | | | X | | | | | X | |
| | Mental Health Assessment | | | | | | | | 1 | | | | | |
| | Youth has taken College Entrance Exam (ACT)/SAT/ACCUPLACER | | 2 | | | | | 1 | | | | | | |
| | Special Education Child Find | | 1 | | | | | 1 | | | | | X | |
| | Work Keys* | X | X | 1 | X | | | | | | | | | |
| SKILL TRAINING | Interviewing/Role Playing | 2 | 1 | 3 | | | | | | X | X | | | |
| | Resume Writing/building | 2 | 1 | 3 | | | | | | X | X | | | |
| | Criminogenic Needs | X | | 1 | | | | | | | | | | |
| | Job Certifications | | | 1 | | | | | | X | X | | X | |
| | Job placement and preparation (job fair, work-based learning, business partnership)* | 2 | 1 | | 2 | | | | | X | X | | | |
| | Social skills & Independent Living skills | X | | 1 | | | | 2 | | X | X | | | |
| | Financial Planning/Literacy | | 1 | | | | | 1 | | X | X | | | |
| | Job Experience* | | 2 | 1 | | | | | | X | X | | X | |
| | Reading/Writing/Communication Skills | | 2 | X | | | | 1 | | X | X | | | |
| SCHOOL | High School Diploma / GED* | | 2 | | | | 3 | 1 | | | | | X | |
| | SPED Referral | X | X | X | X | X | X | 1 | X | | | | X | |
| | Transfer of school records to Public ed./Education plan | 2 | 1 | | 2 | | | | | | | | X | |
| | Public Ed. Enrollment/ YIC Intake (Sending & Receiving) | X | X | | 1 | | | | | | | | X | |
| | Monitor Grades | X | 1 | X | X | 2 | 1 | 2 | | | | | X | |
| | Monitor Attendance | X | 1 | | X | 2 | 1 | 2 | | | | | | |
| | Monitor Behavior | | 1 | | | 2 | 1 | 2 | | | | | | |
| | Monitor Credits toward Graduation | X | 1 | | X | 2 | 1 | | | | | | X | |
| | Enroll in Applied Tech Program | X | 1 | | | | | | | | | | X | |
| | Enroll in Job Corp | X | 1 | | | | | | | | | | X | |
| | Apply for Financial Aids Scholarships FAFSA | X | 1 | X | | | | | | | | | X | |
| | Apply for Pell Grant | | 1 | | | | | | | | | | X | |
| | Apply for College/Post-Secondary program | | 1 | | | | | | | | | | X | |
| | Connect with Pub. Ed. Check & Connect Mentor | | 1 | | | | | X | | | | | X | |
| EMPLOYMENT | Apply for on-the-job Training / Apprenticeship | 1 | 2 | | 1 | | | | | X | X | | X | |
| | Apply for Voc Rehab | 1 | 2 | | 1 | | | | | X | X | | X | |
| | Apply for LYFE Program/ WIOA | 1 | 2 | | 1 | | | | | X | X | | X | |
| | Register for Selective Service | 1 | 2 | | 1 | | | | | X | X | | X | |
| | Apply for jobs | 1 | 2 | | 1 | | | | | X | X | X | X | |
| | Employment monitoring | 1 | 2 | | 1 | | | | | X | X | | X | |
| COMMUNITY & FAMILY RESOURCES | Housing | 2 | | | 1 | | | | | | | | X | |
| | Connect with Community Resources (Health department, LDS, TAL) | 1 | | | 1 | | | | | | | | X | |
| | Citizenship Status | 1 | | | 1 | | | | | | | | X | |
| | Transportation | 2 | | | 1 | | | | | | | | X | |
| | ID/License | 1 | | | 1 | | | | | | | | X | |
| | Family Support/Guardian (CFTM) | X | X | X | 1 | X | | X | | | | | X | |
| | Medical/Mental Health Treatment Plan | X | X | 1 | 1 | | | | 1 | | | | X | |
| Connect with JJS Mentoring Program | | | 1 | | | | | | | | | X | | |
| Transition Monitoring | School Monitoring/Scheduling | 1 | 2 | | 1 | | 1 | | | | | | X | |
| | Employment monitoring | 1 | | | 1 | | | | | | | | X | |
| | Placement Progress/Obstacles | 1 | | | 1 | | | | | | | | X | |
| | Relapse | X | | X | 1 | X | | | X | | | | X | |

LEAs and Correctional Facilities Requirements

Below is an outline of minimal local service expectations of districts and local DJJS staff.

