

# Neglected or Delinquent (NorD)2022–23 Program Instrument

**California Department of Education
July 2022**

## I. Involvement

### NorD 01: Involvement of Parents

1. Where feasible, the correctional facility shall involve parents in efforts to improve the educational achievement of their children and prevent the further involvement of such children in delinquent activities.

A locally operated correctional facility is defined as a facility in which persons are confined as a result of a conviction for a criminal offense, including persons under 21 years of age. The term also includes a local public or private institution and community day program or school not operated by the state that serves delinquent children and youth (20 *United States Code* [20 *U.S.C*.] Section 6455[8]; 34 *Code of Federal Regulations* [34 *CFR*] Section 200.90[c]).

#### Evidence Requests

##### Building Parent Capacity

Abbreviation: BldgPrntCpcty

Description: Descriptions and records of events, techniques, and strategies offered to parents to build capacity to improve the educational achievement of their child and prevent the further involvement of their child in delinquent activities.

Item Instructions:

Related Items: NorD 01

## II. Governance and Administration

### NorD 02: Coordination with Student’s Home School

1. The correctional facility shall, where feasible, ensure that educational programs in the correctional facility are coordinated with the student’s home school, particularly with respect to a student with an individualized education program under Part B of the Individuals with Disabilities Education Act (20 *U.S.C.* Section 1411 et seq.) (20 *U.S.C*. Section 6455[1]).
	1. The correctional facility shall notify the local school if the child or youth is identified as needing special education services (20 *U.S.C.* Section 6455[2]).
	2. The correctional facility shall, to the extent possible, use technology to assist in coordinating educational programs between the correctional facility and the community school (20 *U.S.C.* Section 6455[7]).
	3. The correctional facility shall, upon the child’s or youth’s entry into the correctional facility, work with the child's or youth’s family members and the local educational agency (LEA) that most recently provided services to the child or youth (if applicable) to ensure that the relevant and appropriate academic records and plans regarding the continuation of educational services for such child or youth are shared jointly between the correctional facility and the LEA in order to facilitate the transition of such children and youth between the LEA and the correctional facility (20 *U.S.C.* Section 6455[12]).
	4. The correctional facility shall consult with the LEA for a period jointly determined necessary by the correctional facility and the LEA upon discharge from that facility, to coordinate educational services so as to minimize disruption to the child’s or youth’s achievement (20 *U.S.C.* Section 6455[13]).

#### Evidence Requests

##### Program Coordination

Abbreviation: PrgrmCrdntn

Description: Any documentation that demonstrates coordination between the facility, the home school, and the child’s or youth’s family members.

Item Instructions:

Related Items: NorD 02

##### Special Education Services Communication

Abbreviation: SpclEdSrvcsCmnctn

Description: Communication, such as individualized education program notice(s) and initial identification for special education services, if applicable, between facility, home school, and the child’s or youth’s family members.

Item Instructions:

Related Items: NorD 02

### NorD 03: Notices in Parents’ Primary Languages

1. When 15 percent or more of students enrolled in a public school providing instruction to grades K−12 speak a single primary language other than English, as determined by language census data submitted to the California Department of Education (CDE) from the preceding year, all notices, reports, statements, and records sent to the parent or guardian of such students shall be written in English and the primary language. (*California Education Code* [*EC*] Section 48985[a])

#### Evidence Requests

##### Notices in Parents’ Primary Languages

Abbreviation: NtcsPrntsPrmryLngs

Description: Sample of the LEA and school notices in parents’ primary languages at each reviewed school.

Item Instructions: NorD 03: For the LEA and each reviewed school, upload two to three examples of notifications in parents’ primary languages. Include the English template of the same document.

