

OFFICE OF CHIEF OPERATIONS OFFICER
Summary of State Board of Education Agenda Items
April 16-17, 2015

COMPULSORY SCHOOL ATTENDANCE ENFORCEMENT

14. Approval to adopt new State Board Policy-3106 Youth Detention Center Educational Provisions (Has cleared the Administrative Procedures Act process with public comments)

Executive Summary

In accordance with Mississippi Code of 1972 *Annotated Section 43-21-321*, the Mississippi Department of Education is accountable for ensuring that educational services are provided to students placed in juvenile detention centers. The law further states: the Mississippi Department of Education has the authority to develop and promulgate policies and procedures regarding financial reimbursements to the sponsoring school district from school districts that have students of record or compulsory-school-age children residing in said districts placed in a youth detention center. The revisions will align the policy with current legislation.

Recommendation: Approval

Back-up material attached

3106 Youth Detention Center Educational Provisions

In accordance with Section 43-21-321 of the Mississippi Code of 1972 Annotated, educational provisions are required for all compulsory school age students detained in a youth detention center facility.

1. A certified teacher will provide educational services to detainees.
2. Teacher selection shall be in consultation with the youth court judge.
3. The sponsoring school district will pay the salary of the teacher, based upon actual certification, state (teacher) salary schedule and number of employment days.
4. The sponsoring school district in collaboration with the home school shall comply with the Individuals with Disabilities Education Act (IDEA) and comparable state laws for students with special needs.
5. After forty-eight (48) hours of detention, the detainee shall receive the following services which may be computer-based:
 - a) Diagnostic assessment of grade-level mastery of reading and math skills;
 - b) Individualized instruction and practice to address any weaknesses identified in the assessment; and
 - c) Character education to improve behavior.
6. The sponsoring school district shall work in collaboration with detention center staff to ensure that educational records have been obtained for any student that will be detained for more than 48 hours.
7. The sponsoring school district will provide instruction based on the academic needs of each detainee. When a youth has been receiving special education services in his/her school placement, and is admitted with an existing Individualized Education Program (IEP), it is the responsibility of the educational personnel at the detention center to ensure the continued implementation of the IEP with modifications, if needed, due to the nature of the youth's detentionment.
8. The sponsoring school districts shall maintain and update the computer labs.
9. Students in the youth detention center shall not be classified as absent by the student's home school.
10. The sponsoring school district provides adequate substitute teaching staff to cover teaching duties of educational staff that are on sick or personal leave. The

criteria for a substitute teacher shall be aligned with the district's policy for short and long term placement.

11. The sponsoring school district shall provide 330 minutes of instruction per school day.

12. The sponsoring school district shall identify students with limited English proficiency and provide appropriate instruction to ensure meaningful access to the curriculum.

13. An Individualized Academic Plan shall be written by the sponsoring school district for each student that has been detained for 10 days or more and forwarded to the students home school and is used as a transition component.

14. The Mississippi Department of Education will collaborate with the appropriate state and local agencies, juvenile detention centers and local school districts to ensure that educational services are provided to every student placed in a juvenile detention center.

15. The non-sponsoring school districts, that have students detained at a detention center, will share equally in the additional cost of educational services. Once the Legislature has allocated funding for educational services, provided by the state's detention centers, the Mississippi Department of Education will disseminate the funding based on the needs analysis submitted by each of the sponsoring school districts. Any remaining cost related to educational services, including the maintenance of computer labs, will be equally divided among the non-sponsoring school districts, or district of residence, of juveniles placed in a detention facility.

16. Related services provided for students with special needs may require additional reimbursement to the sponsoring school district from the student's home school or district of residence for services rendered.

17. The Mississippi Department of Education has the authority to develop and promulgate policies and procedures regarding educational programming.

Source: Miss. Code Ann. §43-21-321 (Revise 2/2015)

Current through the 2014 Regular Session and 1st and 2nd Extraordinary Sessions ***

TITLE 43. PUBLIC WELFARE
CHAPTER 21. YOUTH COURT
CUSTODY AND DETENTION

Miss. Code Ann. § 43-21-321 (2014)

§ 43-21-321. Health screening required upon admission to juvenile detention center; development of written procedures for admission; adherence to certain minimum juvenile detention standards; provision of educational services to detained students; other programs and services

(1) All juveniles shall undergo a health screening within one (1) hour of admission to any juvenile detention center, or as soon thereafter as reasonably possible. Information obtained during the screening shall include, but shall not be limited to, the juvenile's:

- (a) Mental health;
- (b) Suicide risk;
- (c) Alcohol and other drug use and abuse;
- (d) Physical health;
- (e) Aggressive behavior;
- (f) Family relations;
- (g) Peer relations;
- (h) Social skills;
- (i) Educational status; and
- (j) Vocational status.