The LEA and correctional facility will:

1. Provide the opportunity for students to meet the same challenging state content standards and student academic achievement standards that all children in the state will be expected to meet;
2. Where feasible, coordinate each educational program with the student's home school, especially for students on Individual Education Plans under IDEA;
3. Notify the child's local school if special education services are needed and/or have been granted;
4. Provide support programs that encourage student dropouts to reenter school when released from the correctional facility or provide skills to gain employment, or seek a High School diploma (or its equivalent);
5. Work collaboratively with all others to offer mutual support to each entity's varying student goals, needs and progress;
6. Train correctional facility teachers and staff to work with students with disabilities and special needs;
7. Use current technology options to assist in coordinating educational programs between the correctional facility and the home school;
8. Where feasible, involve parents in efforts to improve educational achievement of their children and prevent further delinquent activities;
9. Coordinate funds with other local, state, and federal programs to provide leveraged and complementary services to participating children and youth; and
10. Seek to work with local businesses to develop training and curriculum-based youth entrepreneurship education and mentoring programs.
11. Record progress of students on various reports and create individualized portfolios for students.

Title 1, Part D Accountability

Performance Measures

The State and Local Education Agencies will track the number of youth who are:

1. Enrolled in School within 2 weeks and within 90 days of exiting state custody/care – since, by our observations, the first two weeks to a month of students' post release choices determine the students' life trajectories more than any other time period;
2. Enrolled in GED preparation classes while in and out of lockup,
3. Earning credits (and pre/post changes) in reading and math as noted in CSPR,
4. Enrolled in a post-secondary program while in and out of lockup,
5. Entering the workforce and earning a wage,
6. Earned CTE credit while in and out of lockup,
7. Earned non-CTE credit while in and out of lockup,
8. Earned employability credentials/certificates,
9. Earned high school diploma while in and out of lockup,
10. Obtained employment, and
11. As measured from year to year.

Program Monitoring

1. USBE will monitor, through *ongoing* guidance and onsite visits, LEAs in eligible neglected and delinquent facilities, for compliance with system-established guidelines and requirements.
2. The USBE will support and monitor through ongoing desk reviews of selected LEA program and financial documents.
3. The USBE will monitor State Agencies and LEAs as well as neglected and delinquent facilities through the collection of data submitted in the annual Consolidated State Performance Report (CSPR).
4. As per Utah State Board of Education rules, the Board, through the USBE shall, where feasible, contract with school districts or other appropriate agencies to provide educational, administrative, and supportive services, but the board shall retain responsibility for the programs.
5. USBE shall monitor onsite at least LEA annually in addition to the ongoing monitoring listed in #1 above in this section.

General Spending Considerations

There are three general issues that affect LEA spending under all of the programs discussed in this handbook.

First, all costs charged to ED grants must be **necessary and reasonable** considering the amount of money being spent and the needs of the program. This requirement comes from a set of federal regulations known as the Uniform Grant Guidance (UGG), which applies to all federal grants including ED grants.¹

The UGG affects ED grant spending in a number of ways. It:

- Lists costs that may never be paid for with federal funds.² For example, federal funds can never pay for alcohol³ and typically cannot pay for lobbying.⁴
- Lists general criteria all costs supported with federal funds must satisfy.⁵ For example, federal funds can only pay for costs that are allocable to the relevant grant.⁶
- Sets additional requirements for certain costs supported with federal funds.⁷ For example, LEAs that use federal funds for employee salaries and benefits must keep records documenting how much time the employees spent on grant activities.⁸
- Sets rules for how LEAs procure goods and services with federal funds,⁹ how they track items paid for with federal funds,¹⁰ and the kinds of records they must keep about their grant spending.¹¹

Second, activities supported by ED funds must be **consistent with the LEA's application** for funds approved by the SEA.¹² Note: Please note that the application process, including guidance or technical assistance on how to

¹ The Uniform Grant Guidance (UGG) is contained in Part 200 of Title 2 of the Code of Federal Regulations available at http://www.ecfr.gov/cgi-bin/text-id?SID=f3948247e9ceb83b01019746db896096&tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl. Federal guidance and other resources about the UGG are available at <http://www2.ed.gov/policy/fund/guid/uniform-guidance/index.html>.

² See 2 CFR Part 200, Subpart E.

³ 2 CFR § 200.423.

⁴ 2 CFR § 200.450.

⁵ See 2 CFR § 200.403.

⁶ 2 CFR § 200.403(a).

