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Washington, DC

## TOOLKIT

# The Annual Count Toolkit: Determining Formula Counts for Title I, Part D, Funding Allocations



[www.neglected-delinquent.org](http://www.neglected-delinquent.org)

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## **About the National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At Risk**

The mission of the National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At Risk (NDTAC) is to improve educational programming for youth who are neglected or delinquent. NDTAC's legislative mandates are to develop a uniform evaluation model for State education agency (SEA) Title I, Part D, Subpart 1, programs; to provide technical assistance to States in order to increase their capacity for data collection and their ability to use those data to improve educational programming for youth who are neglected or delinquent; and to serve as a facilitator among different organizations, agencies, and interest groups that work with youth in neglect or delinquent facilities. For additional information on NDTAC, visit the Center's Web site at <http://www.neglected-delinquent.org>.

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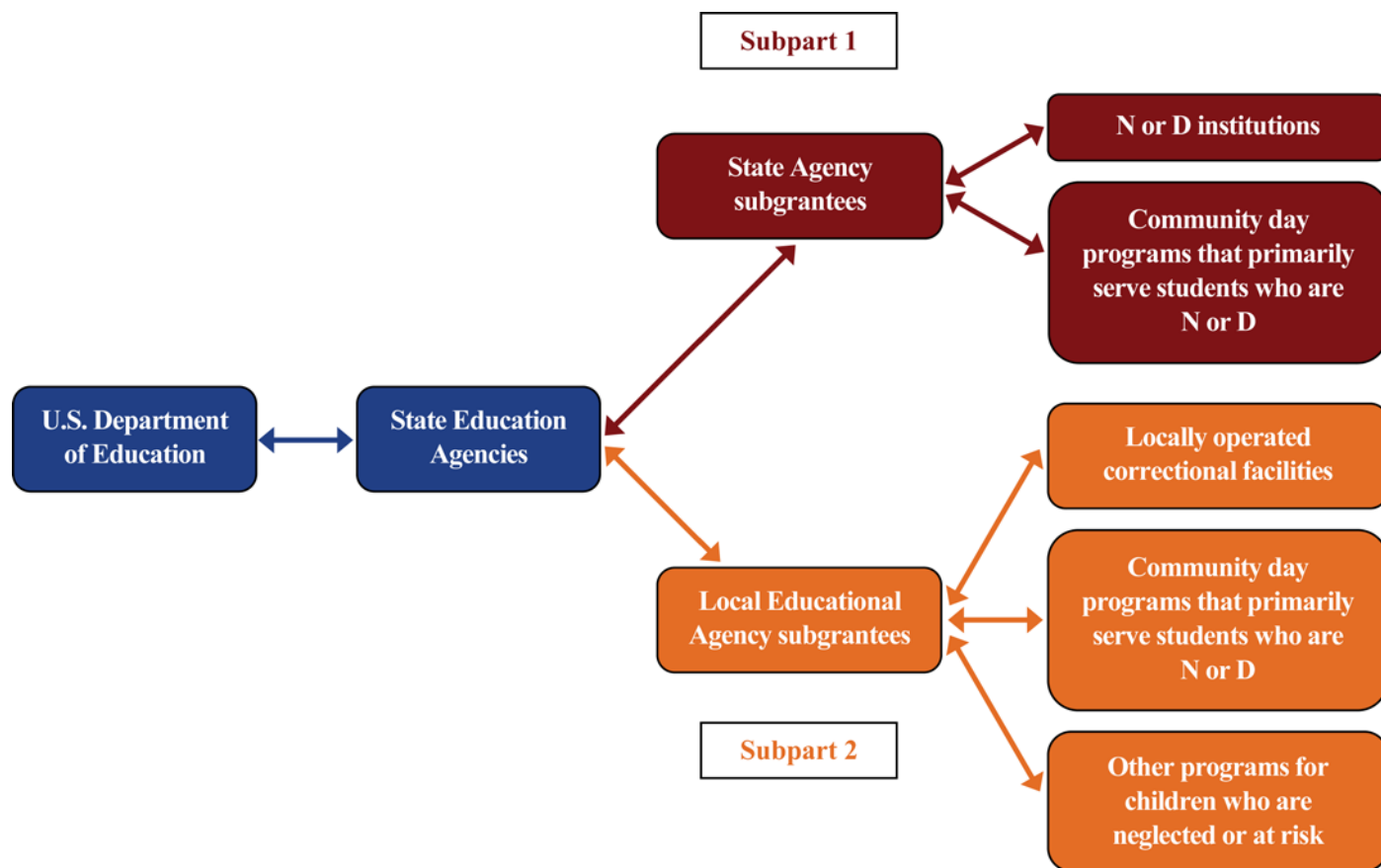
## Overview

Title I, Part D, of the Elementary and Secondary Education Act (ESEA) of 1965, as amended in 2001, authorizes two programs:

1. **Subpart 1** establishes the State agency neglected or delinquent (N or D) program, through which the U.S. Department of Education (ED) provides funds to State education agencies (SEAs) that enable them to award subgrants to State agencies (SAs) that operate educational programs for children and youth in institutions or community day programs for children who are neglected, delinquent, and at risk, and for children and youth in adult correctional facilities.
2. **Subpart 2** authorizes SEAs to use ESEA Title I, Part A, funds to award subgrants to local educational agencies (LEAs), to serve children and youth who are in locally operated correctional facilities or are attending community day programs for delinquent children and youth. In addition, Subpart 2 subgrants may provide assistance to children and youth who are neglected or at risk for dropping out of school.

Exhibit 1 displays how funds, information, and data flow between ED and the institutions and programs that serve children and youth who are neglected, delinquent or at risk.

### Exhibit 1: Title I, Part D, Program Flowchart



State Part D coordinators and SA, LEA, and N or D facility administrators work on a number of annual tasks that involve planning and administering Title I, Part D, funding—including submitting data via the Annual Count process so that ED can accurately allocate funds to States and, subsequently, States can make subgrants to eligible program recipients. Although there are several resources from ED and the National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At Risk (NDTAC) that can assist with these tasks, finding all the applicable requirements and guidance on how to approach each of these tasks can be challenging.

This toolkit is the third in a series of products NDTAC has developed to address Title I, Part D, administrative challenges and focuses on conducting the Annual Count, including developing count surveys and verifying submitted counts. NDTAC's previous products include



“A Guide to Meeting Compliance Requirements for the Title I, Part D, Program”—and a toolkit on program administration planning—  
“Title I, Part D, Program Administration Planning Toolkit.”

The goals of this toolkit and products in this series are to describe the activities involved in the featured process, to bring together ED and NDTAC resources, and to provide hands-on tools to help Part D coordinators comply with Federal Title I, Part D, requirements while implementing each task.



# Determining Formula Counts for Title I, Part D, Funding Allocations: The Annual Count Process

## Introduction

The statutory formulas used to allocate Federal funds made available for Title I, Part D, Subpart 1, SAs and the Title I, Part D, Subpart 2, LEAs rely on data ED collects annually from the States through ED Form 4376, the “Annual Report of Children in Institutions for Neglected or Delinquent Children, Adult Correctional Institutions, and Community Day Programs for Neglected or Delinquent Children.” In addition, ED uses data related to children and youth who live in locally operated institutions for neglected children and youth that States also report through ED Form 4376 in the formula to allocate Title I, Part A, funds to LEAs. States must comply with several requirements that are unique to each program when collecting information from their SAs and LEAs. This toolkit describes all the ED requirements for the Annual Count found in the Title I, Part D, Federal regulations, statute, and Nonregulatory Guidance. This toolkit also provides tools to use as references during the Annual Count process. In particular, this toolkit includes:

An overview of the Annual Count:

- Purpose of the Annual Count
- The Annual Count data collection process
- Relationship between counting, serving, and reporting for Title I, Part D

A series of tools:

- Annual Count Resource Index
- Tool 1: Annual Count Requirements Checklist
- Tool 2: Annual Count Process Checklist
- Tool 3: Annual Count Timeline Template

## Purpose of the Annual Count

ED uses the “Annual Report of Children in Institutions for Neglected or Delinquent Children, Adult Correctional Institutions, and Community Day Programs,” which is sometimes referred to as the “Annual Count,” the “Annual Child Count Survey,” or the “October Count,” to collect the following information:

- The number of children 20 years of age or younger enrolled in a “regular program of instruction”<sup>1</sup> in eligible State-funded institutions for children and youth who are N or D, adult correctional institutions, and community day programs for children who are N or D (State agency count). ED determines State allocations for the Subpart 1 program on the basis of this information.
- The number of children and youth 5 to 17 years of age residing in local institutions for delinquent children and youth or in local adult correctional facilities (Local educational agency count). ED uses this information to determine the amount of funding allocated annually to States under the Title I, Part D, Subpart 2, program.