(2) If the screening instrument indicates that a juvenile is in need of emergency medical care or mental health intervention services, the detention staff shall refer those juveniles to the proper health care facility or community mental health service provider for further evaluation, as soon as reasonably possible. If the screening instrument, such as the Massachusetts Youth Screening Instrument version 2 (MAYSI-2) or other comparable mental health screening instrument indicates that the juvenile is in need of emergency medical care or mental health intervention services, the detention staff shall refer the juvenile to the proper health care facility or community mental health service provider for

further evaluation, recommendation and referral for treatment, if necessary.

(3) All juveniles shall receive a thorough orientation to the center's procedures, rules, programs and services. The intake process shall operate twenty-four (24) hours per day.

(4) The directors of all of the juvenile detention centers shall amend or develop written procedures for admission of juveniles who are new to the system. These shall include, but are not limited to, the following:

(a) Determine that the juvenile is legally committed to the facility;

(b) Make a complete search of the juvenile and his possessions;

(c) Dispose of personal property;

(d) Require shower and hair care, if necessary;

(e) Issue clean, laundered clothing, as needed;

(f) Issue personal hygiene articles;

(g) Perform medical, dental and mental health screening;

(h) Assign a housing unit for the juvenile;

(i) Record basic personal data and information to be used for mail and visiting lists;

(j) Assist juveniles in notifying their families of their admission and procedures for mail and visiting;

(k) Assign a registered number to the juvenile; and

(l) Provide written orientation materials to the juvenile.

(5) If a student's detention will cause him or her to miss one or more days of school during the academic school year, the detention center staff shall notify school district officials where the detainee last attended school by the first school day following the student's placement in the facility. Detention center staff shall not disclose youth court records to the school district, except as provided by Section 43-21-261.

(6) All juvenile detention centers shall adhere to the following minimum standards:

(a) Each center shall have a manual that states the policies and procedures for operating and maintaining the facility, and the manual shall be reviewed annually and revised as needed;

(b) Each center shall have a policy that specifies support for a drug-free workplace for all employees, and the policy shall, at a minimum, include the following:

(i) The prohibition of the use of illegal drugs;

(ii) The prohibition of the possession of any illegal drugs except in the performance of official duties;

(iii) The procedure used to ensure compliance with a drug-free workplace policy;

(iv) The opportunities available for the treatment and counseling for drug abuse; and

(v) The penalties for violation of the drug-free workplace policy;

(c) Each center shall have a policy, procedure and practice that ensures that personnel files and records are current, accurate and confidential;

(d) Each center shall promote the safety and protection of juvenile detainees from personal abuse, corporal punishment, personal injury, disease, property damage and harassment;

(e) Each center shall have written policies that allow for mail and telephone rights for juvenile detainees, and the policies are to be made available to all staff and reviewed annually;

(f) Center food service personnel shall implement sanitation practices based on State Department of Health food codes;

(g) Each center shall provide juveniles with meals that are nutritionally adequate and properly prepared, stored and served according to the State Department of Health food codes;

(h) Each center shall offer special diet food plans to juveniles under the following conditions:

(i) When prescribed by appropriate medical or dental staff; or

(ii) As directed or approved by a registered dietitian or physician; and

(iii) As a complete meal service and not as a supplement to or choice between dietary meals and regular meals;

(i) Each center shall serve religious diets when approved and petitioned in writing by a religious professional on behalf of a juvenile and approved by the juvenile detention center director;

(j) Juvenile detention center directors shall provide a written method of ensuring

regular monitoring of daily housekeeping, pest control and sanitation practices, and centers shall comply with all federal, state and local sanitation and health codes;

(k) Juvenile detention center staff shall screen detainees for medical, dental and mental health needs during the intake process. If the screening indicates that medical, dental or mental health assistance is required or necessary, or if the intake officer deems it necessary, the detainee shall be provided access to appropriate health care professionals for evaluation and treatment. A medical history of all detainees shall be completed by the intake staff of the detention center immediately after arrival at the facility by using a medical history form which shall include, but not be limited to, the following:

(i) Any medical, dental and mental health treatments and medications the juvenile is taking;

(ii) Any chronic health problems such as allergies, seizures, diabetes, hearing or sight loss, hearing conditions or any other health problems; and

(iii) Documentation of all medications administered and all health care services rendered;

(l) Juvenile detention center detainees shall be provided access to medical care and treatment while in custody of the facility;

(m) Each center shall provide reasonable access by youth services or county counselors for counseling opportunities. The youth service or county counselor shall visit with detainees on a regular basis;

(n) Juvenile detention center detainees shall be referred to other counseling services when necessary including: mental health services; crisis intervention; referrals for treatment of drugs and alcohol and special offender treatment groups;

(o) Each center shall have a policy that restricts the time a youth can be confined to a locked cell to the following circumstances:

(i) When a youth is sleeping or sick;

(ii) When a youth is on punishment;

(iii) When there is an emergency that poses a threat to the security of the center;

(iv) When the youth has voluntarily requested cell confinement;

(v) When no less restrictive alternative exists and the youth is placed in protective custody because of a threat to his safety;

(p) Local school districts shall work collaboratively with juvenile detention center staff

to provide special education services as required by state and federal law. Upon the written request of the youth court judge for the county in which the detention center is located, a local school district in the county in which the detention center is located, or a private provider agreed upon by the youth court judge and sponsoring school district, shall provide a certified teacher to provide educational services to detainees. The youth court judge shall designate said school district which shall be defined as the sponsoring school district. The local home school district shall be defined as the school district where the detainee last attended prior to detention. Teacher selection shall be in consultation with the youth court judge. The Legislature shall annually appropriate sufficient funds for the provision of educational services, as provided under this section, to detainees in detention centers;

(q) The sponsoring school district, or a private provider agreed upon by the youth court judge and sponsoring school district, shall be responsible for providing the instructional program for the detainee while in detention. After forty-eight (48) hours of detention, excluding legal holidays and weekends, the detainee shall receive the following services which may be computer-based:

(i) Diagnostic assessment of grade-level mastery of reading and math skills;

(ii) Individualized instruction and practice to address any weaknesses identified in the assessment conducted under subparagraph (i), provided such detainee is in the center for more than forty-eight (48) hours; and

(iii) Character education to improve behavior;

(r) No later than the tenth day of detention, the detainee shall begin an extended detention education program. A team consisting of a certified teacher provided by the local sponsoring school district or a private provider agreed upon by the youth court judge and sponsoring school district, the appropriate official from the local home school district, and the youth court counselor or representative will develop an individualized education program for the detainee, where appropriate as determined by the teacher of the sponsoring school district, or a private provider agreed upon by the youth court judge and sponsoring school district. The detainee's parent or guardian shall participate on the team unless excused by the youth court judge. Failure of any party to participate shall not delay implementation of this education program;

(s) The sponsoring school district, or a private provider agreed upon by the youth court judge and sponsoring school district, shall provide the detention center with an appropriate and adequate computer lab to serve detainees. The Legislature shall annually appropriate sufficient funds to equip and maintain the computer labs. The computer lab shall become the property of the detention centers and the sponsoring school districts shall maintain and update the labs;

(t) The Mississippi Department of Education will collaborate with the appropriate state and local agencies, juvenile detention centers and local school districts to ensure the provision of educational services to every student placed in a juvenile detention center.

The Mississippi Department of Education has the authority to develop and promulgate policies and procedures regarding financial reimbursements to the sponsoring school district from school districts that have students of record or compulsory-school-age residing in said districts placed in a youth detention center. Such services may include, but not be limited to: assessment and math and reading instruction, character education and behavioral counseling. The Mississippi Department of Education shall work with the appropriate state and local agencies, juvenile detention centers and local school districts to annually determine the proposed costs for educational services to youth placed in juvenile detention centers and annually request sufficient funding for such services as necessary;

(u) Recreational services shall be made available to juvenile detainees for purpose of physical exercise;

(v) Juvenile detention center detainees shall have the opportunity to participate in the practices of their religious faith as long as such practices do not violate facility rules and are approved by the director of the juvenile detention center;

(w) Each center shall provide sufficient space for a visiting room, and the facility shall encourage juveniles to maintain ties with families through visitation, and the detainees shall be allowed the opportunity to visit with the social workers, counselors and lawyers involved in the juvenile's care;