⁷ See 2 CFR §§ 200.420-200.475.

⁸ 2 CFR § 200.430.

⁹ 2 CFR §§ 200.317-200.326.

¹⁰ 2 CFR §§ 200.313-200.314.

¹¹ See, for example, 2 CFR § 200.318(h)(i) for procurement records or 2 CFR § 200.302(b)(3) for financial records.

¹² 34 CFR § 76.700.

develop effective narratives and budgets is done through the local school district “Utah Consolidated Application” (UCA) process for (a) academic services and (b) transition-related services.

Third, as discussed throughout this document, some ESSA programs require LEAs to spend on activities that are supported by evidence, are demonstrated to be effective, or that are consistent with a formal needs assessment. Even where this is not required, ED grant spending has the most impact when LEAs spend federal funds on effective activities designed to meet program goals. To do this, LEAs are encouraged to:

- Carefully consider the needs of students, educators, and other relevant stakeholders,
- Determine which activities are most likely to effectively address those needs, and
- Prioritize those activities when deciding what costs to support with ESSA funds (unless those activities are being paid for by other funding sources).

Fourth, Supplement not supplant: LEAs that receive ND funds must comply with a supplement not supplant requirement.¹³ In general terms, this means that ND funds should add to (supplement) and not replace (supplant) state and local funds.

For the ND program, supplanting is presumed when:

- An LEA uses ND funds to pay for an activity that is required by federal, state or local law, or
- An LEA uses ND funds to pay for an activity it supported with state or local funds the prior year.¹⁴

An LEA may overcome a presumption of supplanting if it has written documentation (e.g., State or local legislative action, budget information, or other materials) that it does not have the funds necessary to implement the activity and that the activity would not be carried out in the absence of the ND program funds.¹⁵

Activities to Support the Effective Use of Technology

As always, LEAs must remember the ratio of federal-to-state (FTS) dollars that are directed to serve ND students. Using that ratio, technology enhancements may be funded with ND funds provided the commensurate ratio of state funds are also applied to the same technology.

LEAs may (and in some cases must¹⁶) use ND funds to improve the use of technology to improve the academic achievement, academic growth and digital literacy of all students.¹⁷ Of the amount an LEA chooses to spend on technology, only fifteen percent may be used for technology infrastructure. Please see section above “Funding Floors and Ceilings” for more information about this fifteen percent cap.

Allowable activities are listed below provided they are supported by state YIC dollars.¹⁸

¹³ ESSA, Section 4110.

¹⁴ *ED 2016 SSAE Guidance*, p. 14.

¹⁵ *ED 2016 SSAE Guidance*, p. 14

¹⁶ LEAs that receive \$30,000 or more in SSAE funds must spend some SSAE funds on activities that support the effective use of technology. Section 4106(e)(2)(E).

¹⁷ ESSA, Section 4109(a).

¹⁸ For additional resources and tools to support LEAs in implementing these activities, see *ED 2016 SSAE Guidance*, pp. 46-47.

A. Professional Learning

Using the LEAs may use ND funds to provide educators, school leaders, and administrators with the professional learning tools, devices, content, and resources to:

- Personalize learning to improve student academic achievement,
- Discover, adapt, and share relevant high-quality educational resources,
- Use technology effectively in the classroom, including by administering computer-based assessments and blended learning strategies, and
- Implement and support school approaches for using technology to inform instruction, support teacher collaboration, and personalize learning.¹⁹

B. Technological Capacity and Infrastructure

LEAs may use ND funds to build technological capacity and infrastructure, which may include:

- Procuring content and ensuring content quality, and
- Purchasing devices, equipment, and software applications in order to address readiness shortfalls.²⁰

LEAs may not spend more than fifteen percent of the ND funds used for technology on technology infrastructure.²¹

C. Delivering Courses through Technology

LEAs may use ND funds to develop or use effective or innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including digital learning technologies and assistive technology.²²

D. Blended Learning

LEAs may use ND funds to carry out blended learning projects, which must include:

- Planning activities like developing new instructional models (including blended learning technology software and platforms), the purchase of digital instructional resources, initial professional development activities, and one-time information technology purchases (that do not include significant construction or renovation of facilities) (please note all technology infrastructure costs count towards the fifteen percent cap noted above), or
- Ongoing professional development for teachers, principals, other school leaders, or other personnel involved in the project that is designed to support the implementation and academic success of the project.²³

¹⁹ ESSA, Section 4109(a)(1).

²⁰ ESSA, Section 4109(a)(2).

²¹ ESSA, Section 4109(b).