Therefore, completing the Annual Count correctly is imperative, because counts directly affect how Federal funding for children and youth who are neglected, delinquent, or at risk are allocated. The count data must also be complete, accurate, and well documented, because it is subject to audit by ED. For example, ED staff check for significant changes in Annual Counts reported by LEAs and SAs between the past year and the current year. ED also reviews county-based foster care counts from the U.S. Department of Health and Human Services against counts of children and youth who are neglected reported by LEAs, for possible counting errors.

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<sup>1</sup> For definitions of “regular program of instruction” and “neglect and delinquent institutions,” see [Section 200.90\(b\)](#) of the Title I, Part D, Federal regulations.



## The Annual Count Data Collection Process

The Annual Count process begins with ED distributing the Annual Count documents, including an updated ED Form 4376, to SEAs in mid-October of each fall. SEAs then distribute surveys aligned with the ED documents to eligible SAs and LEAs for them to complete. Next, the SAs and LEAs distribute surveys to eligible facilities, compile submitted counts, and forward these to their SEA; SAs also adjust the count of children and youth using a formula that accounts for the relative length of the school year. Finally, in January, the SEA submits the counts to ED using the aforementioned form.

Throughout the Annual Count process—from preparing for the Annual Count to submitting the State’s counts to ED—State Part D coordinators can undertake a few steps to help ensure that the count is completed accurately.

- Prepare for the SA and LEA Annual Count process, including revising the surveys for distribution once ED releases the official Annual Count documents.
- Provide training and technical assistance (T/TA) to eligible SAs, LEAs, and facility administrators on count requirements, how to coordinate the count, and other intricacies.
- Verify and submit an adjusted count of children and youth in SA-funded facilities and a count of children and youth in LEA-funded facilities, by type (i.e., neglect or delinquent), to ED in January of each year.

Note: These steps are parallel for the SA and LEA counts. However, activities within each step vary between the counts because of differences in Annual Count requirements and the manner in which each State administers its Title I, Part D, program.

## Relationship Between Counting, Serving, and Reporting Data for Title I, Part D

Since there are many program requirements, it is important to note the relationship between children and youth included in the Annual Count, children and youth who receive services under Title I, Part A or Part D, and children and youth who are reported as served in the Consolidated State Performance Report (CSPR).<sup>2</sup>

### Counting Versus Serving

Exhibit 2 compares the Title I, Part D, requirements for children who are counted as part of the Annual Count and children who are served once funds are allocated. The italicized text reflects differences in requirements.

### Exhibit 2: Comparison of Title I, Part D, Counting and Serving Requirements

Counting	Serving
<b>State Agencies</b>	
<p><b>Children and youth COUNTED must be</b></p> <ul style="list-style-type: none"> <li>• In a program for youth who are N or D, including juvenile and adult correctional facilities and community day programs<sup>a</sup></li> <li>• Enrolled in a State-funded “regular program of instruction”<sup>a</sup></li> <li>• Enrolled in a program that has an average length of stay of at least 30 days<sup>b</sup></li> <li>• <i>20 years of age or younger<sup>a</sup></i></li> </ul>	<p><b>Children and youth SERVED with Subpart 1 funds must be<sup>c</sup></b></p> <ul style="list-style-type: none"> <li>• In a program for youth who are N or D, including juvenile and adult correctional facilities and community day programs</li> <li>• Enrolled in a State-funded “regular program of instruction”</li> <li>• <i>Enrolled in a program that meets the length-of-stay requirements for the given program type (requirements vary)</i></li> <li>• <i>21 years of age or younger</i></li> </ul>

<sup>2</sup>Title I, Part D, reporting involves entering data on students who benefitted from Title I, Part D, via the CSPR and the ED*Facts* online reporting and data repository, the ED*Facts* Submission System (ESS). For more details on reporting, refer to the “Instructional Guide to Reporting Title I, Part D, Data in the CSPR” at <http://www.neglected-delinquent.org/nd/topics/index2.php?id=10>



Counting	Serving
<b>Local Educational Agencies</b>	
<p><b>Children and youth COUNTED must be<sup>d</sup></b></p> <ul style="list-style-type: none"> <li>• Living in local institutions for children and youth who are N or D or adult correctional institutions</li> <li>• <i>Living in the institution for at least 1 day during the 30-day count period</i></li> <li>• <i>5 through 17 years of age</i></li> </ul>	<p><b>Children and youth SERVED with Subpart 2 funds must be<sup>e</sup></b></p> <ul style="list-style-type: none"> <li>• Living in local institutions for children and youth who are delinquent or in adult correctional institutions; <i>eligible for services under Title I, Parts A and C; or identified as “at risk” (e.g., migrants, immigrants, gang members, pregnant or parenting youth)</i></li> <li>• <i>21 years of age or younger</i></li> </ul>

<sup>a</sup> 34 CFR §200.91

<sup>b</sup> ED’s Guidance for Identifying Eligible Institutions and Counting Children

<sup>c</sup> Section E-1 of the Title I, Part D, Nonregulatory Guidance

<sup>d</sup> Section L-2 of the Title I, Part D, Nonregulatory Guidance

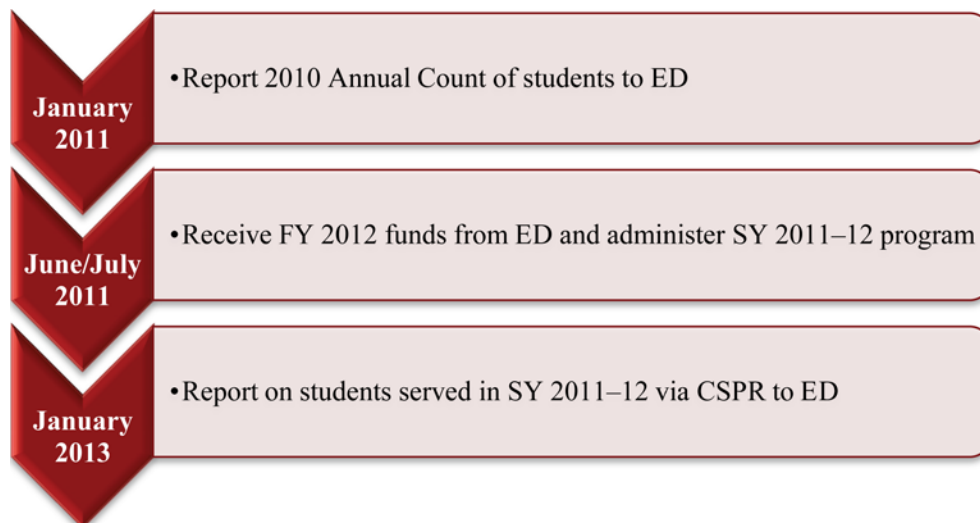
<sup>e</sup> Section N-3 of the Title I, Part D, Nonregulatory Guidance

Thus, the main focus of the Annual Count is to identify accurately the number of children and youth who are neglected or delinquent who are eligible to be counted for allocation purposes under Subpart 1, Subpart 2, and Title I, Part A. Once the State or local educational agencies receive the funds, the focus turns to allocating funding to eligible programs and children and youth with the greatest need. Consequently, the funds are not necessarily required to be allocated to the same programs that submitted formula counts for Title I, Part D (see the “[Title I, Part D, Program Administration Planning Toolkit](#)” for more information on planning for and funding eligible Title I, Part D, institutions and programs). For example, children and youth in at-risk programs cannot be included in the Annual Count to determine formula counts for allocating Subpart 2 funds, but programs that serve at-risk students are eligible to receive Subpart 2 funds and serve children and youth even though the children and youth in those programs were not included in the count used to allocate funds.

