



TITLE I, PART D HANDBOOK

PROGRAMS FOR NEGLECTED OR
DELINQUENT CHILDREN



OKLAHOMA
Education

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INTRODUCTION: Purpose of the Program

The purpose of the Neglected and Delinquent Program is to improve the 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.

Furthermore, it is the purpose of this program to provide such children and youth with the services needed to make a successful transition from institutionalization to further schooling or employment.

Finally, it is the goal of this program to 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.

ESEA Sec. 1401[20 U.S.C. 6421]

CHAPTER 1: Definitions

1.1 Neglected

Neglected children are defined as those students enrolled in school who are placed in facilities due to abandonment, neglect or death of parents or guardians. In Oklahoma such children and youths are generally in custody of the Department of Human Services (DHS) and reside in one of several facilities contracted by DHS. Local Educational Agencies (LEAs) in Oklahoma operate approximately 40 programs for neglected students.

1.2 Delinquent

Delinquent children and youths are those aged 21 or younger who have either been pre-adjudicated or adjudicated to be placed in a facility. In the state of Oklahoma these youths are generally in custody of the Department of Corrections (DOC) or the Office of Juvenile Affairs (OJA) and reside in correctional facilities, detention centers or in similar facilities contracted with OJA. These children and youths attend on-site schools rather than public schools.

1.3 At-Risk

At-Risk children are defined as those who are most susceptible to academic failure due to one or more of the following factors:

- drug or alcohol problems;
- pregnancy or parenthood;
- contact with the juvenile justice system;
- falling one or more years behind academically;
- membership in or affiliation with a gang; or
- previously having dropped out of school.

CHAPTER 2: Title Programs

2.1 Title I, Part A – Neglected

Title I, Part A – Neglected funds are set aside from the state Title I, Part A allocation and reserved for LEAs that serve students who reside in eligible institutions for neglected children within the LEAs boundaries. The LEAs, then, that receive a Title I, Part A – Neglected allocation (project 518) do so because the LEA indicated in the previous year’s Annual Neglected and Delinquent Survey (October Count) that they have children or youths enrolled in their school district who reside in a locally-operated facility for neglected youth.

These LEAs are required to use their Neglected funds to provide services to neglected children and youths comparable to the services provided in Title I schools.

2.2 Title I, Part D, subpart 1

Title I, Part D funds are broken down into two subparts and these funds can be used for a broader range of programs.

Title I, Part D, subpart 1 funds are available to State Agencies (SAs) that operate educational programs for children and youths who are neglected, delinquent, or at-risk, and for children and youths in adult correctional facilities. In Oklahoma there are two such State Agencies, the Department of Corrections (DOC) and the Office of Juvenile Affairs (OJA).

State Agencies (DOC and OJA) are eligible to receive subpart 1 funds, which they then distribute to eligible institutions. These institutions can be either public or private facilities operating for the care of children and youth who are neglected or delinquent. They provide free public education and a ***regular program of instruction***. In each case, the average length of stay must be at least thirty (30) days.

There are four types of institutions that qualify to receive Title I, Part D, subpart 1 funding:

- 1) An **adult correctional institution**, that is, a facility in which persons, including persons under the age of 21, are confined because of conviction for a criminal offense.
- 2) An **institution for delinquent children and youth**, a public or private residential facility, other than a foster home, operated for the care of children and youth who have been adjudicated delinquent or in need of supervision.

- 3) An **institution for neglected children and youth**, a public or private residential facility, other than a foster home, that is operated for the care of children and youths who have been committed to the institution or voluntarily placed in the institution under applicable State law due to 1) abandonment; 2) neglect; or 3) death of their parents or guardians.
- 4) A **community day program**, a regular program of instruction provided at a community day school operated specifically for neglected or delinquent children or youths.