Related Items: CE 07, NorD 03

### NorD 04: LEA Equipment Inventory

1. For all categorical programs, the LEA must establish and maintain a historical inventory record, or an audit trace inventory system, or any other inventory system authorized by the State Board of Education, of the original cost of all items of equipment acquired by the LEA whose current market value for each piece of equipment exceeds five hundred dollars ($500) per item that is purchased with state or federal funds. The record describes the acquisition by:
	* 1. Type/description
		2. Model/name
		3. Serial/identification numbers
		4. Funding source and Federal Award Identification Number
		5. Who holds title
		6. Acquisition date
		7. Original cost (if unknown, a reasonable estimate of the original cost)
		8. Percentage of Federal participation in the project costs for the Federal award under which the property was acquired
		9. Location of use
		10. Use and current condition
		11. Transfer, or disposition of equipment no longer needed
		12. Any ultimate disposition data, including the time/date and mode of disposal, as well as the sale price or method used to determine current fair market value of the property (*EC* Section 35168; Title 5, *California Code of Regulations* Section 3946; 2 *CFR* Section 200.313)
	1. Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of $5,000 or more have the prior written approval of the Federal awarding agency or pass-through entity
	(2 *CFR* Section 200.439[b][2]).
	2. Disposition of equipment with a current fair market value of $5,000 or less may be retained, sold, or otherwise disposed of with no further responsibility to the Federal awarding agency. Disposition of equipment purchased with Title I funds with a current per-unit fair market value in excess of $5,000 may be retained by the non-Federal entity or sold, except if the Federal awarding agency issues instructions to the non-Federal entity regarding disposal or the Federal awarding agency fails to provide the non-Federal entity with disposition instructions within 120 days of the non-Federal entity’s request for such disposition instructions. If the non-Federal entity sells the equipment purchased (in whole or in part) with Title I funds, the Federal awarding agency is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the Federal awarding agency’s percentage of participation in the cost of the original purchase. The Federal awarding agency may permit the non-Federal entity to deduct and retain from the Federal share $500 or ten percent of the proceeds, whichever is less, for its selling and handling expenses (2 *CFR* Section 200.313[e]).
	3. The LEA must conduct a physical inventory of the property and the results reconciled with the property records at least once every two years
	(2 *CFR* Section 200.313[d][2]).
	4. There shall be adequate safeguards and maintenance procedures to keep property in good condition and prevent loss, damage, or theft of property. Any loss, damage, or theft shall be investigated and reported (2 *CFR* Section 200.313[d][3−4]).
	5. If the LEA is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return (2 *CFR* Section 200.313[d][5]).

#### Evidence Requests

##### Approval of Capital Expenditures

Abbreviation: AprvlCptlExpnd

Description: For items with a unit cost of $5,000 or more, Title I Equipment and Capital Expenditures Request Form showing approval by the CDE.

Item Instructions:

Related Items: CE 15, CTE 02, NorD 04, SSI 06

##### Equipment Inventory Records

Abbreviation: EqpmntInvntyRcrds

Description: Historical inventory list of all equipment purchased for $500 or more per Education Department General Administrative Regulations/*EC* requirements and a record of last physical check of items. If no purchases were made, indicate that in a comment.

Item Instructions: NorD 04: Evidence the physical check has occurred for equipment purchased with Title I, Part D funds. If applicable, include approval of the capital expenditure request and/or equipment disposal form.

Related Items: AE 02, AE 09, HE 08, EL 06, CE 15, CTE 02, ELC 06, EXLP 08, EXLP 11, ME 06, NorD 04, SSI 06, CA 05

##### LEA Inventory Policies and Procedures

Abbreviation: InvntryPolProcs

Description: LEA’s board-adopted inventory management policies and procedures.

Item Instructions:

Related Items: CTE 02, NorD 04

##### Equipment Procedures

Abbreviation: EqmtPrcdrs

Description: LEA’s established written procedures for managing equipment in accordance with federal and state requirements.

Item Instructions:

Related Items: FM 02, NorD 04

##### Procurement Procedures

Abbreviation: PrcrmntPrcdrs

Description: LEA’s established written procedures over the purchasing and payment process.