### Counting Versus Reporting

Given the transition of children and youth in and out of neglected and delinquent facilities and programs, children and youth included in the Annual Count are often *different children and youth* from (1) those who later benefit from the allocated funding and (2) those reported in the CSPR (see footnote 2, above) during the same data collection period as that of the count. The Annual Counts are based on caseload data that are months old when the funds are released and are used to administer programs. Exhibit 2 illustrates this point by demonstrating the relationship between those who are counted and those who are later reported as part of the CSPR data collection.

### Exhibit 3: Title I, Part D—From Determining Formula Counts via the Annual Count to Reporting via the CSPR





## Tools for Determining Formula Counts for Title I, Part D, Funding Allocations

The tools provided in this toolkit are designed to assist State Part D coordinators and SA and LEA administrators in determining formula counts for Title I, Part D, funding allocations. Each tool provides information and resources to make the Annual Count process easier to understand, more accurate, and more efficient.



## Annual Count Toolbox

- ✘ Annual Count Resource Index
- ✘ Tool 1: Annual Count Requirements Checklist
- ✘ Tool 2: Annual Count Process Checklist
- ✘ Tool 3: Annual Count Timeline Template



## Annual Count Resource Index

This section provides a comprehensive index of resources from the U.S. Department of Education (ED) and the National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At Risk (NDTAC) related to requirements and guidance on conducting the Annual Count. Since no single resource from ED or NDTAC includes all the requirements for and guidance on the Annual Count, this index can serve as a resource for anyone involved in the Annual Count process to quickly locate information to help ensure that all count requirements are being met.

The index is divided into two parts. One part focuses on the State agency (SA) count of N or D children and youth that is used to allocate Title I, Part D, Subpart 1, funds. The other part focuses on the local educational agency (LEA) count of local delinquent children and youth, which is used to determine Title I, Part D, Subpart 2, allocations, and the count of local neglected children used in the allocation of Title I, Part A, funds. Each part is organized by common Annual Count activities.

For quick reference, click on the links below to jump to a specific area of interest within the index. In the event that it is not possible to use the links included within the index, a list of each resource and their respective URLs are included at the end, along with a few additional resources.

### Quick Links

#### Index for SA Programs

Ensuring Eligibility To Count

SA Eligibility for the SA Count

Facility Eligibility for the SA Count

Eligibility of Children and Youth for the SA Annual Count

Selecting the SA Count Period

Conducting the SA Count

Verifying the SA Counts

Submitting the SA Counts to ED

#### Index for LEA Programs

Ensuring Eligibility To Count

LEA Eligibility for the LEA Count

Facility Eligibility for the LEA Count

Eligibility of Children and Youth for the LEA Annual Count

Selecting the LEA Count Period

Conducting the LEA Count

Verifying the LEA Counts

Submitting the LEA Counts to ED

#### ED and NDTAC Resource List



## Index for State Agency Programs' Annual Count Requirements and Resources, by Annual Count Activity

### Ensuring Eligibility To Count

#### SA Eligibility for the State Agency Count

##### Basic SA eligibility requirements

- Title I, Part D, Statute ([Section 1411](#))
- ED Sample Worksheet Instructions ([Part II](#))
- ED's Annual Child Count Reporting Form ([Part II, number 2](#))
- [NDTAC Annual Count Webinar](#)

##### Definitions of a “regular program of instruction”

- Title I, Part D, Federal Regulations ([Section 200.90\(b\)](#))
- Title I, Part D, Nonregulatory Guidance ([Section A-4](#))
- ED Sample Worksheet Instructions ([Part II: Basis for Eligibility](#))
- ED Annual Child Count Reporting Form ([Instructions, number 3](#))
- The Annual Count Toolkit: Determining Formula Counts for Title I, Part D, Funding Allocations ([Tool 2: Annual Count Process Checklist](#))
- [NDTAC Annual Count Webinar](#)

##### Instructional time requirements

- Title I, Part D, Federal Regulations ([Section 200.91\(a\)](#))
- ED Sample Worksheet Instructions ([Part III: Enrollment](#))
- ED Guidance for Identifying Eligible Institutions and Counting Children ([Part II, number 2](#))
- ED Annual Child Count Reporting Form ([Instructions, number 3](#))

##### Funding sources of regular program of instruction

- Title I, Part D, Nonregulatory Guidance ([Section A-5](#))

#### Facility Eligibility for the State Agency Count

##### Basic facility eligibility requirements

- ED Guidance for Identifying Eligible Institutions and Counting Children ([Part II, number 1](#))
- ED Annual Child Count Reporting Form ([Part II](#))
- ED Sample Worksheet ([Part III](#))
- [NDTAC Annual Count Webinar](#)

##### List of and definitions for eligible facilities

- Title I, Part D, Federal Regulations ([Section 200.90\(b\)\(1\)](#))
- Title I, Part D, Statute ([Section 1432](#))
- ED Sample Worksheet ([Part III: Type of Institution and Enrollment](#))



## Child and Youth Eligibility for the Subpart 1 Annual Count

### Basic child and youth eligibility requirements

- Title I, Part D, Nonregulatory Guidance ([Sections A-1 and A-3](#))
- ED Guidance for Identifying Eligible Institutions and Counting Children ([Part II](#))
- ED Annual Child Count Reporting Form ([Part II](#))
- ED Sample Worksheet Instructions ([Part III, Enrollment](#))
- [NDTAC Annual Count Webinar](#)
- The Annual Count Toolkit: Determining Formula Counts for Title I, Part D, Funding Allocations ([Tool 2: Annual Count Process Checklist](#))

## Selecting the State Agency Count Period

### Basic SA requirements for selecting a count period

- Title I, Part D, Federal Regulations ([Section 200.91\(a\)\(ii\)\(2\)](#))
- Title I, Part D, Nonregulatory Guidance ([Section A-1](#))
- ED Sample Worksheet Instructions ([Part III, Enrollment](#))
- ED Annual Child Count Reporting Form ([Part II, number 2](#))
- [NDTAC Annual Count Webinar](#)
- The Annual Count Toolkit: Determining Formula Counts for Title I, Part D, Funding Allocations ([Tool 2: Annual Count Process Checklist](#))

### Selecting the optimal count date

- [NDTAC Annual Count Webinar](#) (includes a quiz to help identify the optimal count date)

## Conducting the State Agency Count

### Basic instructions for conducting the SA count

- [ED Sample Worksheet Instructions](#)
- [NDTAC Annual Count Webinar](#)

### Basic requirements for adjusting the SA count

- Title I, Part D, Federal Regulations ([Section 200.91\(b\)](#))
- Title I, Part D, Nonregulatory Guidance ([Sections A-1 and A-2](#))
- ED Guidance for Identifying Eligible Institutions and Counting Children ([Part II, number 2](#))
- ED Sample Worksheet Instructions ([Part IV](#))
- ED Annual Child Count Reporting Form ([Part II, number 3](#))
- [NDTAC Annual Count Webinar](#)
- The Annual Count Toolkit: Determining Formula Counts for Title I, Part D, Funding Allocations ([Tool 2: Annual Count Process Checklist](#))

## Verifying the State Agency Counts

### Basics on verifying SA count data (e.g., fluctuation in counts)

- ED Guidance for Identifying Eligible Institutions and Counting Children ([Part II, number 4](#))
- The Annual Count Toolkit: Determining Formula Counts for Title I, Part D, Funding Allocations
  - [Tool 1: Annual Count Requirements Checklist](#)
  - [Tool 2: Annual Count Process Checklist](#)

## Submitting the State Agency Counts to ED

### Basics on submitting SA count data to ED

- Title I, Part D, Federal Regulations ([Section 200.91\(c\)](#))
- Title I, Part D, Nonregulatory Guidance ([Section A-1 and A-2](#))
- ED Guidance for Identifying Eligible Institutions and Counting Children ([Part II](#))
- ED Sample Worksheet Instructions ([Part V](#))
- The Annual Count Toolkit: Determining Formula Counts for Title I, Part D, Funding Allocations ([Tool 2: Annual Count Process Checklist](#))



## Index for Local Educational Agency Programs Annual Count Requirements and Resources, by Annual Count Activity

### Ensuring Eligibility To Count

#### LEA Eligibility for the Local Educational Agency Count

##### Basic LEA eligibility requirements

- Title I, Part D, Statute ([Section 1422](#))
- [NDTAC Annual Count Webinar](#)