²² ESSA, Section 4109(a)(3).

²³ ESSA, Section 4109(a)(4).

E. Professional Development on Use of Technology in STEM Areas

LEAs may use ND funds to provide professional development in the use of technology (which may be provided through partnerships with outside organizations) to enable teachers and instructional leaders to increase student achievement in STEM areas.²⁴

F. Access to Digital Learning Experiences

LEAs may use ND funds to provide students in rural, remote, and underserved areas with the resources to take advantage of high-quality digital learning experiences, digital resources, and access to online courses taught by effective educators.²⁵

The Changing Landscape of Juvenile Justice and Education Services

In March 2017, the Utah State Legislature passed an unfunded House Bill, [HB 239](https://le.utah.gov/~2017/bills/static/HB0239.html) (<https://le.utah.gov/~2017/bills/static/HB0239.html>) to reduce the number of youth who might enter state custody by requiring LEAs to service challenging youth in ways other than referring them to state custody.

²⁴ ESSA, Section 4109(a)(5).

²⁵ ESSA, Section 4109(a)(6).

Appendix A: US Dept. of Education Response to Utah's Response for a Waiver



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

JUN 22 2017

Sydnee Dickson, Ed.D.
State Superintendent of Public Instruction
Utah State Office of Education
250 East 500 South
Salt Lake City, UT 84114-4200

Dear Dr. Dickson:

I am writing in response to the Utah State Board of Education's (USBE's) request, pursuant to section 8401(b) of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act, for a waiver of ESEA section 1418(a). Section 1418(a) provides that each State agency receiving funds under Title I, Part D, Subpart 1 of the ESEA (Subpart 1) shall reserve not less than 15 percent and not more than 30 percent of the amount the agency receives under Subpart 1 for any fiscal year to support transition services.

USBE is requesting a waiver of this statutory limit in order to have the flexibility to spend more than 30 percent of their Subpart 1 allocation on transition services if needed. USBE would calculate the transition percentage annually based on State analytics and strategic priorities to meet neglected or delinquent students' needs. USBE stated that waiving the 30 percent limitation on transition services would allow the State to provide transition services to more students, which it would otherwise be unable to do with its State Youth in Custody funds due to State statutory limitations.

After reviewing USBE's request, as well as the supplemental information provided, I find that the waiver request meets the requirements of ESEA section 8401(b)(1). I believe this waiver will provide USBE with the flexibility to provide transition services to a greater number of students identified as being in need of these services, while maintaining or expanding core academic services. Therefore, pursuant to my authority under section 8401 of the ESEA, I am granting USBE a four-year waiver¹ of section 1418(a) of the ESEA through the 2020-21 school year.

Under a waiver of section 1418(a) with respect to use of Title I, Part D funds, USBE would calculate the transition percentages based on State analytics and strategic priorities to meet neglected or delinquent students' needs.

As a condition of receiving this waiver USBE assures that it will:

¹ Under ESEA section 8401(d)(1), waivers may be granted for up to four years.

400 MARYLAND AVE., SW, WASHINGTON, DC 20202
<http://www.ed.gov/>

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

- Continue to provide academic services for the same populations served by ensuring that existing academic services to neglected or neglected students will not be reduced as a result of this waiver request; and
- Annually report to the U.S. Department of Education the percentage reserved for transition activities under ESEA section 1418(a) of Subpart 1.

Thank you for the work you are doing to improve Utah's schools and provide a high-quality education for Utah's students. If you have any questions about this waiver, the contact in my office is Earl Myers. He may be reached at: (202) 453-6716.

Sincerely,



Jason Botel
Acting Assistant Secretary
for Elementary and Secondary Education

Appendix B: Three Agency Memorandum of Understanding (MOU)