Item Instructions:

Related Items: FM 02, FM 03, NorD 04

## III. Funding

### NorD 05: Funds Specified for Title I, Part D Activities

1. The LEA shall ensure that costs charged to the program(s) under Title I are reasonable, necessary, and allocable in accordance with applicable statutes, regulations, and program plan(s) (2 *CFR* sections 200.403−200.405).
	1. The LEA uses Title I, Part D funds for any of the following activities:
		1. 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 (20 *U.S.C.* Section 6454[a][1]).
		2. Dropout prevention programs that serve at-risk children and youth
		(20 *U.S.C.* Section 6454[a][2]).
		3. Coordination of health and social services if there is a likelihood that the provision of such services, including day care, drug and alcohol counseling, and mental health services, will improve the likelihood such individuals will complete their education (20 *U.S.C.* Section 6454[a][3]).
		4. 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 (20 *U.S.C*. Section 6454[a][4]).
		5. Mentoring and peer mediation programs (20 *U.S.C*. Section 6454[a][5]).
		6. Programs for at-risk Indian children and youth, including such children and youth in correctional facilities in the area served by the LEA that are operated by the Secretary of the Interior or Indian tribes (20 *U.S.C.* Section 6454[a][6]).
		7. Pay for success initiatives. (20 *U.S.C*. Section 6454[a][7]).
	2. The LEA operates programs that involve collaboration with locally operated correctional facilities to carry out high quality education programs to prepare children and youth for secondary school completion, training, employment, or further education (20 *U.S.C*. 6451[1]).
	3. The LEA operates programs in local schools, including schools operated or funded by the Bureau of Indian Education, for children and youth returning from correctional facilities and programs which may serve at-risk children and youth (20 *U.S.C*. 6451[3]).
	4. Each correctional facility entering into an agreement with an LEA under Title I, Part D to provide services to children and youth shall:
		1. Where feasible, provide transition assistance to help the child or youth stay in school, including coordination of services for the family, counseling, assistance in assessing drug and alcohol abuse prevention programs, tutoring, and family counseling (20 *U.S.C*. Section 6455[3]).
		2. Provide support programs that encourage children and youth who have dropped out of school to reenter school and attain a regular high school diploma once their term at the correctional facility has been completed, or provide such children and youth with the skills necessary to gain employment or seek a regular high school diploma or its recognized equivalent (20 *U.S.C*. Section 6455[4]).
		3. Work to ensure that the correctional facility is staffed with teachers and other qualified staff who are trained to work with children and youth with disabilities taking into consideration the unique needs of such children and youth (20 *U.S.C*. Section 6455[5]).
		4. Ensure that educational programs in the correctional facility are related to assisting students to meet the challenging state academic standards (20 *U.S.C*. Section 6455[6]).
		5. Coordinate funds received under this subpart with other local, state, and federal funds available to provide services to participating children and youth, i.e., Workforce Innovation and Opportunity Act, and Career Technical Education (Perkins) funds (20 *U.S.C*. Section 6455[9]).
		6. Coordinate programs operated under this subpart with activities funded under the Juvenile Justice and Delinquent Prevention Act of 1974 and other comparable programs, if applicable (20 *U.S.C*. 6455[10]).
		7. If appropriate, work with local businesses to develop training, curriculum-based youth entrepreneurship education, and mentoring programs for children and youth (20 *U.S.C*. 6455[11]).
		8. Upon the child’s or youth’s entry into the correction facility, work with the child’s or youth’s family members and the LEA that most recently provided services to the child or youth (if applicable) to ensure that the relevant and appropriate academic records and plans regarding the continuation of educational services for such child or youth are shared jointly between the correction facility and the LEA in order to facilitate the transition of such children and youth between the LEA and the correctional facility (20 *U.S.C.* Section 6455[12]).
		9. Consult with the LEA for a period jointly determined necessary by the correctional facility and the LEA upon discharge from that facility, to coordinate educational services so as to minimize disruption to the child’s or youth’s achievement (20 *U.S.C*. 6455[13]).