#### Facility Eligibility for the Local Educational Agency Count

##### Basic facility eligibility requirements

- Title I, Part D, Nonregulatory Guidance ([Sections L-1 and L-2](#))
- ED Guidance for Identifying Eligible Institutions and Counting Children ([Part I, number 1](#))
- ED Annual Child Count Reporting Form ([Part 1, number 2](#))
- [NDTAC Annual Count Webinar](#)

##### List of and definitions for eligible facilities

- Title I, Part D, Federal Regulations ([Section 200.90\(b\)\(1\)](#))
- Title I, Part D, Statute ([Section 1432](#))

#### Child and Youth Eligibility for the Local Educational Agency Count

##### Basic child and youth eligibility requirements

- Title I, Part D, Statute ([Section 1402](#))
- Title I, Part A, Statute ([Section 1124\(a\)\(1\)\(B\)](#) and [1124\(c\)\(4\)\(B\)](#))
- Title I, Part D, Nonregulatory Guidance ([Sections L-1, L-2, L-3](#))
- ED Guidance for Identifying Eligible Institutions and Counting Children ([Part 1, number 1](#))
- ED Annual Child Count Reporting Form ([Part I, number 2](#))
- [NDTAC Annual Count Webinar](#)
- The Annual Count Toolkit: Determining Formula Counts for Title I, Part D, Funding Allocations ([Tool 2: Annual Count Process Checklist](#))

##### Eligibility of children and youth from out of State in LEA facilities

- Title I, Part D, Nonregulatory Guidance ([Section L-4](#))
- The Annual Count Toolkit: Determining Formula Counts for Title I, Part D, Funding Allocations ([Tool 2: Annual Count Process Checklist](#))

#### Selecting the Local Educational Agency Count Period

##### Basic LEA requirements for selecting a count window

- Title I, Part D, Nonregulatory Guidance ([Sections L-1 and L-2](#))
- ED Guidance for Identifying Eligible Institutions and Counting Children ([Part I, number 2](#))
- ED Annual Child Count Reporting Form ([Part I, number 2](#))
- [NDTAC Annual Count Webinar](#)



## Conducting the Local Educational Agency Count

### Basic instructions for conducting the LEA count

- ED Annual Child Count Reporting Form ([Part II, number 3](#))
- [NDTAC Annual Count Webinar](#)

### Facility designation requirements and guidance

- Title I, Part D, Nonregulatory Guidance ([Section L-3](#))
- ED Guidance for Identifying Eligible Institutions and Counting Children ([Part 1, number 3](#))
- [NDTAC Annual Count Webinar](#)

### Double-counting prevention

- Title I, Part D, Nonregulatory Guidance ([Section L-2, bullet 2](#))
- ED Guidance for Identifying Eligible Institutions and Counting Children ([Part 1, number 3](#))
- [NDTAC Annual Count Webinar](#)

### Handling LEAs and facilities resistant to counting

- The Annual Count Toolkit: Determining Formula Counts for Title I, Part D, Funding Allocations ([Tool 2: Annual Count Process Checklist](#))

## Verifying the Local Educational Agency Counts

### Basics on verifying LEA count data (e.g., fluctuation in counts)

- ED Guidance for Identifying Eligible Institutions and Counting Children ([Part I, number 5](#))
- The Annual Count Toolkit: Determining Formula Counts for Title I, Part D, Funding Allocations
  - [Tool 1: Annual Count Requirements Checklist](#)
  - [Tool 2: Annual Count Process Checklist](#)

## Submitting the Local Educational Agency Counts to ED

### Basics on submitting LEA count data to ED

- ED Annual Child Count Reporting Form ([Section A, Part I, number 2](#))
- [NDTAC Annual Count Webinar](#)



## ED and NDTAC Resource List

This list provides all the resources referenced throughout the index and includes the complete link to the location of each resource.

### Resources Referenced in Index

1. **Title I, Part D, Federal Regulations:**  
<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr;sid=14f388f6f01effb01e7d61215c54cee5;rgn=div5;view=text;node=34:1.2.2.1.1;idno=34;cc=ecfr#34:1.2.2.1.1.4>
2. **Title I, Part D, Statute:** <http://www.neglected-delinquent.org/nd/resources/legislate/intro.asp>
3. **Title I, Part D, Nonregulatory Guidance:** <http://www.neglected-delinquent.org/nd/resources/guidance/intro.asp>
4. **ED Guidance for Identifying Eligible Institutions and Counting Children:** [http://www.neglected-delinquent.org/nd/docs/ED\\_GuidanceforIdentifyingEligibleInstandCountingChildren.doc](http://www.neglected-delinquent.org/nd/docs/ED_GuidanceforIdentifyingEligibleInstandCountingChildren.doc)
5. **ED Sample Worksheet and Instructions:** [http://www.neglected-delinquent.org/nd/docs/ED\\_SampleWorksheet\\_Instructions.doc](http://www.neglected-delinquent.org/nd/docs/ED_SampleWorksheet_Instructions.doc)
6. **ED Annual Count Reporting Form:** [http://www.neglected-delinquent.org/nd/docs/ED\\_AnnualCount\\_ReportingForm.doc](http://www.neglected-delinquent.org/nd/docs/ED_AnnualCount_ReportingForm.doc)
7. **NDTAC's The Annual Count Toolkit: Determining Formula Counts for Title I, Part D, Funding Allocations:**
  - a. Tool 1: Annual Count Requirements Checklist
  - b. Tool 2: Annual Count Process Checklist
  - c. Tool 3: Annual Count Timeline Template
8. **NDTAC Annual Count Webinar:** <http://www.neglected-delinquent.org/nd/events/webinars.php#annualcountTopic>

### Additional Count-Related Resources

9. **Charter Schools Program Legislation, Regulations, and Guidance:** Provides information about counting children and youth who attend charter schools. <http://www.ed.gov/programs/charter/legislation.html>
10. **Title I, Part A, Legislation, Regulations, and Guidance:** See Section 1124(c)(4)(B) for requirements for counting children and youth who are neglected. <http://www.ed.gov/policy/elsec/leg/esea02/pg3.html#sec1124>
11. **McKinney-Vento Homeless Assistance Act Legislation, Regulations, and Guidance:** The McKinney-Vento Statute and Nonregulatory Guidance provide information about determining funding allocations for children and youth who are homeless. <http://www.ed.gov/programs/homeless/legislation.html>



## Tool 1: Annual Count Requirements Checklist

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This tool includes a checklist of all the Federal counting requirements.

### Purpose of the Tool

This tool pulls all of the Annual Count requirements into one location in a quick-reference checklist and can assist both State Part D coordinators and subgrantee and facility administrators in ensuring that all eligible children and youth are accurately counted on an annual basis.

### How To Use the Tool

**State Part D coordinators** can use this checklist to cross-check whether their Annual Count surveys, training and technical assistance (T/TA) materials, and count verification process address all count requirements. **SA, LEA, and facility administrators** can use this tool to develop their own surveys, if necessary, and ensure that their count process will provide accurate counts, once collected.

Coordinators and administrators may want to expand this checklist by including additional information, such as State requirements. In addition, items that are not applicable can be deleted from the checklist—for example, LEA administrators can delete the State agency information.

Once the checklist is finalized, users can verify whether they have included or confirmed each respective element in their Annual Count surveys, T/TA materials, and/or count verification processes. By doing so, users can determine whether there are any red flags or issues (e.g., significant change since the previous year's count) to address. Space is available to include notes, as relevant.



## Annual Count Requirements Checklist

Included or Confirmed?	Element	Notes
<b>State Agency Count Requirements</b>		
<b>SA Eligibility</b>		
<input type="checkbox"/>	SA is responsible for providing free public education to children and youth who are in N or D institutions, community day programs, or adult correctional institutions.	
<b>Facility Eligibility</b>		
<input type="checkbox"/>	Facilities or community day programs that are participating in the count serve children and youth who are N or D.	
<input type="checkbox"/>	Facilities or community day programs have an average length of stay of at least 30 days.	
<b>Count Window</b>		
<input type="checkbox"/>	Children and youth are counted on the appropriate day—one day during the calendar year other than a weekend or holiday.	
<input type="checkbox"/>	Facilities under an SA count children and youth on the same selected date.	