MEMORANDUM OF UNDERSTANDING
(INFORMATION SHARING AGREEMENT)
BY AND BETWEEN

THE UTAH DEPARTMENT OF HUMAN SERVICES, THE UTAH STATE OFFICE OF EDUCATION
AND THE UTAH JUVENILE COURT

Effective from September 15, 2014 through July 1, 2019

- A. Parties: This agreement is between the Department of Human Services (DHS), the Utah State Office of Education (USOE), and the Utah Juvenile Court.
- B. Purpose of the Memorandum of Understanding (MOU), GENERAL STATEMENT OF UNDERSTANDING:
1. The purpose of this agreement is for the agencies listed in this MOU, specifically DHS, USOE and the Utah Juvenile Court to share educational data to improve education outcomes for youth in the custody and/or guardianship of DHS, in the residential care of the Division of Juvenile Justice Services (DJJS), in the custody of the Division of Child and Family Services (DCFS), and/or under the jurisdiction of the Utah Juvenile Court. The undersigned understands the following general principles:
 - i. Various agencies within DHS may have custody and/or guardianship of school-aged children in accordance with Utah Code Annotated §53A-1-403;
 - ii. School-aged children may fall under the jurisdiction of the Utah Juvenile Court in accordance with Utah Code Annotated §78A-6-103;
 - iii. When DHS (or any of its divisions) serves as the legal custodian and/or guardian of a child who is a student, DHS, its custodial agencies, caseworkers, case managers or foster parents may inspect and review the child's education record and has the same standing as a parent would have under 20 U.S.C. § 1232g, or the Family Educational Rights and Privacy Act (FERPA). Additionally, the Utah Juvenile Court shall have access to educational records in accordance with the recent amendment to 20 U.S.C. § 1232g, under the Uninterrupted Scholars Act (USA);
 - iv. A DHS caseworker or case manager, Utah Juvenile Court probation officer, or other authorized Utah Juvenile Court employee, providing appropriate identification (such as a DHS employee identification photo identification card or court issued identification) may act as the designee for their respective agencies. In order to provide for the child's educational needs with as little disruption as possible, the employee should be allowed to review the child's education record as soon as possible, and requests for access should be processed as quickly as possible;
 - v. An agency may request educational records for children in the custody of DHS or under the Utah Juvenile Court's jurisdiction. The agencies may share this information via data transfers or system interfaces that meet the data security provisions outlined below provided that the education records, or the personally identifiable information contained in such records of the student will not be disclosed by such agency or organization, except to the individual entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the State or tribal laws applicable to protecting the confidentiality of a student's education records.
 - vi. For the purposes of this MOU, education record means the same as it does in 20 U.S.C. § 1232g (a)(4), and includes but is not limited to test results, grades, special education records, assessments, and attendance;
 - vii. For the purposes of this MOU, the term "school system" refers to any arm of the education system-individual schools, school districts, and/or personnel acting on behalf of the Board, consistent with 1232g (a)(3).

1 of 4

MEMORANDUM OF UNDERSTANDING (INFORMATION SHARING AGREEMENT) BY AND BETWEEN THE UTAH DEPARTMENT OF HUMAN SERVICES, THE UTAH STATE OFFICE OF EDUCATION AND THE UTAH JUVENILE COURT

Background: Research has shown that one of the greatest barriers to education comes from agencies not transferring school records, which ultimately causes the youth to miss large portions of the school year, resulting in poor outcomes. The average length of time required to obtain records was reported to range between 40 and 82 days according to a monograph entitled "Addressing the Unmet Educational Needs of Children and Youth in the Juvenile Justice and Child Welfare Systems" (Leone & Weinberg 2010). In Utah, the same scenarios apply. Youth often have to wait weeks to be enrolled into schools because personnel have to track down records from previous schools. Furthermore, DHS employees or Utah Juvenile Court employees may not be aware of a youth receiving special education services because those records are kept separate from regular education records, and aren't always transferred when a youth comes into custody. This MOU will allow agencies to be able to share educational data to address some of these concerns. Furthermore, gathering and sharing across systems will allow these agencies to monitor whether appropriate services are being provided.

D. Legal Authority for sharing records: Authority for records sharing of educational information is provided in 20 U.S.C. § 1232g, which was amended on January 14, 2013, with the USA, and 20 U.S.C. § 1417(c), which apply to Parts B and C of the Individuals with Disabilities Education Act (IDEA) under the circumstances set forth under the amendment. Further guidance regarding the USA is provided by the U.S. Department of Education entitled "Guidance on the Amendments to the Family Educational Rights and Privacy Act by the Uninterrupted Scholars Act" (May 2014). Additionally, this MOU relies on Utah Code Annotated Subsection 63G-2-206(2) Government Records Access and Management Act (GRAMA) permitting private, protected, or controlled records to be provided to another governmental entity if it is necessary to the performance of that entity's duties and functions, will be used for a purpose similar to the purpose for which the information in the record was collected, and the public benefit outweighs the individual privacy right that protects the record.