In each of these institutions, the children served must be:

- 21 or younger;
- entitled to free public education through grade 12;
- enrolled in a *regular program of instruction* for the required length of time (15 hours per week in an adult correctional facility, or 20 hours per week in an institution or community day program for neglected or delinquent youth.)

The key term here is “regular program of instruction.” This is defined as an education program consisting of classroom instruction in basic school subjects such as reading, mathematics, and vocationally oriented subjects supported by state funds. It does not include activities such as the manufacture of goods within the institution, nor activities related to facility maintenance.

2.3 Title I, Part D, subpart 2

As is the case with the allocation of Title I, Part D, subpart 1 funds to State Agencies, LEAs are allocated Title I, Part D, subpart 2 funds based on the number of students reported in the Annual Neglected and Delinquent Survey (October Count). Qualifying students:

- are aged five through seventeen;
- live in a locally operated facility and are not counted under subpart 1;
- live in an institution for at least one day during a thirty-day period.

Children are categorized as either neglected or delinquent based on the *original purpose* of the facility. For example, if a facility was originally used as a shelter for children removed from abusive homes, but at a later date contract with the Office of Juvenile Affairs to house adjudicated youth, the facility would still be classified as a “neglected” facility in keeping with its original purpose. In that case, the adjudicated youths would also be counted as “neglected” on the Annual Neglected and Delinquent Survey in keeping with the classification of the facility in which they are housed.

The LEA must ensure that children and youth in local correctional facilities or detention centers participate in an education program comparable to the one the LEA operates in the school that those children and youth would otherwise attend.

Even if a school receiving Title I, Part D, subpart 2 funds is not a Title I, Part A school, the LEA may identify and serve at-risk youth enrolled in the school from the categories identified in Chapter 2, section 2.3 above.

CHAPTER 3: Funds

3.1 Eligibility and Allocation of Funds

Eligibility for Title I, Part A – Neglected and Title I, Part D funds is based on the Annual Neglected and Delinquent Survey, or October Count, carried out each year in October and reported in November (see Chapter 8). LEAs serving neglected or delinquent facilities and reporting a population of students served are eligible to receive funds.

Title I, Part A – Neglected funds are set aside from the more general Title I, Part A funding stream and allocations are therefore the result of a complex formula weighing facility population against broader statewide data concerning population distribution and poverty rates. As a result, Title I, Part A –Neglected allocations can fluctuate from year to year due to many factors beyond simply the number of children served by a particular LEA.

Title I, Part D funding, on the other hand, is calculated based on the number of students served by a given district as reported on the Annual Neglected and Delinquent Survey, or October Count.

3.2 Local Uses of Funds

Required uses of Funds:

State Agencies (Department of Corrections, Office of Juvenile Affairs) receiving Title I, Part D, subpart 1 funds are required to spend from 15% to 30% of allocated funds on transition services.

Local Education Agencies receiving Title I, Part D, subpart 2 funds are required to carry out high-quality education programs for the completion of high school, entering training or employment programs, or further education. Such programs are to be comparable to the educational services the children would receive if they were not in a detention or correctional facility.

Furthermore, LEAs are required to provide activities facilitating transition from correction facilities.

Lastly, LEAs are required to operate dropout prevention programs for at-risk youth or youth returning from correctional facilities.

Allowable and Non-allowable Uses of Funds:

In general, the guiding principle of “Supplement not Supplant” determines whether expenditures are allowable or not. Since state agencies and LEAs alike are required to provide a regular program of instruction, the expenses of core instruction cannot be paid for with Title I, Part D funds. Title funds are reserved for supplemental services. Some examples of allowable and non-allowable funds are given below. Note: these lists are not exhaustive.

Allowable uses of funds:

- after school tutoring;
- liaison/coordinator;
- paraprofessionals;
- health & social services;
- supplemental classroom supplies and technology;
- supplemental counseling/mentoring;
- dropout prevention programs;
- vocational/technical/life skills education.

