



SPENDING GUIDE

TITLE I, PART D

Prevention and Intervention Programs for Children
& Youth Who Are Neglected, Delinquent or At-Risk

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General Spending Considerations

There are three general issues that affect LEA spending under the program 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 program¹. 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.² The UGG affects ED grant spending in a number of ways. It:

- Lists costs that may never be paid for with federal funds.³ For example, federal funds can never pay for alcohol⁴ and typically cannot pay for lobbying.⁵
- Lists general criteria all costs supported with federal funds must satisfy.⁶ For example, federal funds can only pay for costs that are allocable to the relevant grant.⁷
- Sets additional requirements for certain costs supported with federal funds.⁸ 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.⁹
- Sets rules for how LEAs procure goods and services with federal funds,¹⁰ how they track items paid for with federal funds,¹¹ and the kinds of records they must keep about their grant spending.¹²

Second, activities supported by ED funds must be consistent with the LEA's application for funds approved by the SEA.¹³

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).

¹ 2 CFR 200.403(a)

² The Uniform Grant Guidance (UGG) is contained in Part 200 of Title 2 of the [Code of Federal Regulations](#) U.S. Department of Education's [Technical Assistance for ED Grantees](#) contains more Federal guidance and other resources about the UGG

³ See 2 CFR Part 200, Subpart E

⁴ 2 CFR § 200.423

⁵ 2 CFR § 200.450

⁶ See 2 CFR § 200.403

⁷ 2 CFR § 200.403(a)

⁸ See 2 CFR §§ 200.420-200.475

⁹ 2 CFR § 200.430

¹⁰ 2 CFR §§ 200.317-200.326

¹¹ 2 CFR §§ 200.313-200.314

¹² See, for example, 2 CFR § 200.318(h)(i) for procurement records or 2 CFR § 200.302(b)(3) for financial records

¹³ 34 CFR § 76.700

Resources

There are several resources available to Title I, Part D coordinators to assist in determining the allowability of a cost. Below are a few of these resources. This Spending Guide is meant to condense the information provided in these resources for ease of decision making.

[Title I, Part D Non-Regulatory Guidance](#) - This updated guidance addresses key program requirements for the educational provisions for students who are neglected, delinquent, or at-risk under Title I, Part D. It takes the form of frequently asked questions from State educational agencies, State agencies, local educational agencies, and their partners to help ensure that students in State and local facilities for neglected and delinquent children receive the necessary resources to thrive academically.

[NDTAC Use of Funds Tipsheet](#) - This tipsheet walks through decision points to consider when determining the allowability of a cost.

[NDTAC Tip Sheet – The Use of Title I, Part D Funds – Decision Making](#) - This tip sheet describes the purpose of the Title I, Part D (TIPD) program; how TIPD funding can be used; steps to take when reviewing and approving proposed uses of TIPD funds; and examples of allowable and unallowable uses of funds.

[Unallowable Costs under UGG](#) - This word document lists all the cost principles and related unallowable costs under UGG.

Spending Title I, Part D Funds

To understand the allowability of a cost for Title I, Part D, it is important to understand the purpose of the program and its supplement, not supplant provision as outlined in the ESEA Section 1415(b).

The purpose of Title I, Part D is to:

- (1) improve educational services for children and youth in local, tribal, and State institutions for neglected or delinquent children and youth so that such children and youth have the opportunity to meet the same challenging State academic standards that all children in the State are expected to meet;
- (2) provide such children and youth with the services needed to make a successful transition from institutionalization to further schooling or employment; and
- (3) prevent at-risk youth from dropping out of school, and to provide dropouts, and children and youth returning from correctional facilities or institutions for neglected or delinquent children and youth, with a support system to ensure their continued education and the involvement of their families and communities.¹⁴

The supplement, not supplant provision states:

A program under this subpart that supplements the number of hours of instruction students receive from State and local sources shall be considered to comply with the supplement, not supplant requirement of section 1118 (as applied to this part) without regard to the subject areas in which instruction is given during those hours.¹⁵

¹⁴ ESEA 1401(a)

¹⁵ ESEA 1415(b)

In essence, the provision means programs and projects under Title I, Part D must be carried out in a manner consistent with ESEA section 1118, which includes the supplement, not supplant requirement for Title I, Part A. A subgrantee must use Title I, Part D funds to provide services that supplement, not supplant, those services that would, in the absence of these funds, be provided for the education of children and youth participating in the program.

Title I, Part D funds may be used to increase the total number of hours of instruction that students receive from State and local sources, regardless of the subject areas in which instruction is given during those hours. In other words, so long as the subgrantee uses its funds to provide supplemental activities (i.e., beyond the regular program of instruction), the subgrantee complies with the supplement, not supplant requirement.

Guiding Questions

For each proposed use of Title I, Part D funds, the subgrantee should consider the following questions:

1. Does the expense align with the purpose of the Title I, Part D program?
2. Is the expense supplemental to what would be provided in the absence of Title I, Part D funds?
3. Does the expense align with the goals and objectives of [Alaska's State Plan](#)?
4. Does the expense align with the needs of the students/ the institution-wide program, as determined through a comprehensive needs assessment?
5. Will the proposed use of funds improve outcomes for the students served?
6. Is the amount of Title I, Part D funds to be spent on this suggested use reasonable given its proportion of the subgrantee's or facility's overall Title I, Part D allocation?
7. Are there other potential funding sources (e.g., state or district funds) available to pay for the proposed use of funds?