E. Provisions of agreement:

1. Access to Data:

i. ACCESS BY THE DEPARTMENT OF HUMAN SERVICES and UTAH JUVENILE COURT TO INFORMATION CONTROLLED BY THE UTAH STATE OFFICE OF EDUCATION:

1. The parties to this MOU understand that the USOE currently maintains individual student data and student performance tests;
2. If the information concerns a student in the custody of DHS, the DHS employee is entitled to education records and/or personally identifiable information about a student without parental consent. A caseworker or other representative of a State or local child welfare agency is authorized to access a student's case plan, as defined in 20 U.S.C. § 1232g(b)(1)(L);
3. If a student is under the jurisdiction of the Utah Juvenile Court, DHS may share education records and/or personally identifiable information about a student with a Utah Juvenile Court employee engaged in addressing the student's education needs;
4. Agencies can share educational records at the agency level for youth in DHS custody, and those under the jurisdiction of the Utah Juvenile Court through system interfaces that meet the data security provisions outlined below.
5. The agencies or entities receiving student records will not re-disclose education records to third parties except as expressly provided in state law.

ii. ACCESS TO INFORMATION AT THE DISTRICT LOCAL EDUCATION AUTHORITY (LEA) LEVEL:

1. Pursuant to this MOU, when a student is in the custody of DHS, each LEA or school shall provide a DHS caseworker or designee, and/or Utah Juvenile Court employee, with the same education record that would be provided to a parent. This includes those records, files, documents, and other materials which contain information directly related to a student and are maintained in an educational agency or institution or by a person acting for such agency or institution. (20 U.S.C. §

2 of 4

1232g(a)(4)(A)). The USOE or LEAs may redact student records that contain information about students who are not the subject of the records requested by DHS as required by law;

2. Pursuant to this MOU, each school shall provide copies of a student's education record to the DHS designee, or Utah Juvenile Court employee upon written or electronic request accompanied by appropriate identification of the employee requesting the information. To the extent that the records can be shared electronically, this MOU contemplates electronic record sharing, digital, and telephonic communications record sharing;
 3. Pursuant to this MOU, an education record shall be provided to a DHS caseworker, or designee as soon possible, upon receipt of an appropriate request and the provision of appropriate identification.
- iii. ACCESS BY THE UTAH STATE OFFICE OF EDUCATION:
1. Pursuant to this MOU, if available, DHS shall provide electronic or hard copy information needed for school enrollment as well as placement information of youth in DHS custody to USOE.
- iv. YOUTH IN CUSTODY COORDINATION:
1. DHS shall provide information to the Youth in Custody (YIC) program, administered through the Utah State Office of Education, that will inform the YIC program about students who are in the custody of DHS;
 2. DHS shall provide timely information to schools/LEAs in support of eligible DHS youth in care in order to meet the educational needs of the custodial school age population and to maintain a safe school environment for all students.
 3. YIC students will be identified by their court case number or their student I.D.

F. Data Transfer:

1. Electronic data may be transferred in the following ways:
 - i. Through interfaces where the data is encrypted in transit and the connection is secure
 - ii. To a specific individual using a secure and encrypted FTP site that is password protected
2. Paper copies will only be given to individuals who show proper identification

G. Data Security:

1. The data will be stored in a password protected database or network location with encrypted drives and/or in the drives of password protected and encrypted workstations.
2. Paper and electronic files will be stored in a physically secure location. A physically secure location is a facility, an area, a room, or a group of rooms within a facility with both the physical and personnel security controls sufficient to protect the data and associated information systems in question. For FERPA data a physically secure location would be located behind barriers of entry, usually two locking doors (for example the data may be locked in a file room in a secured cabinet).
3. Only persons with proper authorization will be allowed to access shared data.
4. Educational records will not be re-disclosed and will not be used for any other purpose other than to improve educational stability unless there is a court order to do so. Additionally, this MOU relies on Utah Code Annotated Subsection 63G-2-206(2) Government Records Access and Management Act (GRAMA) permitting private, protected, or controlled records to be provided to another governmental entity if the requesting entity provides written assurance if it is necessary to the performance of that entity's duties and functions, will be used for a purpose similar to the purpose for which the information in the record was collected, and the public benefit outweighs the individual privacy right that protects the record.