#### Evidence Requests

##### General Ledger

Abbreviation: GnLdgr

Description: Detailed General Ledger for the specific resource code(s) being reviewed. (The general ledger shall include the date, description, vendor name, and total amount for each expenditure line item.)

Item Instructions: NorD 05: Provide General Ledger for Title I, Part D funded expenditures during the reviewed school year. Only pertaining to resource code 3025.

Related Items: AE 02, DR 01, DR 02, DR 03, FM 01, FM 02, FM 03, FM 05, FM 06, CE 10, CE 11, CTE 02, EXLP 09, EXLP 11, EXLP 19, ME 07, ME 08, NorD 05, NorD 06, SSI 02, SSI 03, SEI 05, SEI 06, SEI 07, CA 01, CA 02, CA 04, CA 05, CA 06, CA 07, CA 08, CA 09

##### Transition Assistance

Abbreviation: TrnstAsst

Description: Documentation indicating what programs and/or services are provided for transition assistance, as applicable. May include staff job descriptions, Memorandum of Understandings (MOUs) with other agencies to support transition, program and/or activities provided to students for transition.

Item Instructions:

Related Items: NorD 05

##### Re-entry Services

Abbreviation: RntrySvcs

Description: Description of services to address re-entry to school or gain employment. May include job descriptions or interagency MOUs to support school re-entry and/or to gain employment.

Item Instructions:

Related Items: NorD 05

##### Postsecondary & Training Descriptions

Abbreviation: TrngDesc

Description: Program descriptions of trainings, class/course outlines, mentoring program descriptions or documentation, postsecondary course/class enrollment, dual/concurrent enrollment MOUs, credits, with postsecondary institutions, work-experience/related programs or opportunities.

Item Instructions:

Related Items: NorD 05

### NorD 06: LEA Administrative Charges; Time and Effort

1. The LEA must properly charge and document allowable salaries and wages that are necessary and reasonable in accordance with applicable Title I, Part D program requirements and federal accounting requirements (2 *CFR* sections 200.302, 200.403[a], 200.430[i]; California School Accounting Manual Section 905).
	1. Effective control over, and accountability for, all funds, property, and other assets. The non-Federal entity must adequately safeguard all assets and assure that they are used solely for the authorized purposes (2 *CFR* Section 200.302[b][4]).
	2. Compensation for personal services includes all remuneration, paid currently, or accrued, for services of employees rendered during the period of performance under the Federal award, including by not necessarily limited to wages and salaries. Compensation for personal services may also include fringe benefits that are reasonable and are directly related to the Title I, Part D programs and services offered by the LEA (2 *CFR* Section 200.430 and 200.431).
	3. Federal Funds to Supplement, Not Supplant. A LEA shall use Federal funds received under this part only to supplement the funds that would, in the absence of such Federal funds, be made available from State and local sources for the education of students participating in programs assisted under this part, and not to supplant such funds. LEAs shall demonstrate that the methodology used to allocate State and local funds to each school receiving assistance under this part ensures that such school receives all of the State and local funds it would otherwise receive if it were not receiving assistance under this part. (20 *U.S.C.* 6321[b]).

#### Evidence Requests

##### General Ledger

Abbreviation: GnLdgr

Description: Detailed General Ledger for the specific resource code(s) being reviewed. (The general ledger shall include the date, description, vendor name, and total amount for each expenditure line item.)

Item Instructions: NorD 06: Provide General Ledger for Title I, Part D funded expenditures during the reviewed school year. Only pertaining to resource code 3025.