Non-allowable uses:

- teacher salaries for core instruction;
- supplies and materials for core content areas;
- any item normally supplied in a regular classroom setting;
- items to be used by students not considered neglected, delinquent, or at-risk;
- anything not directly related to education or transition.

3.3 Administrative Costs

Based on the Average Daily Attendance (ADA) of the Local Education Agency, the LEA can use either 5%, 7%, or 8% of their Title I, Part D, subpart 2 funds for administrative costs.

ADA of 1500 or above	5%
ADA between 500 and 1499	7%
ADA less than 500	8%

CHAPTER 4: Contracts and Obligations

4.1 General

Any state agency seeking educational services from an outside entity, that is any entity other than the state agency itself, is required to have a contract with the service provider regulating the terms of service.

All LEAs are required to have a contract with each facility in which they provide instructional services.

The state agency or LEA exercises administrative control and assumes responsibility for monitoring the contract to ensure compliance with applicable statutory and regulatory requirements.

4.2 Less Common Situations

The ordinary provision of educational services to neglected and/or delinquent facilities foreseen by the law is that the LEA within whose boundaries a facility is physically located provides such services. For a number of historical reasons, however, there are a handful of situations around the state where services are provided to a facility located outside the boundaries of the LEA providing services. In such situations the LEA providing services must obtain a written waiver from the LEA within whose boundaries the facility is located. Such a waiver must be obtained no later than May 1 of the fiscal year prior to the fiscal year in which services are to be rendered. A copy of the waiver must then be sent to the state Title I, Part D coordinator at the Oklahoma State Department of Education by May 31 of that same year.

Title 70 of Oklahoma state law also allows neglected and/or delinquent facilities to contract for “remote Internet-based courses” with an LEA other than the one within whose boundaries the facility is located. In this case a waiver from the LEA where the facility is located is not necessary. The facility, however, shall inform the local LEA of its intention to contract with another LEA for internet-based services no later than May 1 of the fiscal year prior to that in which such services are to be rendered. A copy of this letter of intent shall also be provided to the state Title I, Part D coordinator at the Oklahoma State Department of Education by May 31 of that same year.

Clarification: What constitutes a “remote Internet-based” course?

A remote, internet-based course does not preclude the presence of a face-to-face teacher, although the presence of a face-to-face teacher is not necessary. The defining

characteristics of an internet-based program are individualized program are:
individualized course content delivered via the internet, in which credits are earned
through the completion of assignments and tests via an online platform.

Since LEAs are required to provide services to neglected and/or delinquent students
that are comparable to those the students would receive if they were not in a facility,
LEAs providing an internet-based program are still required to serve IEPs, to screen for
ELs, and to develop and serve ELAPs.

CHAPTER 5: Transition Services

5.1 Requirements for State Agencies

State agencies receiving Title I, Part D, subpart 1 funds are required to spend between 15% and 30% of funds on transition services.

5.2 Requirements for Local Education Agencies

LEAs receiving Title I, Part D, subpart 2 funds are required to carry out high-quality education programs for the completion of high school, entering training or employment programs, or further education. Furthermore, LEAs are required to provide activities facilitating transition from correctional facilities back into a traditional school setting, into post-secondary education, employment programs or further education, and back into the community.

LEAs are also required to operate dropout prevention programs for at-risk youths or youths returning from correctional facilities.

5.3 Transitional Stages

There are four distinct transitional stages, and four separate sets of activities that should accompany each transition stage. The transitional stages are:

1. entry into the juvenile justice system;
2. residency in the juvenile justice system;
3. exit from secure care;
4. aftercare.

Each of the four following sets of activities should accompany each of the transitional stages mentioned above:

1. Facility-centered activities
 - Request records.
 - Carry out an intake assessment.
 - Assemble a transition team.
 - Monitor and track progress.
2. Youth-centered activities
 - Facility orientation.
 - Participate in transition planning
 - Seek external mentors and/or peer support
3. Family-centered activities
 - Orient the family to the facility.
 - Include family input in the transition plan.

