

**Fiscal Year (FY) 2015 U.S. Department of Education
Office of Safe and Healthy Students' Monitoring Report on
the Maryland State Department of Education's
Title I, Part D Neglected, Delinquent or At-Risk Program and
Title VII-B Education for Homeless Children and Youth Program**

Scope of Review: During April 13-16, 2015, a review team from the U.S. Department of Education's (ED's) Office of Elementary and Secondary Education, Office of Safe and Healthy Students (OSHS) monitored the Maryland State Department of Education's (MSDE's) administration of the Title I, Part D Neglected, Delinquent or At-Risk (Title I, Part D) program authorized by the Elementary and Secondary Education Act of 1965, as amended (ESEA), and the Title VII-B Education for Homeless Children and Youth program (EHCY) under the McKinney-Vento Homeless Assistance Act.

Previous Monitoring: ED reviewed MSDE's Title I, Part D and EHCY programs during the week of February 11-22, 2008. Both programs met requirements under all indicators at that time.

General State Educational Agency (SEA) Monitoring Requirement

A State's ability to fully and effectively implement program requirements under Title I, Part D and the EHCY program is directly related to the extent to which it is able to regularly monitor its subgrantees and provide quality technical assistance based on identified needs.

Federal law does not specify the particular method or frequency with which States must monitor their grantees, and States have a great deal of flexibility in designing their monitoring systems. Whatever process is used, it is expected that States have mechanisms in place sufficient to ensure that they are able to collect and review critical implementation data with the frequency and intensity required to ensure effective and fully compliant programs under both Title I, Part D and the EHCY programs.

Under 34 C.F.R. § 80.40¹, grantees must monitor grant and subgrant supported activities to assure compliance with applicable Federal requirements. Additionally, section 9304(a) of the ESEA requires that the SEA provide assurances, including assurances that (1) programs authorized under the ESEA are administered in accordance with all applicable statutes, regulations, program plans, and applications; and (2) the State will use such fiscal control and funds accounting procedures as will ensure the proper disbursement of, and accounting for, Federal funds paid to the state.

Status: MSDE has met the monitoring requirements under 34 C.F.R. § 80.40 for both programs.

¹ A commensurate requirement is contained in the Office of Management and Budget's new Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) at 2 C.F.R. § 200.328, which applies to the Title I, Part D and EHCY programs beginning with the grant awards made on or after July 1, 2015.

Emerging Practices: OSHS considers emerging practices to be operational activities or initiatives that contribute to successful outcomes or enhance agency performance capabilities. Emerging practices are those that have been successfully implemented and demonstrate the potential for replication by other agencies.

Typically, emerging practices have not been evaluated as rigorously as "promising," "effective," "evidence-based," or "best" practices but still offer ideas that work in specific situations. As a result of its monitoring activities, OSHS identified the following emerging practices for MSDE:

- MSDE has a comprehensive desk monitoring protocol with clear and concise instructions that it requires all facilities and/or agencies selected for monitoring to follow. Facilities or agencies with more than one site are required to submit completed desk monitoring protocol forms from each site. In addition, MSDE has developed a monitoring checklist and feedback forms that are directly aligned with Title I, Part D program indicators to facilitate a smooth and complete monitoring process.
- The educational programs at both the Maryland Department of Labor, Licensing and Regulation (DLLR) and MSDE's Juvenile Services Education (JSE) are highly focused on improving academic achievement, supporting successful transitions for exiting youth, and exploring a wide variety of options with youth to help them continue their education and obtain professional skills that can lead them to productive careers. Furthermore, cooperative agreements with local colleges and vocational programs and strong linkages to services offered at Maryland One Stop Career Centers (including providing the names and contact information for re-entry transition specialists working at the One Stop Centers) strengthen the likelihood of success for youth returning to their communities.
- MSDE has a system of monitoring all local educational agencies (LEAs) for McKinney-Vento requirements every two years and all grantee LEAs every two years.
- MSDE has implemented an annual grantee evaluation report that asks EHCY grantees to reflect on progress toward the past year's goals and what could be improved in the second year. Two of the LEAs interviewed for the EHCY program conducted additional data analysis and evaluation activities, including data points of interest to ED such as students on track to graduate and attendance rates, including chronic absenteeism.