Related Items: AE 02, DR 01, DR 02, DR 03, FM 01, FM 02, FM 03, FM 05, FM 06, CE 10, CE 11, CTE 02, EXLP 09, EXLP 11, EXLP 19, ME 07, ME 08, NorD 05, NorD 06, SSI 02, SSI 03, SEI 05, SEI 06, SEI 07, CA 01, CA 02, CA 04, CA 05, CA 06, CA 07, CA 08, CA 09

##### Duty Statements

Abbreviation: DtyStmnt

Description: An individual employee's duty statement describing responsibilities and activities (cost objectives), as agreed to by employer and employee.

Item Instructions: NorD 06: Duty statement for each staff funded all or in part with Title I, Part D funds at the LEA level and at each reviewed school. Clearly identify the duties/activities from each fund source.

Related Items: AE 04, FM 01, FM 03, EXLP 11, SEI 05, SEI 07, CTE 02, ME 09, CE 11, CE 12, CE 14, NorD 06, SSI 03, SSI 05

##### Position Control Report

Abbreviation: PstnCntrlRprt

Description: Budget report of employees planned to be paid in whole, or in part, with federal funds by resource code in the fiscal year under review.

Item Instructions: NorD 06: List or table of staff at LEA and reviewed schools funded all or in part with Title I, Part D. Include full name, position title (spell out entire title), percentage of each funding, and hours worked. Indicate 85/15 and required/allowable reservations.

Related Items: DR 01, DR 03, FM 01, FM 03, CE 11, CE 14, ME 09, NorD 05, NorD 06, SSI 03, SSI 05, SEI 05, SEI 07, CA 01

##### Time and Effort Policies and Procedures

Abbreviation: TmEfrtPlcyPrcdrs

Description: LEA’s established written policies and procedures for documenting time and effort of employees who work on federal programs. Current year.

Item Instructions: NorD 06: Include the LEA’s specific policies and procedures for documenting actual hours worked, including related internal controls and reconciliation processes.

Related Items: EL 08, CE 14, CTE 02, FM 01, AE 03, NorD 06, SSI 05

##### Time and Effort Records

Abbreviation: TmEfrtRcrds

Description: Documentation to support salaries and benefits charged to each program funding source under review in accordance with federal requirements. Records may include personnel activity reports, semiannual certifications, or other equivalent records. Budget estimates do not qualify as support.

Item Instructions: NorD 06: Documentation (e.g., personnel activity reports, semiannual certifications, time sheets, times cards, etc.) for each staff, at the LEA level and at each reviewed school, funded all or in part with Title I, Part D funds (resource code 3025).

Related Items: AE 02, HE 10, DR 01, DR 03, FM 01, FM 03, EL 08, CE 11, CE 14, CTE 02, EXLP 09, ME 09, NorD 05, NorD 06, SSI 03, SSI 05, SEI 05, SEI 07, CA 01, CA 08, CA 09

##### Staff Credentials

Abbreviation: StfCrdntls

Description: Provide a sortable spreadsheet of all certificated staff displaying credentials and full staff name, including full middle name.

Item Instruction: NorD 06: Include a sortable spreadsheet or copies of teacher and staff credentials, certifications, licenses, or evidence of training for education from CTC.

Related Items: NorD 06, NorD 08, AE 04, CE 08, CE 20, ME 11, PE 09, SEI 09, SEI 13, CTE 03