(x) Juvenile detention centers shall ensure that staffs create transition planning for youth leaving the facilities. Plans shall include providing the youth and his or her parents or guardian with copies of the youth's detention center education and health records, information regarding the youth's home community, referrals to mental and counseling services when appropriate, and providing assistance in making initial appointments with community service providers; the transition team will work together to help the detainee successfully transition back into the home school district once released from detention. The transition team will consist of a certified teacher provided by the local sponsoring school district, or a private provider agreed upon by the youth court judge and sponsoring school district, the appropriate official from the local home school district, the school attendance officer assigned to the local home school district, and the youth court counselor or representative. The detainee's parent or guardian shall participate on the team unless excused by the youth court judge. Failure of any party to participate shall not delay implementation of this education program; and

(y) The Juvenile Detention Facilities Monitoring Unit shall monitor the detention facilities for compliance with these minimum standards, and no child shall be housed in a detention facility the monitoring unit determines is substantially out of compliance with the standards prescribed in this subsection.

(7) Programs and services shall be initiated for all juveniles once they have completed the admissions process.

(8) Programs and professional services may be provided by the detention staff, youth court staff or the staff of the local or state agencies, or those programs and professional services may be provided through contractual arrangements with community agencies.

(9) Persons providing the services required in this section must be qualified or trained in their respective fields.

(10) All directors of juvenile detention centers shall amend or develop written procedures to fit the programs and services described in this section.

HISTORY: SOURCES: Laws, 2002, ch. 602, § 1; Laws, 2005, ch. 471, § 5; Laws, 2006, ch. 539, § 4; Laws, 2007, ch. 568, § 1; Laws, 2008, ch. 481, § 1; Laws, 2011, ch. 510, § 1; Laws, 2012, ch. 564, § 3, eff from and after July 1, 2012.

Comment	Response
<p>1. Since Pascagoula-Gautier School District is the sponsoring district selected for the youth detention centers and we hire the teachers, they become part of our district. This includes their salaries. I would like for MDE to reconsider and reimburse each of the sponsoring districts the local supplement for that district in addition to state base teacher salary. We currently pay the local supplement portion for our two youth court teachers. These are not easy positions to fill. Our stance is that they become part of our district and should be entitled to all benefits, including district salary scale.</p>	<p>No change is needed. Issue is currently addressed in the revised version of the policy.</p>
<p>2. By removing the "not to exceed 187 days" from the current policy, does this mean district are going to be held responsible for providing teachers for <u>more</u> days than that? If so, how many more? This becomes a funding and hiring issue.</p>	<p>No change is needed. The language comes from Mississippi Code of 1972 Section 43-21-321.</p>
<p>3. The maintaining and updating of computer labs is expensive and additional personnel (technology supports) must also be provided at the center on occasion when technology issues arise. Ongoing lab funds must be provided to appropriately service these labs (hardware and software). Pushing all costs for the upkeep of lab, hardware issues and software needs adds another undue financial stress to local school districts. I do not think this should be covered under number # 15 (excess costs) due to lack of appropriate funding on the front end.</p>	<p>No change is needed. Issue is currently addressed in the revised version of the policy and the procedural guidebook.</p>
<p>4. In theory, providing high quality subs sounds like an easy task. In reality, this becomes a nightmare even when following district policy for hiring substitutes. We have 2 teachers in our classroom. They are very rarely out at the same time. However, in the event this occurs, hiring a sub to come in and work with this high needs population may result in "babysitting" and offer little to no educational benefit.</p>	<p>No change is needed. Issue is currently addressed in the revised version of the policy and the procedural guide.</p>
<p>5. With possible Limited English Proficiency students, what does "meaningful access" to curriculum mean? Instruction in their native language? Even with the online reading and math programs we use, we do not have foreign language versions. Will MDE provide these additional programs for us?</p>	<p>No change is needed. Issue is currently addressed in the revised version of the policy and the procedural guide.</p>