Included or Confirmed?	Element	Notes
<b>Child or Youth Eligibility</b>		
<input type="checkbox"/>	Children and youth are 20 years of age or younger on the day of the count.	
<input type="checkbox"/>	Children and youth are enrolled in State-funded <i>regular program of instruction</i> <sup>3</sup> for at least (a) 15 hours per week in an adult facility or (b) 20 hours per week in a delinquent institution or community day program on the day of the count.	
<input type="checkbox"/>	<i>Enter other requirements here, if needed.</i>	

<sup>3</sup> “Regular program of instruction” means an educational program (not beyond grade 12) in an institution or a community day program for children or youth who are N or D that consists of classroom instruction in basic school subjects such as reading, mathematics, and vocationally oriented subjects, and that is supported by non-Federal funds. Neither the manufacture of goods within the institution nor any activity related to institutional maintenance is considered classroom instruction.



Included or Confirmed?	Element	Notes
<b>Local Educational Agency Count Requirements</b>		
<b>LEA Eligibility</b>		
<input type="checkbox"/>	LEA serves children and youth in locally operated N or D facilities (i.e., not funded by the State), including public or private institutions.	
<b>Facility Eligibility</b>		
<input type="checkbox"/>	Locally operated facilities meet the definition of an institution for children who are neglected, an institution for children who are delinquent, or an adult correctional institution. <i>Note: Facilities need not have a 30-day average length of stay.</i>	
<input type="checkbox"/>	Facilities are designated properly as either a neglect or delinquent institution.	
<input type="checkbox"/>	Facilities counted properly according to their designation (i.e., delinquent institution counted all children who are neglected or delinquent as delinquent).	
<b>Count Window</b>		
<input type="checkbox"/>	Children and youth are residents of a live-in institution or facility for at least 1 day within the 30-day count window (one day of which must be in October).	
<input type="checkbox"/>	<i>Enter other requirements here, if needed.</i>	



Included or Confirmed?	Element	Notes
<b>Child or Youth Eligibility</b>		
<input type="checkbox"/>	Children and youth are 5 to 17 years of age during the count window.	
<input type="checkbox"/>	Children and youth are not also counted in the State agency Annual Count or other Title I funding stream count.	
<input type="checkbox"/>	Each unique case is counted. (If a child or youth is enrolled at the beginning of the count window, is released, and is reenrolled later in the count window, he or she should be counted twice.)	
<input type="checkbox"/>	<i>Enter other requirements here, if needed.</i>	



## Tool 2: Annual Count Process Checklist

This tool provides a checklist of practical tips State Part D coordinators (and their teams) can use to approach the Annual Count process efficiently and effectively, and meet the counting requirements for the Title I, Part D, program. These tips were generated by NDTAC on the basis of technical assistance communications with States and through questions and issues that have been raised regularly during NDTAC events (i.e., conference calls, Webinars, conferences).

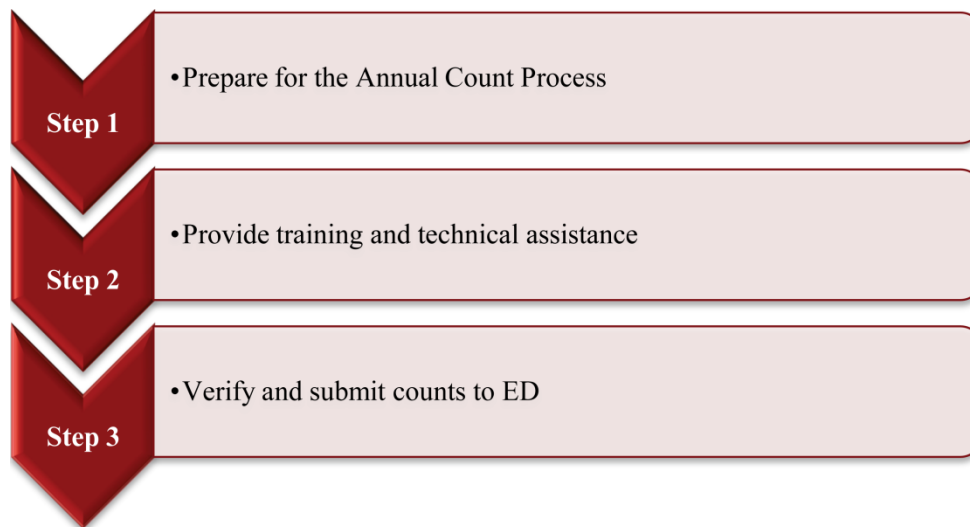
*NDTAC welcomes additional tips from the field. E-mail us at [ndtac@air.org](mailto:ndtac@air.org).*

### Purpose of the Tool

Throughout the count process **State Part D coordinators** and **SA and LEA administrators** may have questions about how to ensure that the count is “complete and accurate,” as required by Section B of the [U.S. Department of Education Annual Count Reporting Form 4376](#). For example, State Part D coordinators may have questions about how to appropriately collect counts from subgrantees, and SA and LEA administrators may have questions about the importance of the count and why they should submit counts of children and youth in their programs. States can prepare for the Annual Count and address these questions by understanding the Title I, Part D, Annual Count requirements and process and by having information about the issues that States typically face in conducting the count.

### How To Use the Tool

This tool includes various tips that are organized by the 3 steps coordinators can take to ensure accurate and complete counts (see figure below).



The checklist is designed for Part D coordinators but can also be used by SA, LEA, and N or D facility administrators involved with the Annual Count process. The tool is formatted as a checklist so that it can be used as coordinators undergo the Annual Count process. It can also be copied, adapted, and/or shared during the Annual Count process.



## STEP 1: Prepare for the Annual Count Process

SEAs should prepare for the Annual Count process before or soon after ED releases the Annual Count documents. Since historically, child counts have been due to ED at the beginning of the calendar year (typically mid-January), States can plan ahead and start the Annual Count data collection process early to ensure that accurate counts are collected efficiently and submitted on time.

### 1A. Understand the Purpose of the Annual Count and Its Process

- Review and familiarize yourself with all ED instructions and guidance on the Annual Count. The most up-to-date instructions and guidance are available on the [Annual Count topic page](#) of NDTAC's Web site. You can also refer to the resources included in the [Annual Count Resource Index](#) of the Annual Count Toolkit.
- If you are new to the Annual Count process, review your State's previous count materials (i.e., surveys, counts) and reach out to colleagues in your State, in other States, and to NDTAC with any questions you have and for guidance.

### 1B. Plan for the Annual Count Process

- Since the Annual Count is due to ED each January and the process rarely changes, develop a timeline that includes important dates for each step of the Annual Count process (see [Tool 3: Annual Count Timeline Template](#) for a customizable template).
- Ensure that your timeline includes time to review submitted counts and to follow up with subgrantees if any questions or issues arise.
- If possible and appropriate, decide which SEA staff will be engaged in this year's count process and hold meetings to discuss how your team will conduct the count.
- Update your list of subgrantees and facilities, including contact information (e.g., e-mail addresses if collecting counts electronically).
- Inform SAs and LEAs that you will be requesting counts from them.

### 1C. Prepare the Annual Count Surveys and Collateral Materials

- Update your State's count guidance documents, data collection forms, and instructions from the previous year and distribute them to subgrantees.
- If possible, upload updated count documents to your SEAs Web site so that they are readily available to subgrantees and facilities.
- Ensure surveys include all requirements. Refer to [Tool 1: Annual Count Requirements Checklist](#) for a list of requirements and the [Annual Count Resource Index](#) for direct links to the related statute, regulations, and guidance as needed.
- Specify additional count window parameters if appropriate and desired.
  - For the State agency count, if you think it would be beneficial for all SAs and their facilities to choose the same counting date, discuss this possibility with your SAs. SAs are not required to count on the same day; thus, each SA can choose a different date on which all its respective facilities and programs will conduct their count.
  - For the local educational agency count, the statute, regulations, and guidance do not indicate whether the 30-day count window must be the same for all facilities across the State. For example, as the SEA, you may
    - Allow each facility to select their own count window.
    - Establish that the window for reporting caseload counts be consistent for all facilities within an LEA. In this case, the 30-day window could then vary from LEA to LEA.
    - Allow a parent organization that operates several local N or D facilities in different LEAs across the State to use a uniform 30-day period for the facilities it operates. This means that other N or D facilities in the State or even in the same LEA could use a different 30-day window for reporting their caseload counts.