Subparts

SUBPART 1

Subpart 1 is funding for students residing in State operated juvenile facilities. For a student to be eligible to be served by Title I, Part D subpart 1 funds, they must be:

1. 21 years of age or younger;¹⁶
2. Entitled to free public education up to grade 12;¹⁷, and
3. Enrolled in a regular program of instruction at either an eligible institution or community day program for the required length of time (20 hours per week if in an institution or community day program for youth who are neglected or delinquent; 15 hours per week if in an adult correctional institution)¹⁸.

¹⁶ 34 C.F.R. §§ 200.90(a) & 200.103(b)(1)

¹⁷ 34 C.F.R. §§ 200.90(a) & 200.103(b)(1)

¹⁸ ESEA 1412(a)(1)(A); 34 C.F.R. § 200.90(b)

Allowable Uses of Funds

Funds can be spent on the following activities¹⁹:

- ✓ Educational services – supplemental activities and programs that respond to the educational needs of participants and assist participants in meeting the challenging State academic standards.
- ✓ Transition services – activities and programs that assist students in transitioning to graduation, CTE programs, further education, or employment.

Example Uses of Funds

- Additional staff to provide supplemental instruction
- Mentoring (cultural, academic, or career)
- Evidence-based after, or before school, tutoring
- Service-learning opportunities
- Academic enrichment activities
- Reading or math interventions
- Career and technical education programs
- Professional development for improving the quality of educational services
- Preplacement programs, such as auditing a college course
- Worksite school participation
- Personal, career and technical, and academic, counseling
- Placement services designed to place the youth in a university, or college program
- Assistance in obtaining available student financial aid
- Job placement services
- Dual enrollment courses

SUBPART 2

The following youth are eligible to be served with Title I, Part D subpart 2 funds²⁰:

1. Youth age 21 and younger who reside in a locally operated correctional facility;
2. Youth returning from correctional facilities to attend a school in their district; and
3. Other at-risk children and youth in local schools.

Allowable Uses of Funds

Funds can be spent on the following activities²¹:

- ✓ Programs that serve children and youth returning to local schools from correctional facilities, to assist in the transition of such children and youth to the school environment and help them remain in school in order to complete their education;
- ✓ Dropout prevention programs which serve at-risk children and youth;
- ✓ The coordination of health and social services for such individuals if there is a likelihood that the provision of such services, including child care, drug and alcohol counseling, and mental health services, will improve the likelihood such individuals will complete their education;
- ✓ Special programs to meet the unique academic needs of participating children and youth, including career and technical education, special education, career counseling, curriculum-based youth entrepreneurship education, and assistance in securing student loans or grants for postsecondary education;

¹⁹ ESEA 1415, & Non-Regulatory Guidance, #G-1

²⁰ Non-Regulatory Guidance, #N-1

²¹ ESEA 1424, & Non-Regulatory Guidance, #O-1

- ✓ Programs providing mentoring and peer mediation; and
- ✓ Programs for at-risk Indian children and youth, including such children and youth in correctional facilities in the area served by the district that are operated by the Secretary of the Interior or Indian Tribes.

Example Uses of Funds

- Mentoring
- Dual enrollment courses
- CTE and certification programs
- Summer learning opportunities
- Online programs that align with the allowable uses of funds
- GED prep courses
- Point of contact to assist with transition related activities such as re-enrollment, records transfers, coordination of services, academic support, and post-secondary planning
- Coordination of health and social services including day care, drug and alcohol counseling, and mental health services,

Unallowable Uses of Funds

As noted above, all uses of funds must align with the requirements set forth by the UGG. Additionally, districts should carefully consider the provided [Guiding Questions](#) when determining the allowability of an item. Here are a few uses of funds examples that would not be allowable under Title I, Part D:

- ⊗ Core teachers or staff not providing supplemental instruction
- ⊗ Professional development for staff not working in the Title I, Part D program
- ⊗ Required textbooks, or materials
- ⊗ Activities that do not have clear programmatic alignment
- ⊗ Equipment for daily operation of a school or facility

Example Scenarios of Unallowable Costs

Scenario 1 – A subgrantee wants to use their funds to purchase entrance tickets to a local sporting event to allow their students to practice appropriate public behavior to help them transition into the community after release. This is not an allowable cost, as transition activities must help students transition to graduation, CTE programs, further education, or employment. It could also be seen as entertainment, which is an unallowable cost according to UGG.

Scenario 2 – A subgrantee proposes to use their funds to purchase the core math textbooks for their students. This is not an allowable cost, as in the absence of these funds, the district would still be required to provide these textbooks.

Scenario 3 – A subgrantee, operating an Institution-Wide Project, wants to purchase weight training equipment with subpart 1 funds for the State operated facility, that will be available to all residents at all times. This is likely not allowable as it does not focus on the educational needs of the facility.

Scenario 4 – A subgrantee wants to use their funds for a contractor to provide dance lessons to students as a healthy enrichment activity. This is likely not allowable, as it does not respond to the educational needs of the students and does not show clear programmatic alignment.