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- Make support systems available to families.
4. Community/systems-centered activities
- Increase interagency awareness.
 - Include community stakeholder input in the transition plan.
 - Coordinate opportunities for engaging the youth in the community.

CHAPTER 6: Monitoring

6.1 Evaluating Programs

State agencies and LEAs operating programs that receive Title I, Part D funds are required to evaluate their programs at least once every three years. Such an evaluation should involve an examination of student performance data disaggregated by gender, race, ethnicity, and age, while maintaining individual student privacy. This evaluation is aimed at determining program effectiveness and determining the program's impact on the performance and ability of its participants. Furthermore, the results of such an evaluation should be utilized in revising programs in order to enhance student performance.

6.2 Consolidated Monitoring

While the Oklahoma State Department of Education can make arranged and/or unannounced visits to facilities served with Title I, Part A – Neglected and Title I, Part D funds, for the most part monitoring of such programs is confined to the ESEA Consolidated Monitoring process. During this process state agencies and LEAs are monitored for compliance with the regulations governing all federal title programs. All LEAs in the state are monitored at least once every three years and monitoring of neglected and delinquent programs forms one section of the ESEA Consolidated Monitoring Application.

During the monitoring process LEAs will be asked to produce evidence of compliance with federal regulations including, but not limited to:

- Coordination with social, health and other services to meet the needs of students returning from correctional facilities;
- Steps taken to find alternative placements for children unable to participate in a regular education program;
- Appropriate pre- and post-testing;
- Program evaluation;
- Transition services;
- Evidence that the needs of children with an existing Individualized Education Program (IEP) are met.

CHAPTER 7: Reporting

Title I, Part A – Neglected and Title I, Part D require two annual reports, the first, the Annual Neglected and Delinquent Survey to be completed by all LEAs and interested SAs, the second, to be completed only by those SAs and LEAs receiving Title I, Part D funds.

7.1 The Annual Neglected and Delinquent Survey

All LEAs and SAs (Department of Corrections and Office of Juvenile Affairs) are required to report October caseload counts of children or youth for whom the LEA or SA provides an education and who reside in eligible local institutions. If an LEA has no such institutions within its boundaries, or if it serves no such institutions, a caseload of zero will be reported.

Counts are conducted beginning on October 1 and ending October 30. Institutions keep a daily record of the number of overnight residents. The count for the day with the greatest number of overnight residents, the high-water mark, is reported.

There are two distinct forms for reporting the October Count: one for reporting the caseload of children and youths residing in facilities operated by an SA (receiving Subpart 1 funds), and one for those residing in a locally operated facility (receiving Subpart 2 funds).

7.2 The Title I, Part D, Subparts 1 and 2 Reports on Single Sign-On

There is an annual report on Single Sign-On to be completed by all SAs and LEAs that receive Title I, Part D funding. Note: LEAs that receive Title I, Part A – Neglected funds are not required to complete this report. There are two distinct applications on Single Sign-On, one for SAs and one for LEAs.

This report gathers data on the type of facilities served, the demographic breakdown of the student population, academic and vocational outcomes, as well as math and reading performance information.

CHAPTER 8: FAQs

8.1 Q: Must the 15 or 20 hours of instruction that a state agency is required to provide to qualify for Subpart 1 funds be entirely from state funding, or could the instruction time include education programs funded by other Federal agencies?

A: The state's regular program of instruction must be state funded and must meet the required number of hours. The instructional program cannot include additional instructional time provided with Title I or other federal funds.

8.2 Q: In order to receive a subgrant under Subpart 1, must the state agency directly operate schools for children and youth who are neglected or delinquent?

A: No. The state agency may provide educational services directly in state-operated schools, through contracts or other arrangements with another state agency, an LEA, a junior or community college, a private provider, or a university. Whether or not services are provided directly by the state agency, the state agency is responsible for ensuring that the program operates in accordance with all applicable statutory and regulatory requirements.