H. Points of Contact:

I. Data Contacts:


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Director of Information Systems,
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Date 9-16-14


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Date 9-18-14

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Date

Aaron Brough
Data and Statistics
/ Data Quality
Manager
USOE
801-538-7922



Date 9/15/2014

II. Administrative Contacts:

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bplatt@utah.gov


Date 9/16/14

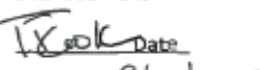
Susan Burke
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sburke@utah.gov


Date 9/19/14

Dawn Marie Rubio, J.D.
Juvenile Court Administrator
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dawnr@utcourts.gov


Date 9/16/14

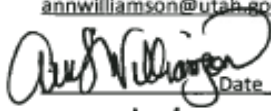
Travis J. Cook
Alternative and
Adult Education
Specialist
USOE
801-538-7849


Date 9/15/2014


i. Termination: This MOU is effective upon the signature of all parties, and shall continue until due date unless modified in writing by the mutual consent of both parties or terminated by either party upon 30 days prior written notice to the other party by certified or registered mail, return receipt requested. DHS-DCFS/DJJS may terminate this MOU without prior notice if deemed necessary because of a requirement of law or policy, upon determination by the Department that there has been a breach of system integrity or security or failure to comply with established procedures or legal requirements.

APPROVAL:

Ann Silverberg Williamson
Executive Director
Department of Human Services
801-538-4017
annwilliamson@utah.gov


Date 9/17/14

Joel Coleman
Interim State Superintendent
Utah State Office of Education
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Date 9/12/2014

Daniel J. Becker
State Court Administrator
801-578-3800
danb@utcourts.gov


Date 9/16/2014

Appendix C: Minimum Qualifications of Education Transition & Career Advocates (ETCAs)

ETCA Minimum Qualifications

1. Experience working with adolescents
2. Experience working with school systems
3. Preferred working experience with the Division of Juvenile Justice Services
4. Preferred experience in successfully working in highly interdependent, collaborative work environments
5. Preferred Bachelor's Degree and 3 years of experience in Public Education with emphasis in School Counseling
6. Minimum of Associates Degree in Education or related human service field

Declaration of Responsibilities

Transition refers to a coordinated, outcome-based set of mostly, but not exclusively, aftercare services for youth in the juvenile justice system or justice system. Much of the framework for successful transition services occur while the youth are still in custody. Transition services help youth achieve social adjustment, employment, and educational success once they leave the juvenile justice system. The ultimate goal of transition interventions is to promote successful re-integration of juveniles into the community, educational sites and family.

Key components of successful transition efforts include, at minimum, the following:

1. A consistent, well-coordinated (with DJJS, LEAs and others), transition planning process before, during and after student releases occur with ETCA's having priority focus on education-related services,
2. Curricular support education-related transition planning and activities,
3. Tracking and monitoring student progress before and after student releases, and
4. Planned sequences of services after release.

Purpose

The purpose of the Education Transition and Career Advocate (ETCAs) position is to work collaboratively, taking the lead as necessary, to develop targeted, individualized, student education-related transition plans with Juvenile Justice Service (JJS) and Department of Corrections (DOC), students, families, JJS staff, community services and educational providers, employers, and others to implement strategies to successfully transition each JJS student exiting juvenile correction settings to further educational and employment/career opportunities that meet the individual, often fluctuating, student's needs.

The ETCA will do the following:

1. Develop customized exit/transition plans with and for all students as they enter juvenile custody, which will be ongoing coordinated processes with Case Management, TSS (Transition Support Services), families, and other relevant parties throughout the youths' custodial stay and through their transition placement(s);
2. Take students through processes of intake, finding interests, establishing goals, and making a viable, customized exit plan for each student.
3. Know how to develop and to flex with creating cooperative relationships with other professionals such as, but not limited to, school counselors, DJJS, DOC, families, and other agencies that serve the same students;