- Request resources or additional information to help verify submitted counts later, including potentially:
  - Facility charters to check designation.
  - Descriptions of facility services and population, to check the designation if the charter is unavailable or to cross-check alignment with the facility charter.
  - Child and youth information (e.g., date of birth, entry and exit dates) that excludes identifying information (e.g., only initials or identification numbers) to cross-check counts.

## STEP 2: Provide Training and Technical Assistance

Since the Annual Count process includes many details and SAs, LEAs, and N or D facilities sometimes experience a high turnover of staff, it is helpful for SEAs to provide training and technical assistance (T/TA) to eligible SAs, LEAs, and their facilities on count requirements and how to coordinate the count.

### 2A. Plan how you will provide T/TA to your SAs, LEAs, and N or D facilities

- Determine if and when you will conduct face-to-face workshops, Web-based seminars (Webinars), or conference calls, and/or provide direct assistance via e-mail and phone.

*NDTAC encourages States to revise any of the Center's Annual Count Materials (i.e., Webinars and toolkits) and adapt them to use along with your other training materials.*

### 2B. Make needed process improvements

- Refer to evaluation results and other feedback based on previous T/TA, if available, to make improvements to upcoming T/TA.

### 2C. Address Annual Count issues that may arise

- Maintain a working list of the common issues and questions subgrantees have had during the count process and the responses your State has provided in the past.
- Determine which facilities have had issues/concerns in the past to proactively address them when providing them with TA.
- Provide T/TA on the following issues, **as necessary and appropriate**.

#### 1. The relationship between counting and serving

- Refer to the section on this relationship, on *page 4*, of the “The Annual Count Toolkit: Determining Formula Counts for Title I, Part D, Funding Allocations.”
- Clarify that for a facility to be eligible for inclusion in the State agency count, it does not matter whether an SA has subcontracted with another entity to provide education services at a facility or if the facility itself provides direct services to children and youth.
- Clarify that to have an accurate local educational agency count, States ideally want to report (although not required) the number of eligible children in locally operated delinquent institutions for all LEAs within the State even if the LEA ultimately does not receive funds under Title I, Part D, Subpart 2. States will then award subgrants to LEAs with high numbers or percentages of children who are delinquent, in accordance with [Section 1422](#) of the Title I statute.
- Explain that, although the LEA count involves counting students who are both neglected and delinquent, counting students who are delinquent *will not* affect their Title I, Part A, count or funding.
- Explain that LEAs that submit a count for a facility do not necessarily have to serve that facility, depending on how the SEA awards funds and on the LEA’s application (see sections [M](#) and [N](#) of ED’s Nonregulatory Guidance).

#### 2. Identifying and counting all students in all eligible facilities

- Recommend that SEAs identify and count all students in all eligible facilities. This can be challenging if facilities close, open, or reorganize without notice. Some suggestions for identifying eligible facilities are to



- **Review and verify the current list of eligible facilities.** SEAs should keep a list of the most recent count-eligible and funded facilities from the previous year. Using the list, monitor openings, closings, or other changes at those facilities.
- **Investigate other potential facilities to count.** Even if SEAs have kept their lists of eligible facilities current, there is still a possibility that not all eligible facilities are identified. Consider contacting State licensing boards for information about other facilities that meet the eligibility criteria and local community agencies and foundations that serve children and youth who are neglected, delinquent, or at risk. If it is difficult to get lists of institutions with licenses from other State agencies, SEAs can confirm the current list with subgrantees to ensure that subgrantees work with all eligible facilities to submit their counts.

### 3. Confirming the count eligibility of different facility types.

- Explain that, although [Section 1432](#) of the ESEA statute lists overarching eligible facility types, some facilities do not fall neatly within the types of facilities defined or they use different terminology. To confirm facility eligibility for counting for a facility type that is not identified in the statute, consider requesting that subgrantees and facilities submit (to the SEA) relevant facility information with the Annual Count survey. For example, request the (1) charter or mission statement, (2) information about the type of children and youth typically served, (3) the category under which the facility was counted in previous year(s), and (4) whether the facility’s regular program of instruction is funded with State, local, or private funding.
- Clarify that, if a **group home** fits the definition of an eligible institution—per [Section 1432](#) of Title I, Part D—then eligible students who reside there can be counted. Please note that children and youth who reside in neglect institutions cannot be counted under the delinquent count (for Part D, Subpart 2). If students and the facility meet the criteria for being reported under the neglect count (for Part A funding purposes), then the students can be counted there.
- Explain that students in **religiously affiliated local facilities** can be counted under the Subpart 2 delinquent count—if the facility is designated as a delinquent institution. Private facilities are eligible under the definition of “delinquent institution,” as defined in [Section 1432](#) of Title I, Part D. No exceptions are made for faith-based institutions.
- Explain that, for the local educational agency count, a **county jail** may be considered a juvenile detention center (JDC) and is eligible to submit a count through the LEA in which it is located. In some States, however, the SA has direct oversight of all JDCs, in which case, the count would go through the SA (under Subpart 1) instead.
- Explain that, for the local educational agency count, a facility should be counted by the LEA in which the facility’s **attendance zone** lies. For instance, if a regional facility is located in the attendance zone of the county LEA, the county LEA should count the eligible students who reside in this facility.

### 4. Communicating the purpose and importance of the count with reluctant LEAs and facilities.

- Explain that, while LEAs are not required to count, accurate counts help ensure that the State and LEA receive resources that are sufficient to serve students who are neglected, delinquent, or at risk.
- Explain that submitting a count does not mean that a program is required to apply for or receive Part D funding. However, any LEA/SEA submitting a neglect count must ensure that children and youth who are neglected receive comparable services through a Title I, Part A, reservation.
- Request that LEAs include annual count requirements as a condition for receiving the funds in their formal agreements.<sup>4</sup>

<sup>4</sup> Every locally operated correctional facility is required to have a formal agreement with its LEA, but other types of facilities (e.g., neglect facilities) are not required to have formal agreements. It is good practice for subgrantees to have formal agreements with all their facilities. For more information see the Title I, Part D, Program Administration Planning toolkit ([Tool 4: Formal Agreement Resources](#)).



## 5. Designating LEA facilities as either neglect or delinquent.

- Inform SAs, LEAs, and facilities that the way a facility is categorized should be consistent from year to year. Changing a facility's category from year to year may affect the Title I, Part D, Subpart 2, allocations and the allocations and LEA eligibility under the Title I, Part A, formulas. For accuracy and consistency, ED strongly recommends that a facility not change its N or D designation unless there has been an official change in its charter (purpose for operating).<sup>5</sup> ED expects that changing the status of local institutions is rare. Changes in the classification of institutions as either neglect or delinquent institution will significantly affect the Title I, Part A, allocations to LEAs and the amount made available for Title I, Subpart 2, purposes. Thus, ED recommends keeping funding streams consistent.
- Explain that if a facility has not previously participated in the count and does not have a charter available (or it is unclear how to designate it on the basis of its license), then the designation should reflect the majority of children and youth served (see [Section L-3](#) of the Title I, Part D, Nonregulatory Guidance). For example, a facility should designate itself as delinquent if a greater percentage of students residing in that facility during the past year were delinquent; the same would hold true for a "neglect" designation.
- Acknowledge that there are a number of valid reasons for a change to the child count from one year to the next. Examples include the opening or closing of eligible facilities or a clarification of the count procedure. However, individual facilities should not be reclassified (from neglect to delinquent or vice versa) from one year to the next without a valid reason.

## 6. Understanding how to identify which eligible students to count in eligible facilities.

- Explain that, even if a child or youth is released from a facility soon after the intake process and even if he or she hasn't resided in the facility for a full night because of early release, as long as the intake process was completed, a child or youth may be counted on the basis of his or her intake completion, since there was an intention to admit or enroll the child.

### *State Agency Count*

- State that students in facilities run by an SA (under Subpart 1) may not be counted if they have earned their **high school diplomas**, even if they meet the age criterion, because they have already passed Grade 12 and would no longer be enrolled in a regular program of instruction (see ED's "Guidance for Identifying Eligible Institutions and Counting Children").
- Explain that students who have already earned their **GEDs** who are in facilities run by an SA (under Subpart 1) may be counted if they meet the criteria for eligible students, including being under 21 years of age and enrolled in a regular program of instruction; in some States students who have received GEDs can still work toward obtaining their high school diploma and thus still be enrolled in a regular program of instruction.
- Clarify that all students, including those who are not N or D, can be counted if they are enrolled in a **community day program** at a State-run facility. [Section 1432](#) of the ESEA defines "community day program" as a regular program of instruction provided by an SA at a community day school operated specifically for children and youth who are N or D. If the community day school is specifically established to serve children and youth who are N or D, for example, as documented by its charter, then the children and youth in this program or school may and should be included, provided they are enrolled for the required hours per week in a regular program of instruction.
- Explain that students enrolled in a **community day program** at an SA-run facility *who do not reside in this facility* may be counted as long as the average length of stay (i.e., enrollment) for the community day program is at least 30 days and the other eligibility criteria are met; students need not reside in the community day program to be counted.