<p>6. What would the Individualized Academic Plan look like? A uniformed template would be great. Will MDE provide this?</p> <p>7. There are four school districts within Jackson County with access to the Jackson County detention center. MDE should develop an equal way to bill the non-sponsoring school districts for their fair share of excess costs each year. This should NOT be based on the number of students from a particular district being served during the school year. I recommend that the overage costs be divided equally among the four school districts on an annual basis such as the end of the school year or perhaps on June 30th whether any students detained that school year or not because they have EQUAL access to the facility 100% of the time.</p> <p>8. Related Services requiring additional reimbursements from other school districts? How would this actually work? Billing on a monthly basis to any district that happened to have a student needing related services during that month at the hourly rate of the student needing the service? Since we have no way of knowing ahead of time if any of the students will need related services, there is no way to plan for what services those might be. Therefore budgeting could very well become an issue for the sponsoring district until reimbursement is provided.</p>	<p>No change is needed. Issue is addressed in the procedural guidebook.</p> <p>No change is needed. Issue is currently addressed in the revised version of the policy and the procedural guidebook.</p> <p>No change is needed. Issue is currently addressed in the revised version of the policy and the procedural guidebook.</p>
<p>Just curious as to who this affects the 4 state schools and whether or not specific language needs to be included to address the 4 state schools on this policy.</p>	<p>No change is needed. Issue is addressed in the procedural guidebook.</p>

EDUCATING JUVENILES IN DETENTION CENTERS

A PROGRAM GUIDE FOR THE PROVISION OF EDUCATIONAL
SERVICES

Carey M. Wright, Ed.D., State Superintendent of Education

Mr. Todd Ivey, Chief Operations Officer

Toni Kersh, Bureau Director, Office of Compulsory School Attendance Enforcement

TABLE OF CONTENTS

Overview and Purpose.....	2
Juvenile Detention Education Program Objective & Funding.....	3
Education Services.....	4
Students with Special Needs and Students with Limited English Proficiency.....	7
Students' Academic Records and Transition to Home School/Community.....	8
Appendices.....	9
Juvenile Detention Educational Checklist.....	10
Individualized Academic Plan	11-13

OVERVIEW

The Mississippi Legislature passed Senate Bill 2818, which amended the Mississippi Code of 1972 Section 43-21-321 to require notification to the school district of a student's detention in a juvenile detention facility and to set standards for educational services provided by sponsoring school districts for detained students in youth detention facilities. Prior to the revision of Mississippi Code of 1972 Section 43-21-321, there were no uniform regulatory guidelines for educational services. The revised law mandates that the Mississippi Department of Education promulgate rules for educational services by:

- Collaborating with the appropriate state and local agencies, juvenile detention centers and local school districts to ensure the provision of educational services to every student placed in a juvenile detention center. Such services may include, but not be limited to: assessment in math and reading instruction, character education, and career and technical education.
- Working with the appropriate state and local agencies, juvenile detention centers and local school districts to annually determine the proposed costs for educational services to youth placed in juvenile detention centers and annually request sufficient funding for such services as necessary.
- Ensuring that academic and support services are provided to the students in the youth detention centers.

Since, most students placed in detention facilities have a history of poor academic performance, positive educational engagement aids in the facilitation of youth returning to their prospective school and community as law abiding citizens. Education is a key component of juvenile rehabilitation or habilitation when warranted.

PURPOSE

Since detention is normally a short-term detainment on average less than five (5) days; however, it may be much longer for some youth, it is typically not possible to adequately deliver youth a prescribed curriculum that is exclusively intended for him/her. As an alternative, it is worthwhile to have a short-term curriculum designed to address major/core skill areas found in the public school curriculum. The general overarching purposes of educational programming in detention are to screen for educational disabilities, gather data to inform future educational planning, and to re-engage the youth in the educational process.

Each sponsoring school district's educational program, located in juvenile detention centers, is to provide students with quality instruction through a continuum of educational programs that promote achievement, character, and the skills necessary to become college and/or career ready.

JUVENILE DETENTION EDUCATION PROGRAM OBJECTIVES

The juvenile detention educational goals are as follows:

- A. Provide individualized instruction for each student in residence.
- B. Continue identified instructional objectives for each student placed in a juvenile detention center.
- C. Provide a “seamless” instructional transition for students entering and exiting a juvenile detention center.
- D. Provide training for the faculty and staff in support of the Education Program.

FUNDING

The Mississippi Department of Education (MDE) will allocate funding provided by the Mississippi Legislature for the educational services in the detention centers. A needs analysis will be utilized to determine the general cost for educational services in each juvenile detention center. Any remaining cost related to educational services, including the maintenance of computer labs, will be divided equally among the non-sponsoring school districts, or district of residence, of juveniles placed in a detention facility. All non-sponsoring school districts/counties that are identified as having agreements and/or students placed in a juvenile detention center will share equally in the educational cost, along with other non-sponsoring school districts. This process will ensure that all school districts aid in providing appropriate educational services to juvenile detainees.