## IV. Standards, Assessment, and Accountability

### NorD 07: LEA Evaluation of Program Effectiveness

1. At least once every three years, the LEA shall evaluate the NorD Program, disaggregating data on participation by gender, race, ethnicity, and age while protecting individual student privacy, to determine the program’s impact of the following on the ability of participants (20 *U.S.C*. Section 6471[a]):
	* 1. To maintain and improve educational achievement and to graduate from high school (20 *U.S.C.* Section 6471[a][1]);
		2. To complete high school (or high school equivalency requirements) and obtain employment after leaving the correctional facility or institution for neglected or delinquent children and youth (20 *U.S.C*. Section 6471[a][4]);
		3. To accrue school credits that meet state requirements for grade promotion and high school graduation (20 *U.S.C*. Section 6471[a][2]);
		4. To make the transition to a regular program or other education program operated by an LEA or school operated or funded by the Bureau of Indian Education (20 *U.S.C*. Section 6471[a][3]); and
		5. As appropriate, to participate in postsecondary education and job training programs (20 *U.S.C*. Section 6471[a][5]).
	1. The LEA shall use multiple and appropriate measures of student progress in evaluating NorD Programs (20 *U.S.C.* Section 6471[c]).
	2. The LEA shall submit evaluation results to the CDE (20 *U.S.C.* Section 6471[d][1]).
	3. The LEA shall use evaluation results to plan and improve subsequent programs for participating children and youth (20 *U.S.C.* Section 6471[d][2]).

#### Evidence Requests

##### LEA Title I, Part D Program Evaluation

Abbreviation: LEATtlIPrtDPrgmEval

Description: LEA Program Evaluation to determine the effectiveness of programs and services funded by Title I, Part D (resource code 3025).

Item Instructions: NorD 07: Program evaluation must include disaggregation of student data as reported in the Consolidated Application and Reporting System.

Related Items: NorD 07

##### Specific Program Modifications Based on Evaluation Results

Abbreviation: SpcfcPrgrmMdfctnBsdEvltnRslts

Description: Evidence of how programs have been changed as a result of the evaluation process (i.e., evaluation summary narrative or other material showing the changes or modifications).

Item Instructions:

Related Items: NorD 07

## V. Staffing and Professional Development

### NorD 08: Staffing and Professional Development

1. The correctional facility shall work to ensure that it is staffed with teachers and other qualified staff who are trained to work with children and youth with disabilities, taking into consideration the unique needs of such children and youth (20 *U.S.C.* Section 6455[5]).
	1. LEAs will ensure that all teachers and paraprofessionals meet applicable state certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification (20 *U.S.C.* sections 6601,6311[g][2][J]).
	2. A paraprofessional shall perform only duties that, in the judgment of the certificated personnel to whom the instructional aide is assigned, may be performed by a person not licensed as a classroom teacher. These duties shall not include assignment of grades to pupils. (*EC* Section 45330[b]).
	3. Describe how appropriate professional development will be provided to teachers and other staff. (20 *U.S.C.* 6434[c][10].

#### Evidence Requests

##### Requirements to Work with Students with Disabilities

Abbreviation: RqrmtsWrkSWD

Description: Listing of qualifications for staff who work with students with disabilities.

Item Instructions: NorD 08: Include staff certification in special education, or evidence of staff training.

Related Items: NorD 08

##### Staff Credentials

Abbreviation: StfCrdntls

Description: Provide a sortable spreadsheet of all certificated staff displaying credentials and full staff name including full middle name.

Item Instructions: NorD 08: For each reviewed facility, program, or school, identify certificated teachers working directly in Title I, Part D eligible students.

Related Items: NorD 06, NorD 08, AE 04, PE 09, SEI 09, ME 11, SEI 09, SEI 13, CE 08, CE 20

##### Non-Certificated Staff Authorizations

Abbreviation: NnCrtfctdStfAthrztns

Description: Provide a sortable spreadsheet of non-certificated staff including full names and qualifications.

Item Instructions: NorD 08: List paraprofessionals working in Title I, Part D eligible schools, programs, or facilities and serving Title I, Part D eligible students.

Related Items: NorD 08, SEI 09, CE 20

##### Professional Development Records

Abbreviation: PrfsnlDvlpmntRcrds

Description: Documentation of completed professional development relevant to the program which may include, but is not limited to agendas, calendars, certificates, sign-in sheets, minutes, and training materials.

Item Instructions:

Related Items: NorD 08, AE 04, HE 03, HE 12, SEI 02, SEI 08, SEI 10, CTE 04