4. Coordinate all transition efforts with professionals and specialists during the youth's incarceration, and transition trial period;
5. Participate in CFTM (Child and Family Team Meetings) with the youth and other team members;
6. Attend Progress and Parole hearings and report on progress as needed;
7. Assure that individual student CCR (College Career Readiness) plans are completed;
8. As appropriate, assure completion of – but not necessarily conduct – TABE, SAT, ACT, and/or Accuplacer;
9. Facilitate unique educational opportunities from external sources such as universities, Utah Film Center, etc.
10. Assure students receive, or instruct students in the use of UtahFutures.org curriculum and assist youth in refining their career and education directions;
11. Coach and, as needed, provide students with assistance in career research, education planning, guest speakers, etc.;
12. Share critical student-progress information with parents, teachers, counselors, case workers, secure staff, and next placement.
13. Coach and assist students with enrollment processes for secondary, postsecondary, apprenticeship, work-based, and other forms of education/training – including completion of financial aid applications (FAFSA) as necessary;
14. Assist professional staff in Secure Care, Case Management, and TSS with Job Training and Preparation of students;
15. Assist students in developing a resume for employment purposes;
16. As appropriate, facilitate completion of Selective Service Registration;
17. Assist students in application processes for Vocational Rehabilitation (VR), Department of Workforce Services (DWS) or other community resources that students need to explore, may have interest in, or have access to including but not limited to faith-based organizations;
18. Create a comprehensive Transition packet for students containing the students school ID, current transcripts, school admissions information, all certificates of achievement, resume, and other relevant information that you have helped students to acquire and/or complete;
19. Keep an extra electronic copy of the students transition packet.
20. Guide and support students as they navigate and struggle with school (re)enrollment and (re)integration into regular school settings as opportunities for such is created for each student;
21. Provide liaison services between in-school and out-of-school advocates to act on behalf of the individual youth who have been incarcerated;
22. Provide student support through 15-day, 30-day, 60-day, and 90-day follow ups with each exiting student in determining the success of the student's transition to a less restrictive environment and onto his/her next logical, positive steps;
23. Gather detailed information about each student, summarizing and reporting the required data to the LEA, JJS site and USOE annually;
24. Work closely with other juvenile custody sites and share all documented information when a youth moves from your facility to another;
25. Share experiences with other ETCA's, DJJS staff and others and attend ALL training as requested;
26. Seek ways to make continuous quality improvements.

Appendix D: Glossary of Terms

1. **AdvancEd:** a non-profit, non-governmental organization that accredits primary and secondary schools throughout the United States and internationally
2. **AIR:** American Institutes for Research
3. **CFR:** Code of Federal Regulations (CFR) is the codification of the general and permanent rules and regulations (sometimes called administrative law) published in the Federal Register by the executive departments and agencies of the federal government of the United States.
4. **CSPR:** Consolidated State Performance Report that is a summary of program outcomes under federally-specified headings into which key indicator data are entered and reported to the US Department of Education.
5. **CTE:** Career and Technical Education
6. **DHS:** Department of Human Services (DJJS is a sub unit thereof)
7. **DJJS:** Division of Juvenile Justice Services
8. **EBPs:** Evidence-Based Practices from section 8101(21)(A) of the ESEA means an activity, strategy, or intervention that demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on: (1) strong evidence from at least one well-designed and well-implemented experimental study; (2) moderate evidence from at least one well-designed and well-implemented quasi-experimental study; or (3) promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias; or (4) (a) demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and (b) includes ongoing efforts to examine the effects of such activity, strategy, or intervention.
9. **ED:** The United States (federal) Department of Education
10. **EDGAR:** Education Department General Administrative Regulations contains the regulations that govern federal education grants.
11. **ESEA:** The Elementary Secondary Education Act (ESEA) was signed into law in April 1965 by President Lyndon B. Johnson. ESEA established the Title I program as part of the War on Poverty.
12. **ESSA: The Every Student Succeeds Act (ESSA)** represents the latest Congressional reauthorization of the Elementary Secondary Education Act. The ESSA was signed into law on December 10, 2015, by President Barack Obama.
13. **ETCA:** Education Transition and Career Advocates (LEA transition specialists)
14. **FTS:** Federal-to-state (ratio of expending ND dollars supported by the much larger state YIC funds)

15. **IDEA:** The Individuals with Disabilities Education Act
16. **LEA:** Local Education Agency represents a local school district, a charter school that operates multiple campuses, or a single campus charter school.
17. **MOE:** Maintenance of Effort
18. **ND, N or D:** Neglected or Delinquent (also known as “T1PD”)
19. **NCLB:** The No Child Left Behind (NCLB) Act was the 2001 Congressional reauthorization of the ESEA. It was signed into law by President George W. Bush.
20. **SAS:** Student Advocacy Services is a section of the USBE which includes three teams: Federal and Special Programs; Adult and Alternative Education; and Counseling, Equity, and Prevention.
21. **SEA:** State Education Agency, i.e., in Utah this is the office of the Utah State Board of Education.
22. **SNS:** Supplement not Supplant
23. **Title I, Part D:** Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent, or At-risk (federal funding, used interchangeably herein as “ND”)
24. **TSS:** (DJJS) Transition Services Specialists
25. **UCJC:** Utah Criminal Justice Center (a collaborative partnership between the University of Utah and the Utah Commission on Criminal and Juvenile Justice)
26. **USBE:** The Utah State Board of Education and its staff.
27. **UTREx:** Utah (student) Record Exchange (system)
28. **YIC:** Youth In Custody (state funds providing 9 months of schooling for ND students)