Related services provided for students with special needs may require additional reimbursement to the sponsoring school district from the student's home school or district of residence for services rendered.

Sponsoring school districts will need to consider the number of days a teacher will render services, years of experience, and the degree level when entering into a contract.

Sponsoring school districts may utilize more than one teacher in a position. For example, the district may extend the contract on three (3) teachers who will rotate within the position during the year.

EDUCATIONAL SERVICES

To address the unique needs of youth in the juvenile detention center across the various educational settings, educators and administrators need to ensure that they are utilizing appropriate academic and behavioral support practices. It is highly recommended by the National Evaluation and Technical Assistance Center that when determining educational goals for students, these five overall practices, each with specific strategies for implementation, are considered. Although most of the practices and strategies are applicable for students across settings, the application should be tailored to fit each setting. Additionally, all educational settings need to ensure high levels of accountability, monitoring, and evaluation to ensure that each facility and classroom is implementing sound practices consistently and equitably while continuously working to improve their practices and programs. The goals consist of:

- ✓ Collecting and using data to identify needs and develop learning plans
- ✓ Implementing procedures to ensure smooth transitions
- ✓ Addressing gaps in academic skills and accelerate learning
- ✓ Instructing students in ways that engage them in learning
- ✓ Addressing behavioral and social needs to promote education success

In accordance with Mississippi Code of 1972 Section 43-21-321, during the intake process, detention center admission staff will be responsible for obtaining the youth's educational and vocational history.

The youth's educational and vocational history.

1. The juvenile detention center will need to notify the juvenile's home school district within 24 hours upon entry, if applicable, to inform the district of the student's placement at the juvenile detention center. Notification should occur during school business hours (7:30 a.m. - 4:30 p.m.), excluding weekends and district holidays.
2. The juvenile's home school district will submit an "Incident with the Disposition of Juvenile Detention Center (JDC)" with the correct county number of the detention center prior to obtaining access to a student's records maintained on the Mississippi Student Information System (MSIS).
3. The admission staff, as determined by the juvenile detention center, which have signed a Mississippi Department of Education's "Oath of Confidentiality" will be granted access to the Mississippi Student Information System to ensure a seamless process for determining educational needs. The detention center will have access to "View Student Data" and the Individualized Education Program (IEP) information of the Special Education (SPED) students (View rights of the SPED Update Student Screen).
4. If a student with disabilities is detained, the student's home school district, shall have until the close of business to provide the detention center, where

the student is housed, a hard copy of the student's IEP via fax or electronically via e-mail.

5. The student's home school district needs to ensure that the detention center has received the student's IEP.
6. If the detention center has not received the document within two (2) school business days, the detention center will contact the Mississippi Department of Education, Office of Compulsory School Attendance Enforcement.
7. If a juvenile is not enrolled in a public school, the detention center will notify the Office of Compulsory School Attendance Enforcement if assistance is needed in obtaining educational records.
8. If a juvenile has not been enrolled in public, private or home school, the academic assessment data shall be used as a baseline for placement.
9. Information regarding disabilities (e.g., physical, visual, auditory, developmental, or intellectual).

INDIVIDUALIZED ACADEMIC PLAN

An Individualized Academic Plan shall be developed and implemented for each juvenile placed in a detention center. A team consisting of a certified teacher provided by the local sponsoring school district or a private provider agreed upon by the youth court judge and sponsoring school district, the appropriate official from the student's home school district, and the youth court counselor or representative will be responsible for the development of the plan. The plans shall be based upon the student's entry assessments and past educational history and must address the areas of academic, literacy, and life skills. The development of the plan, in order to measure educational progress, shall be developed within ten (10) calendar days of juvenile's entrance into the detention center.

The purpose of the Individualized Academic Plan is to:

- A. Assist students and instructional personnel with setting realistic, achievable, and measurable goals.
- B. Ensure that each student's academic ability, learning style, and educational needs are addressed in the most effective manner regardless of the instructional activity within each educational setting.
- C. Monitor student progress on specific and measurable academic goals and instructional objectives.