<sup>5</sup> ED compares count data from current and previous years. If there is a large increase or decrease in the student count from the previous year, then the SEA should indicate the reason when it submits the survey. It is not necessary to provide additional documentation with the submission. However, ED may contact States for more information during the verification process; so it is important to understand the reason for the change and to have related records available. Also see "Guidance for Identifying Eligible Institutions and Counting Children" ([http://www.neglected-delinquent.org/nd/docs/ED\\_GuidanceforIdentifyingEligibleInstandCountingChildren.doc](http://www.neglected-delinquent.org/nd/docs/ED_GuidanceforIdentifyingEligibleInstandCountingChildren.doc)).



### **Local Educational Agency Count**

- Explain that students with a **high school diploma** can be counted under Subpart 2 if the student is 5 to 17 years old (inclusive) *and* meets the eligibility criteria outlined in ED’s instructions (see also [Section L](#) of the Nonregulatory Guidance). The “regular program of instruction” requirements do not apply in Subpart 2.
- Explain that students who have already obtained their **GEDs** can be counted under Subpart 2 if these students are 5 to 17 (inclusive) years of age *and* meet the eligibility criteria outlined in ED’s instructions (see also [Section L](#) of the Nonregulatory Guidance).
- Clarify that, although **students who are homeless** should be identified or eligible for services through Title VII, Subtitle B, of the McKinney-Vento Homeless Assistance Act, they are not eligible to be counted under Subpart 2 as students must live in a locally operated facility that meets the definition of an institution for delinquent children and youth or an adult correctional institution as provided in [Section 1432\(1\) or \(4\)\(B\)](#) of the ESEA.
- Ensure that students who attend but do not reside at **community day schools** are not included in the local educational agency count. The count only includes youth who reside in local institutions. However, once funding is determined, community day school students can be served by the LEA with a Subpart 2 grant.
- Clarify that an SEA can include in the count **children and youth who are from out-of-State** and reside in locally operated institutions, since the count is based on the October caseload count of any children and youth who reside in the facility, regardless of their State of origin.
- Explain that the caseload count refers to unique committals and not to each physical entry of the youth. For example, if a child or youth is enrolled in an eligible institution during the 30-day count window but runs away and then returns on the same committal, the LEA cannot count the student again. For a youth to be counted twice, he or she would have to have gone through a formal exit process, followed by a subsequent formal entry process.

## **STEP 3: Verify and Submit Counts to ED**

SEAs should verify the completeness and accuracy of counts and submit counts and related calculations to ED in January of each year. SEAs can submit counts to ED before the submission deadline, if available.

### **3A. Review submitted counts.**

- Compare counts submitted by the SAs and LEAs with counts received the previous year. Since ED uses a 25 percent change when cross-checking current data against the previous year’s data, SEAs can determine the percent of change from the previous year’s data before submitting counts to ED. If the change is greater than 25 percent, States should identify the fluctuation and, if need be, contact subgrantees or facilities to get more information about the discrepancies in their counts.
- Ensure that facilities are designated appropriately by checking facility charters or program descriptions.
- Verify that students were counted appropriately by checking their ages and entry and exit dates.
- Confirm that all eligible facilities submitted counts, as possible. Are new facilities included? Were students of closed facilities captured in counts from other facilities?

### **3B. Submit counts to ED.**

- Complete [ED Form 4376](#). Note: For the State agency count, counts can be entered as fractions (e.g., 122.2), or rounded to the nearest whole number. If an SEA chooses to round the value, it should follow the usual rules for rounding (e.g., up from 0.5).
- Prepare an explanation if any counts are significantly different from the previous year.
- Send a signed original of the certification page of [ED Form 4376](#), any explanations for notable changes/issues, and other requested information to ED.



## Tool 3: Annual Count Timeline Template

### Purpose of the Tool

This tool is a timeline that States can use to ensure that the Annual Count data is submitted on or before the submission deadline established by the U.S. Department of Education (ED).

### How To Use This Tool

This table can serve as a template to cut or expand, as appropriate, to ensure that all count processes are completed in an efficient manner and to ensure that counts are submitted to ED on time. Users can add the date that each step is due or a range of dates when each step will occur. In addition, users can also employ the timeline as a way of tracking the progress of the various steps by adding status notes in the right-hand column.

Step	Timeline	Status
<b>1. SEAs begin planning for the Annual Count</b> <ul style="list-style-type: none"> <li>Decide which SEA staff will be engaged in this year's count process.</li> <li>Verify that you have an updated list of subgrantees and facilities and contact information.</li> <li>Begin communicating with subgrantees to let them know that you will be requesting counts from them in the upcoming months.</li> </ul>	Summer (Add deadline date.)	(Add notes about the status of this step.)
<b>2. Prepare your State's count guidance documents, data collection forms, and instructions from last year.</b> <ul style="list-style-type: none"> <li>Confirm that all requirements are included.</li> <li>Set count window parameters, as appropriate.</li> </ul>	Summer/early fall (Add deadline date.)	(Add notes about the status of this step.)
<b>3. SAs select a count date and LEAs/local facilities select a count window.</b> <ul style="list-style-type: none"> <li>State agency count: select any one day (excluding weekends or holidays) during the calendar year</li> <li>Local educational agency count: select any 30 consecutive days; at least one of these days must be in October</li> </ul>	SAs (Add deadline date.)  LEAs September–November (Add year.)	(Add notes about the status of this step.)



Step	Timeline	Status
<b>4. ED distributes Annual Count Forms to SEAs.</b>	Mid-October	(Add notes about the status of step.)
<b>5. SEAs distribute forms to subgrantees that are eligible to participate in the count.</b>	Mid- to late-October (Add deadline date.)	(Add notes about the status of step.)
<b>6. SEAs provide training and technical assistance (T/TA) to subgrantees and facilities.</b> <ul style="list-style-type: none"> <li>• Proactive (schedule Webinars, conferences, and conference calls; develop/adapt tools)</li> <li>• Responsive (respond to questions)</li> </ul>	Ongoing/as soon as data collection begins (Add deadline date.)	(Add notes about the status of this step.)
<b>7. Facilities submit counts to subgrantees, and SAs and LEAs submit counts to the SEA.</b> <ul style="list-style-type: none"> <li>• <i>State agency count:</i> Facilities submit to their SA, and later the SA submits to its SEA, an adjusted count of children and youth, using a formula that accounts for the relative length of the school year.</li> <li>• <i>Local educational agency count:</i> Facilities submit to their LEA, and later the LEA submits to its SEA, a count of children and youth in N and D facilities (separately).</li> </ul>	Fall (Add deadline date.)	(Add notes about the status of this step.)
<b>8. SEAs review counts and, if necessary, request clarification or additional information from subgrantees or facilities if questions or issues arise while reviewing counts.</b>	Ongoing as data received/fall–winter (Add deadline date.)	(Add notes about the status of this step.)
<b>9. SEAs do a final check of data, and verify and certify that the counts are complete and accurate.</b>	Late fall-early winter (Add deadline date.)	(Add notes about the status of this step.)
<b>10. SEAs submit an adjusted count of children and youth in SA-supported facilities and a count of children and youth in LEA-supported facilities, by type (i.e., N or D).</b>	January (Add deadline date established by ED.)	(Add notes about the status of this step.)