Monitoring Area: Title I, Part D

In its review of the Title I, Part D program, the ED team examined:

- the State's application for funding, procedures and guidance for State agency (SA) applications under Subpart 1, including institution-wide project plans, and LEA applications under Subpart 2;
- technical assistance provided to SAs and LEAs;
- the SEA's oversight and monitoring plan and activities; and

- SA and LEA subgrant plans and local evaluations for projects in the DLLR and JSE programs and Baltimore County and City Public Schools;

The ED team interviewed LEA staff of Part D, Subpart 2 programs in the school districts of Baltimore County Public Schools (Baltimore County) and Baltimore City Public Schools (Baltimore City). The ED team also interviewed Title I, Part D, Subpart 1, State agency representatives from the MSDE's JSE program and DLLR. The Title I, Part D State coordinator was also interviewed to confirm information obtained at the local sites and discuss administration of the program.

Based on their review, ED has the following observations and recommendations:

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.

Recommendation 1.1.1

Observation: In a review of Maryland's 2013-2014 Consolidated State Performance Report (CSPR) section 2.4.1.3.2 which includes data on Academic and Vocational Outcomes While in the State Agency Program/Facility or Within 90 Calendar Days After Exit, there were missing and incomplete data, posing a significant barrier to accurately assessing student academic progress. MSDE explained that these data were not available due to the transition in facility administration from the Department of Juvenile Justice to the MSDE, a shift in students at different facilities, and various programmatic changes.

Recommendation: MSDE should provide technical assistance to assure that new administrators clearly understand proper procedures for collecting and reporting CSPR data. MSDE should also provide technical assistance to subgrantees on how to evaluate Title I, Part D-funded programming and activities by using Title I, Part D specific performance data to evaluate the effectiveness of those activities in improving performance on Title I, Part D outcome measures required for the CSPR. One way to further this effort is to ask subgrantees for an annual program evaluation that accounts for any change in performance of the previous two year's Part D program performance data to be included in the annual grant application from each SA and LEA that receives a subgrant or in a final grantee report for the performance period.

Indicator 2.1 - The SEA ensures that SA programs for eligible students meet all requirements, including facilities that operate institution-wide projects.

Recommendation 2.1.1

Observation: DLLR, which oversees a correctional education program for approximately 1,000 youth under the age of 21 who are incarcerated at an adult facility, stated that the facility is not authorized by MSDE to offer high school credit to youth at their facility. While youth at the facility have the option of working toward obtaining their GED, and facility educators are seeing positive results in their GED program, there is not an option for incarcerated youth to earn credit toward a regular high school diploma.

Recommendation: Section 1414(a)(2)(B) of the ESEA states that, to the extent feasible, neglected, delinquent and at-risk youth served by Subpart 1 funding will have the same opportunities to achieve as such children would have if such children were in the schools of LEAs in the State. Therefore, ED recommends that MSDE work with DLLR to explore whether it is feasible to offer options such as a curriculum and courses that could award credits toward a Maryland high school diploma or online credit recovery that would allow youth in adult facilities who have already obtained a high number of credits toward graduation to complete the necessary credits for their high school diploma.

Indicator 2.2 - The SEA ensures that LEA programs for eligible students meet all requirements.

Recommendation 2.2.1

Observation: Some of the applications reviewed had very limited narrative information and included only partial lists of Federal, State, and local organizations or programs without any description of how they would be coordinated.

Recommendation: Under section 1423 of the ESEA an LEA application for Subpart 2 funds must include descriptions in a variety of areas related to the Subpart 2 program. For example, under section 1423(a) an LEA must, as appropriate, describe how schools will coordinate with existing social, health, and other services to meet the needs of students served under the Subpart 2 program. In meeting this requirement, ED recommends that MSDE encourage LEAs to include more detailed narrative descriptions for required and optional application elements that include a description of, for example, the program to be assisted and how coordination with other Federal, State, and local programs will be carried out. Guidance on acceptable narratives could be included in an application review checklist.

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.

Recommendation 3.1.1

Observation: The program budgets included with applications did not clearly identify the amount and use of transition set-aside funds. It was difficult to determine how MSDE verified that set-aside amounts met the required 15 to 30 percent of the subgrant award amount.