8.3 Q: What are some examples of transition services?

A: Transition services focus on helping children and youth who are neglected or delinquent reenter school successfully or to find employment after they leave the institution and return to the local community. Allowable activities include but are not limited to:

- Pupil services, including counseling, psychological, and social work services designed to meet the needs of children and youth who are Neglected or Delinquent;
- Services of in-school advocates to act on behalf of individual children and youth who are Neglected or Delinquent;
- Tutoring and mentoring;
- Reentry orientation programs, including transition centers and reentry centers in high schools;
- Instruction and training at alternative schools and learning centers;
- Parental involvement activities and parent counseling.

8.4 Q: Can an LEA include out-of-state children in the Annual Neglected and Delinquent Survey?

A: Yes. The count is based on the October caseload count of any children who reside in the facility regardless of the child's or youth's state of origin.

8.5 Q: Is an LEA that received Subpart 2 funds in the previous year entitled to receive a "hold harmless" allocation?

A: No. The hold-harmless provisions of Title I, Part A do not apply to subgrants received by LEAs under Subpart 2.

8.6 Q: If a detention center closes and the LEA that was providing Subpart 2 services to the center has a dropout-prevention program, may the LEA use the supplies and equipment for its dropout program or does the inventory have to go to another facility served by the LEA?

A: The supplies may be shifted to a program that meets the requirements of Subpart 2, such as the LEA's dropout-prevention program.

GLOSSARY

Adult Correctional Institution: a facility in which persons, including persons under the age of 21, are confined as a result of conviction for a criminal offense.

At-Risk: “At-Risk” children are defined as those who are most susceptible to academic failure.

Community Day Program: a regular program of instruction provided at a community day school operated specifically for neglected or delinquent children or youths.

Delinquent: children or youths aged 21 or younger who have either been pre-adjudicated or adjudicated to be placed in a facility.

Institution/Facility for Delinquent Children and Youth: a public or private residential facility, other than a foster home, operated for the care of children and youth who have been adjudicated delinquent or in need of supervision.

Institution/Facility for Neglected Children and Youth: a public or private residential facility, other than a foster home, that is operated for the care of children and youth who have been committed to the institution or voluntarily placed in the institution under applicable state law due to 1) abandonment; 2) neglect; or 3) death of their parents or guardians.

LEA: Local Educational Agency (the local school district).

Neglected: children who are placed in facilities due to abandonment, neglect or death of parents or guardians.

October Count: The Annual Neglected and Delinquent Survey – an annual “census” of facilities neglected and delinquent facilities served by SAs and LEAs. Each facility reports the attendance on the day of highest attendance during the period Oct. 1 – Oct. 30 each year. SAs and LEAs then report those figures to the Oklahoma State Department of Education.

Regular Program of Instruction: an education program consisting of classroom instruction in basic school subjects such as reading, mathematics, and vocationally oriented subjects supported by state funds.

SA: State Agency (in Oklahoma: The Department of Corrections and the Office of Juvenile Affairs).

Transition Services: services focusing on helping children and youth who are neglected or delinquent to reenter school successfully or to find employment after they leave the institution and return to the local community.

RESOURCES

General overview of legislation, guidance and policy:

<https://neglected-delinquent.ed.gov/what-title-i-part-d>

Family and community engagement (prevention, entry and residence, exit and reentry, advocacy):

<https://neglected-delinquent.ed.gov/topic-areas/family-and-community-engagement>

Safe and supportive learning environments (behavior management, dropout and delinquency prevention, safety, discipline, student support):

<https://safesupportivelearning.ed.gov/scirp/about>

Teaching and learning (special needs, academic support, teaching and learning, recruitment/retention and training):

<https://neglected-delinquent.ed.gov/topic-areas/teaching-and-learning>

Transition:

<https://neglected-delinquent.ed.gov/topic-areas/transition>

Mentoring At-Risk High School Students:

<https://www.air.org/resource/mentoring-risk-high-school-students-findings-study-check-connect>

<https://www.air.org/resource/effective-strategies-mentoring-african-american-boys>

<https://www.air.org/resource/how-research-can-offer-solutions-school-prison-pipeline>

NEGLECTED AND/OR DELINQUENT TRANSITION PLAN TEMPLATE



Neglected / Delinquent Transition Plan Template

General Information	
LEA Name:	
Facility Name:	

Transition Team	
Origination Date:	MDT Meeting Date:
Multi-Disciplinary Team Members:	Role

Youth Information	
Youth Name:	System ID Number:
AKA:	SSN:
Date of Birth:	Sex:
Parole/Probation Officer:	P/P Officer Contact Information:
Legal Case Number:	

Commitment Information	
Commitment Date:	County of Commitment:
Expiration Date:	Judge:
Expected Length of Stay:	Current Location:

School Information	
Last School Attended:	
IEP: Yes No	Date of IEP:
EL: Yes No	DATE of ELAP:
Credits:	
Last Grade Completed:	

TRANSITION PLAN

Entry		
Activity	Responsible Party	Date Completed
Intake Interview		
Records Request		
Facility Orientation		
Credit Analysis		
Vocational Inventory		
Skills Assessment		
Health Screen		
Risk and Needs Assessment		
Program Planning		

Residency		
Education		
Strengths:		
Needs:		
Long-Term Goals	Start Date	Progress
Benchmarks:		
Intervention:		
Notes:		

Career/Technical Skills		
Strengths:		
Needs:		
Long-Term Goals	Start Date	Progress
Benchmarks:		
Intervention:		
Notes:		

Exit
Expected Termination Date:
Placement at Termination:
Next Placement:

Aftercare
Notes:

Plan Review	
Origination Date:	
Notes:	
Initial Review Date:	
Notes:	
Quarterly Review Date:	
Notes:	

Signatures		
Multi-Disciplinary Team Members		
Name	Role	Signature

APPENDIX B: NEGLECTED AND/OR DELINQUENT PROGRAM EVALUATION TEMPLATE



Neglected / Delinquent Program Evaluation Checklist

LEA Name or Letterhead

LEA Superintendent:			
LEA N/D Contact:		Facility Name:	
Phone:		Facility Contact:	
Date of Review:		Facility Phone:	

General				
	Yes	No	N.A.	Comments
The charter or license of the facility has been reviewed and verified.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
The LEA has a contractual agreement with the facility, satisfying the requirements of ESSA, Section 1425.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
The LEA ensures that coordination and operation of the facility programmatic activity is in compliance with ESSA, Section 1423.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
The accuracy of the October Count has been verified with source data from the facility.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
The LEA collects and maintains data from the facility for the Consolidated State Performance Report (reported through the annual Title I, Part D report on Single Sign-On.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Program				
	Yes	No	N.A.	Comments
Student records are requested in a timely manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Appropriate services are provided to students on an existing IEP.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
In the absence of student records, incoming students complete a Home Language Survey and, if appropriate, are screened for possible EL status.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
An ELAP is created and appropriate services and accommodations are provided for identified EL students.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
A transition plan is created for all incoming students.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

All incoming students are administered Reading and Math pre- and post-tests to measure progress.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Students at the facility receive educational services comparable to those they would receive at a mainstream LEA school site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Where possible the LEA partners with institutions of higher education or career technical education to facilitate transition to postsecondary school.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Where appropriate the LEA and/or facility involve parents and families to improve educational outcomes for students.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
The LEA and/or facility works with parole or probation officers to assist in meeting the needs of students returning from correctional facilities, if applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Educational program is evaluated regularly in light of testing data at least once every three years.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Corrective Action

Issues Detected:
Activity Required to Address Detected Issues:
Timeline for Resolution:

Superintendent Certification

Supt. Signature:	Date:
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