## Appendix: Glossary

<b>Adult Correctional Facility or Institution</b>	A facility in which persons, including youth younger than 21 years of age, are confined as a result of conviction for a criminal offense.
<b>Annual Count</b>	Officially titled the “Annual Report of Children in Institutions for Neglected or Delinquent Children, Adult Correctional Institutions, and Community Day Programs for Neglected or Delinquent Children.” Also sometimes referred to as the “Child Count” or “October Count.” This is a survey administered by the U.S. Department of Education’s (ED’s) Office of Elementary and Secondary Education (OESE) on an annual basis. For this survey, States provide a count of the number of children and youth living in State or local institutions for youth who are neglected or delinquent (N or D) and enrolled in State-run community day programs. ED uses these data to determine funding for Title I, Part A, and Title I, Part D, Subparts 1 and 2.
<b>At Risk</b>	When used with respect to a child or youth, designates a school-aged individual who is at risk for academic failure, has a drug or alcohol problem, is pregnant or is a parent, has come into contact with the juvenile justice system in the past, is at least 1 year behind the expected grade level for his or her age, has limited English proficiency, is a gang member, has dropped out of school in the past, or has a high absenteeism rate at school.
<b>At-risk Programs</b>	At-risk programs (operated through LEAs) target children and youth who are at risk for academic failure, have a drug or alcohol problem, are pregnant or parenting, have been in contact with the juvenile justice system in the past, are at least 1 year behind the expected grade level for their age, have limited English proficiency, are gang members, have dropped out of school in the past, or have a high absenteeism rate at school.
<b>Children and Youth</b>	(1) Persons 21 years of age or younger who are entitled to a free public education through Grade 12 and (2) preschool children below the age and grade level at which a State provides free public education.
<b>Community Day Program</b>	A community day program is a regular program of instruction provided by an SA at a community day school operated specifically for children and youth who are neglected or delinquent.
<b>Consolidated State Performance Report (CSPR)</b>	A data collection instrument administered by the U.S. Department of Education’s (ED’s) Office of Elementary and Secondary Education (OESE) on an annual basis. All States that received funding on the basis of the Consolidated State Application for the applicable school year must respond to the reporting requirements in the CSPR. The CSPR collects student and facility counts, demographic information (race/ethnicity, age, and gender), and academic and vocational outcomes, including performance in reading and mathematics.
<b>Delinquent</b>	When used with respect to a child, youth, refers to an individual who resides in a public or private residential facility other than a foster home that is operated for the care of children and youth who have been adjudicated delinquent or in need of supervision.
<b>Delinquent Facility/Institution</b>	See definition of a juvenile correctional facility/institution.
<b>Detention Facilities</b>	See definition for juvenile detention facility.
<b>Elementary and Secondary Education Act (ESEA)</b>	ESEA, first enacted in 1965, is the principal Federal law affecting K–12 education. The No Child Left Behind Act (NCLB) of 2001 is the most recent reauthorization of the ESEA.
<b>Eligibility</b>	Whether a State or local education agency, facility, or child is allowed to participate in the Annual Count to allocate funds for the Title I, Part D, program or receive Part D funds.



<b>Foster Home</b>	While each State may define a foster home differently, foster homes are typically residences staffed by caregivers who provide 24-hour substitute care for children placed away from their parents or guardians.
<b>Formal Agreement</b>	A formal agreement is a contract that ensures that facilities will provide services that align with the Federal program requirements. Formal agreements are required between LEAs and their locally operated correctional facilities ( <a href="#">Section 1423</a> of the Title I, Part D, Statute).
<b>Group Home</b>	While each State may define a group home differently, these homes are typically residences staffed by caregivers who provide 24-hour substitute care for children placed away from their parents or guardians and for whom the State has placement and care responsibility. Group homes may provide classroom instruction; arrange for work-study programs, parent consultation, and counseling; and act as a liaison to the local school system.
<b>Individualized Education Program (IEP)</b>	A written statement for each individual with a disability; the IEP is developed, reviewed, and revised in accordance with <a href="#">Section 614(d)</a> of Individuals with Disabilities Education Act regulations.
<b>Institutionwide Project (IWP)</b>	Authorized by <a href="#">Section 1416</a> of Title I, Part D; a program that serves all children in, and upgrades the entire educational effort of, an institution or program eligible for Part D, Subpart 1, funds. The purpose of the institutionwide approach is similar to that of schoolwide programs operated under Title I, Part A. <i>Note that adult correctional institutions cannot operate IWPs.</i>
<b>Juvenile Correctional Facility/ Institution</b>	A public or private residential facility other than a foster home that is operated for the care of children and youth who have been adjudicated delinquent or are in need of supervision.
<b>Juvenile Detention Facility</b>	Shorter-term institutions that provide care to children who require secure custody pending court adjudication, court disposition, or execution of a court order, or that provide care to children after commitment.
<b>Juvenile Justice and Delinquency Prevention Act</b>	Congress enacted the Juvenile Justice and Delinquency Prevention (JJJPA) (P. L. No. 93-415, 42 U.S.C. § 5601 et seq.) in 1974 and <a href="#">reauthorized</a> the majority of its provisions in 2002. The JJJPA mandates that states comply with four core protections to participate in the JJJPA's Formula Grants program. This landmark legislation established the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to support local and State efforts to prevent delinquency and improve the juvenile justice system.
<b>Local Education Agency (LEA)</b>	As defined by the No Child Left Behind Act (NCLB), any public institution or agency having administrative control and direction of a public elementary school or secondary school.
<b>Locally-operated Correctional Facility</b>	A facility in which persons, including persons under 21 years of age, are confined as a result of a conviction for a criminal offense. The term also includes a local public or private institution and community day program or school not operated by the State that serves children and youth who are delinquent.
<b>Needs Assessment</b>	A needs assessment is a process by which programs identify and address the needs, or "gaps" between current conditions and desired conditions. A needs assessment should guide the development of a comprehensive program plan and help establish benchmarks for evaluating a program.
<b>Neglected</b>	When used with respect to a child, youth, refers to an individual who has been committed to an institution (other than a foster home) or voluntarily placed under applicable State law due to abandonment, neglect, or death of his or her parents or guardians.



<b>Neglect Facility/ Institution</b>	An institution for children and youth who are neglected. A public or private residential facility, other than a foster home, that is operated primarily for the care of children and youth who have been committed to the institution or voluntarily placed there under applicable State law due to (1) abandonment, (2) neglect, or (3) death of their parents or guardians.
<b>No Child Left Behind Act (NCLB)</b>	The 2002 reauthorization of the Elementary and Secondary Education Act (ESEA). NCLB aims to help schools improve by focusing on accountability for results, freedom for States and communities, proven education methods, and choices for parents.
<b>Privately Operated N or D Facility</b>	A private residential facility, other than a foster home, that is operated primarily for the care of children and youth who have been (a) adjudicated delinquent or are in need of supervision or (b) committed to the institution or voluntarily placed there under applicable State law due to abandonment, neglect, or death of their parents or guardians.
<b>Regular Program of Instruction</b>	An educational program (not beyond Grade 12) in an institution or a community day program for children who are neglected or delinquent. This program consists of classroom instruction in basic school subjects, such as reading, mathematics, and vocationally oriented subjects, and is supported by non-Federal funds. Neither the manufacture of goods within the institution nor activity related to institutional maintenance is considered classroom instruction.
<b>State Agency (SA)</b>	An agency of State government responsible for providing free public education to children in institutions for children who are neglected or delinquent, in community day programs for children who are neglected or delinquent, and in adult correctional institutions.
<b>State Education Agency (SEA)</b>	The State board of education or other agency or officer primarily responsible for the State supervision of public elementary schools and secondary schools or, if there is no such officer or agency, an officer or agency designated by the governor or by State law.
<b>Title I</b>	Reauthorized with the No Child Left Behind Act of 2001, Title I is the largest Federal program supporting elementary and secondary education. The purpose of this program is to help ensure that all children have the opportunity to obtain a high-quality education and reach proficiency in challenging State standards and assessments.
<b>Title I, Part A</b>	Also called Improving Basic Programs Operated by local education agencies. Provides financial assistance through SEAs to LEAs and schools with high numbers or high percentages of poor children, to help ensure that all children meet challenging State academic standards.
<b>Title I, Part D</b>	Also called The Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk, Title I, Part D, Provides financial assistance to educational programs for youth in State-operated institutions or community day programs. The Title I, Part D, program also provides financial assistance to support school districts' programs involving collaboration with locally operated correctional facilities.
<b>Training/Technical Assistance (T/TA)</b>	The process of collaborating with and communicating with stakeholders (i.e., subgrantees and facilities) to provide support, guidance, and assistance. T/TA can come in many forms including Webinars, onsite conferences, one-on-one phone calls, and e-mails.