Recommendation: Section 1418 of the ESEA requires that each SA reserve not less than 15 percent or more than 30 percent of the amount it receive in any year under Subpart 1 to support transition services. Related to this requirement, ED recommends that the MSDE revise its SA application to ensure a clearer connection between the amount of the subgrant award and transition set-aside amounts, narrative description of the transition services being provided, and the budget line items for these services.

Table 1. Summary of Monitoring Results for the Title I, Part D Neglected, Delinquent or At-Risk Program

Indicator Number	Description	Status	Page
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.	Met Requirements 1 Recommendation	3
2.1	The SEA ensures that SA programs for eligible students meet all requirements, including facilities that operate institution-wide projects.	Met Requirements 1 Recommendation	4
2.2	The SEA ensures that LEA programs for eligible students meet all requirements.	Met Requirements 1 Recommendation	4
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.	Met Requirements 1 Recommendation	5

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.	Met Requirements	N/A
-----	--	------------------	-----

Monitoring Area: McKinney-Vento Homeless Education Program

In its review of the EHCY program, the ED team examined:

- the State’s procedures and guidance for the identification, enrollment, and retention of homeless students;
- technical assistance provided to LEAs with and without subgrants;
- the State’s McKinney-Vento application; and
- LEA applications for subgrants and local evaluations for projects in Baltimore County and Howard County Public Schools, as well as the local liaisons and staff from Baltimore City, a non-subgrantee school district.

The ED team also interviewed the McKinney-Vento State coordinator to confirm information obtained at the local site and discuss administration of the program.

Based on their review, ED has the following observations and recommendations:

Indicator 3.1 - The SEA ensures that LEA subgrant plans for services to eligible homeless students meet all requirements.

Recommendation 3.1.1

Observation: The ED team heard from both subgrantees that the Grant Award Notifications(GAN), signaling final approval of the project proposal and budget, were issued very late, more than six months after ED made the EHCY funds available to SEAs. One LEA reported getting their GAN with the final award amount in March 2015, almost nine months after ED made the funds available. Both subgrantees mentioned having to rely on access to the optional ESEA Title I, Part A LEA set-aside for educationally-related support services for homeless students (Title I set-aside) enrolled in both Title I and non-Title I schools until the final GAN was issued.

Recommendation: Given the lengthy SEA processes for approving a subgrant, ED recommends that the EHCY subgrant competition happen between April and June so that the MSDE can begin awarding subgrants before the school year starts in late August and ideally soon after ED makes the funds available on July 1.

Recommendation 3.1.2

Observation: One subgrantee had budgeted nearly three-quarters of this year’s grant amount on a supplemental summer camp serving only two percent of the identified homeless students enrolled in the district rather than more fully addressing the educational needs of all homeless students enrolled in the district.

Recommendation: Although summer programs are included among the activities which an LEA is authorized to carry out under section 723(d) of the EHCY program statute, allowing the majority of the grant project to be focused on one activity, or having a very small percentage of identified homeless students served by the subgrant does not address the range and extent of educational needs of all the homeless students in a district. Thus, ED recommends that the MSDE encourage LEAs to provide a greater distribution of funded activities to address the range of homeless students enrolled or residing in the district and their educational needs.

Table 2. Summary of Monitoring Results for the Title VII-B Education for Homeless Children and Youth Program

Indicator Number	Description	Status	Page
Indicator 1.1	The SEA conducts monitoring and evaluation of LEAs with and without subgrants, sufficient to ensure compliance with McKinney-Vento program requirements.	Met Requirements	N/A
Indicator 2.1	The SEA implements procedures to address the identification, enrollment, and retention of homeless students through coordinating and collaborating with other program offices and State agencies.	Met Requirements	N/A
Indicator 2.2	The SEA provides, or provides for, technical assistance to LEAs to ensure appropriate implementation of the statute.	Met Requirements	N/A
Indicator 3.1	The SEA ensures that LEA subgrant plans for services to eligible homeless students meet all requirements.	Met Requirements 2 Recommendations	6-7
Indicator 3.2	The SEA complies with the statutory and other regulatory requirements governing the reservation of funds for State-level coordination activities.	Met Requirements	N/A
Indicator 3.3	The SEA has a system for ensuring the prompt resolution of disputes.	Met Requirements	N/A