

**Fiscal Year (FY) 2015 U.S. Department of Education
Office of Safe and Healthy Students' Monitoring Report on
the Nevada 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 May 4-6, 2015, a review team from the U.S. Department of Education 's(ED's) Office of Elementary and Secondary Education's, Office of Safe and Healthy Students (OSHS) monitored the Nevada State Department of Education's (NDE's) administration of the Title I, Part D program authorized by the Elementary and Secondary Education Act of 1965 (ESEA), as amended and the Education for Homeless Children and Youth (EHCY) program authorized under Title VII, Subtitle B, of the McKinney-Vento Homeless Assistance Act.

Previous Monitoring: ED reviewed NDE's Title I, Part D and EHCY programs during the week of April 16-20, 2007. ED determined that NDE's procedures for monitoring its LEAs were insufficient to ensure that LEAs were operating in compliance with requirements related to the programs reviewed.

In addition, ED identified one compliance finding for Title I, Part D: Fiduciary oversight by the State educational agency (SEA) (transition services reservation of 15% -30%). For McKinney-Vento, the following findings were identified:

- appropriate implementation of statute (designation of local educational liaison for homeless children and youth,
- plans for services to homeless students meet all requirements (use of grant funds to defray excess cost of transportation), and
- compliance with McKinney-Vento program requirements (monitoring LEAs without subgrants).

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

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 NDE:

- NDE has developed a supplemental form that it requires as part of the State agency (SA) application that clearly documents the required transition set-aside of no less than 15% and no more than 30% by listing the amount of funding spent on transition services in relation to the total amount of the grant award. This makes it easier for SAs and NDE to ensure that transition funding requirements are met and that these funds are spent on acceptable transition activities and services.
- In its application for Subpart 2 funding, one of the local education agency (LEA) programs outlined clear and measurable objectives for improving student outcomes in the following areas:
 - number of youth re-entering educational settings;
 - student attendance; number of school credits earned; and
 - completion of work readiness program, and reducing recidivism.

This LEA uses available data to evaluate educational programs to make necessary improvements. This type of data analysis and strategic planning can be critical to ensuring that student needs are met and helps program administrators gauge progress toward improving youth outcomes.

- The Washoe County School District (WCSD) McKinney-Vento or Child in Transition program is a good example of district-wide planning and coordination

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.

across multiple programs, funding streams, and community resources for identifying and serving homeless children and youth. Furthermore, the district has been proactive in presenting on their approach to other districts through State and national venues and using what they learn to improve their model.

Monitoring Area: Title I, Part D

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

- the SEA’s application for funding, procedures and guidance for SA applications under Subpart 1, including institution-wide project plans, and LEA applications under Subpart 2;
- SEA 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 WCSD and Clark County School District (CCSD) and the Youthful Offender Program (Clark County), C.O. Bastian High School (Lincoln County), Independence High School (Nevada Division of Child and Family Services, DCFS).
- The ED team interviewed LEA staff of Title I, Part D, Subpart 2 programs CCSD and the WCSD. The ED team also interviewed Title I, Part D, Subpart 1 grantees from the Clark County Youthful Offender program, C.O. Bastian High School, and Independence High School. 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, recommendations, finding and corrective action:

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: As indicated in Nevada’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,” the data for academic and vocational outcomes while in the SA program facility were exactly the same as outcomes within 90 days after exit. The data also indicated a significant drop in the number of outcomes for Adult Corrections. Furthermore, none of the subgrantees mentioned using the Title I, Part D performance data to evaluate the effectiveness of the Title I, Part D program.

Recommendations: NDE should review the outcome data to confirm its accuracy, and if necessary provide technical assistance to assure that new administrators clearly understand effective procedures for: (1) collecting and reporting CSPR data and (2) using

the comments field to explain any significant fluctuations in data due to policy changes or other program modifications.

NDE 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.

Finding 2.1.1

Legal Requirement: Under section 1411 of the ESEA an SA is eligible to receive Subpart 1 funds if it is responsible for providing free public education for children and youth in institutions for neglected and delinquent children and youth, attending community day programs for neglected and delinquent children and youth, or in adult correctional facilities. Consistent with the *Title I, Part D: Neglected, Delinquent, and At-Risk, Nonregulatory Guidance* (2006)(available at <http://www2.ed.gov/policy/elsec/guid/nord.doc>), an SA may provide educational services either directly or through contracts or other arrangements with another SA, an LEA, a junior or community college, a private provider, or a university.

Finding: NDE made Subpart 1 subgrants directly to 2 LEAs and one SA facility rather than to eligible SAs, in this case the Nevada DCFS and Nevada Department of Corrections, that are responsible for the education of the children and youth in its residential institutions. These SAs may provide Subpart 1 services through their own arrangements with an LEA, but the SEA cannot make Subpart 1 awards directly to LEAs with one exception outlined in the Nonregulatory Guidance (Question B-4) which did not apply to NDE.

Required Actions:

1. NDE must provide evidence that the SAs have applied for and been approved to receive Subpart 1 funding to serve students at the facility schools that had previously been funded through LEA applicants.
2. NDE must provide copies of Grant Award Notifications to State Agencies for FY 2016 and an assurance that no LEAs are receiving Subpart 1 funds.

Recommendation 2.1.1

Observation: The SEA interview indicated a need for more communication and coordination between the SEA and the Nevada Department of Child and Family Services

(DCFS) Office of Juvenile Justice services (which administers state-operated juvenile facilities and provides supervision of youth upon release to their communities) in order to ensure that all Title I, Part D eligible institutions are aware that they may apply for funding.

Recommendation: NDE should improve its communication and coordination with both DCFS and the Nevada Department of Corrections (DOC) to ensure that both are aware of available Title I, Part D funding as well as the eligibility requirements and application process for SAs.

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

Recommendation 2.2.1

Observation: There was conflicting information between the CCSD application, child count documents, and information provided by LEA representatives regarding which facilities were being supported with Subpart 2 funds. For example, the CCSD application for Juvenile Court Services describes services provided at short term detention centers but does not specify which detention centers are served. During the LEA interview, CCSD representatives stated that nearly all students at the Spring Mountain Youth Camp correctional facility pass through the Clark County Detention Center (CCDC). In addition, the CCDC and another facility, Child Haven, appear on a list of institutions to be served in the demographic information form included in their LEA application. However, when further clarification was requested, CCSD stated that no Title I, Part D funds were spent on services at CCDC or Child Haven.

Recommendation: NDE should provide additional technical assistance to LEA applicants regarding the narrative descriptions of the programs they serve. Descriptions should include information about the type of facility served, the educational services provided, and the goals and objectives of the program. Anyone reading the program description in the application should be able to easily determine which services are being provided and how and where they are being provided. In addition, NDE should request that LEA grantees submit an addendum to their application any time if there are changes in the facilities served by the LEA so that NDE is always informed regarding the provision of Subpart 2 services with grant funds.

**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	3-4
2.1	The SEA ensures that SA programs for eligible students meet all requirements, including facilities that operate institution-wide projects.	1 Required Action 1 Recommendation	4-5
2.2	The SEA ensures that LEA programs for eligible students meet all requirements.	Met Requirements 1 Recommendation	5
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	N/A
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 SEA’s procedures and guidance for the identification, enrollment, and retention of homeless students;
- SEA technical assistance provided to LEAs with and without subgrants;
- the SEA’s McKinney-Vento State plan; and
- LEA applications for subgrants and local evaluations for projects in the CCSD and WCSD, as well as the local liaisons and staff from a non-subgrantee school district, Lyon County 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 the review, ED did not identify any findings or observations.

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	N/A
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