

Title I, Part D Helpful Definitions

The Title I, Part D programs for neglected, delinquent, or at-risk children and youth are at times hard to understand, and so the Vermont Agency of Education Title I team has compiled an abbreviated list of helpful definitions in order to clarify common misconceptions about these programs.

- **Subpart 1-** refers to the Title I, Part D program sub-granted to eligible State Agencies. In Vermont currently the only State Agency with an eligible institution is the Department of Corrections which operates the Community High School of Vermont.
- **Subpart 2-** refers to the Title I, Part D program the is sub-granted to eligible Local Education Agencies (LEAs).
- **Neglected Institution-** a public or private residential facility, other than a foster home, that is operated primarily for the care of children who have been committed or placed in the institution due to abandonment, neglect, or death of their parents.
- **Neglected Child-** see below descriptions used to determine who is considered a neglected child for the Title I, Part D Program purposes:

1. The youth was placed in the facility because he or she was abandoned or neglected or the parents/ legal guardians died; or
2. The youth was placed away from his/her parents/guardians in the care of an agency in order to best meet the needs of the child and receive treatment for behavioral/emotional challenges; or
3. The youth was placed away from his/her parents/guardians for medical necessity in order to receive treatment for drug or alcohol issues; or
4. The youth was placed in an institution because she needs a program for pregnant teens.

*Although youth in this “neglected child” category may have minor offenses such as truancy or misdemeanor shoplifting, they do not have a significant criminal history.

- **Delinquent Institution-** a public or private institution operated for the care of children who have been adjudicated as delinquent or in need of supervision.
- **Delinquent Child-** see below descriptions used to determine who is considered a delinquent child for the Title I, Part D Program purposes:

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1. A youth who is receiving court-ordered drug and alcohol treatment in a residential program. This is the primary reason the student is placed in a residential setting; or
2. A youth who was/is placed in a detention center due to criminal offenses; or
3. A youth who was/is placed in sex offender residential treatment facility or program.

*Most youth in this category are court ordered into placement and have had significant or repeated contact with the juvenile justice system.

Further definitions established by the Every Student Succeeds Act, 2015 (ESSA) section 1432:

- **At-Risk** - The term 'at-risk,' when used with respect to a child, youth, or student, means a school-aged individual who is at-risk of 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 the age of the individual, has limited English proficiency, is a gang member, has dropped out of school in the past, or has a high absenteeism rate at school.
- **At-Risk Programs** - Programs operated in local schools that target students who are at-risk of 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 age/grade level, have limited English proficiency, are gang members, have dropped out of school in the past, or have a high absenteeism rate.
- **Adult Correctional Institution** - A facility in which persons, including youth under 21 years of age, are confined as a result of conviction for a criminal offense.
- **Community Day Program** - A community day program is a regular program of instruction provided at a community day school operated specifically for neglected or delinquent children and youth.
- **Delinquent** - The term 'delinquent,' when used with respect to a child, youth, or student means 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.
- **Delinquent Institution** - An institution for delinquent children and youth is 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. Delinquent facilities include facilities for detention, juvenile corrections, and adult corrections. Note that for Subpart 1 purposes, these facilities must have an average length of stay of 30 days.
- **Detention Facilities** - Detention facilities are shorter-term institutions that provide care to children who require secure custody pending court adjudication, court disposition, or execution of a court order, or care to children after commitment.
- **Neglected** - The term 'neglected,' when used with respect to a child, youth, or student, means 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.

- **Neglected Institution** - An institution for neglected children and youth is 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. Note that for Subpart 1 purposes, these facilities must have an average length of stay of 30 days.

References

[Title I, Part D Statute | NDTAC: Technical Assistance Center for the Education of Youth Who Are Neglected, Delinquent, or At-Risk](#)

[Definition of Neglected and Delinquent Facilities \(tn.gov\)](#)