The Individualized Academic Plan must integrate a transition component. The purpose of the transition component will assist in moving into and out of detention center educational programs. The transition component must address:

- A. Academic reentry goals
- B. Career and employment goal and the recommended educational placement for the student. The transition team should consist of the student and his/her

parents. The transition plan should be used to guide the service delivery to the student while detained.

In order to ensure that appropriate educational services are provided, each sponsoring school district should adhere to the following:

- A. Instruction in the detention center for the minimum number of days per year in accordance with the law.
- B. Instruction per school day for 330 minutes
- C. School classes are held in appropriate, dedicated space.
- D. Adequate staff (including special education staff) to meet state student-to-teacher ratios for education. Staff are qualified and hold appropriate credentials, including any specialized credentials necessary for providing special education programming or instruction for youth with limited English proficiency.
- E. Appropriate instruction for youth with limited English proficiency to allow for meaningful access to the curriculum.
- F. Adequate substitute teaching staff to cover teaching duties of staff who are on vacation, sick, or otherwise not available. The sponsoring school district provides substitute teachers in order to ensure the continuation of educational services to youth in the detention center in accordance with the sponsoring school district's policy and procedures for students in the traditional school setting.
- G. Curricula required by the state for graduation from high school, including preparation for any required state examinations.
- H. Awards credit (including partial credit) for work completed, and forwards the youth's education records from the facility to other schools upon the youth's exit from the facility.
- I. Career and Technical Education provided via computer-based programs (i.e., Choices and/or Today's Class).
- J. Complies with the federal special education law (IDEA) and comparable state laws for students with educational disabilities.
 - (a) The sponsoring school district has procedures to determine which youth have previously been identified as having educational disabilities, and to promptly obtain special education records for such students.
 - (b) The sponsoring school district has procedures in place to identify and assess youth who potentially have a disability, in conformity with state and federal requirements for special education.
 - (c) The IEP is in place for each student with identified disabilities. Students entering with an existing IEP receive interim services that match the IEP as closely as possible.
 - (d) The process for developing or modifying IEPs at the juvenile detention education program is the same as that used for sponsoring school district.

- (e) The sponsoring school district provides special education students with a full continuum of regular education classes, special classes, and supplementary services. Special education students are allowed to participate in regular school programs to the maximum extent appropriate.
- (f) Special education staff at the school are certified by the state for the services they provide.
- (g) The sponsoring school district provides related services required by the IEP.
- (h) Transition services are provided as required by the IEP.
- (i) Parents or guardians are permitted to participate in decisions regarding special education of their youth, and facility staff are flexible in scheduling or using telephone conferences to permit parent or guardian involvement.
- (j) The sponsoring school district secures parent or guardian surrogates when parents or guardians are unavailable to participate in special education decisions.
- (k) The sponsoring school district complies with legally required timelines for assessment and IEP development.
- (l) The sponsoring school district complies with IDEA requirements for notice and due process.
- (m) Facility staff and school personnel do not inappropriately discipline youth for behaviors that are manifestations of their disabilities.
- (n) Students entering with an existing 504 plan receive interim services that match the plan as closely as possible.
- (o) The sponsoring school district provides GED preparation programs for appropriate youth.

STUDENTS WITH SPECIAL NEEDS

Individual Educational Plans (IIP)

Federal and state laws require IEPs for all students with disabilities. Current IEPs should be maintained for all eligible students, and each sponsoring school district must adhere to the all of the required district, state, and federal guidelines for students with special needs.

STUDENTS WITH LIMITED ENGLISH PROFICIENCY

In accordance with the Executive Order #13166 signed by President Clinton in August 2000 and confirmed by President Bush in 2002, requires federal agencies to examine the services they provide to LEP persons and implement a system that provides meaningful access. Meaningful access requirements apply to all LEP persons whether they are adult inmates, detainees, juveniles or persons involved in community corrections programs.

Therefore, sponsoring school districts must identify students with limited English proficiency and provide appropriate instruction to ensure meaningful access to the curriculum.

Lao v. Nichols- United States Supreme Court (1974)

School districts in this country are required to take the necessary actions in order to provide students who do not speak English as their first language the ability to overcome the educational barriers associated with not being able to properly comprehend what is being taught to them.

Castañeda v. Pickard- 5th Circuit Court of Appeals (1981)

- The bilingual education program must be “based on sound educational theory.”
- The program must be “implemented effectively with resources for personnel, instructional materials, and space.”
- After a trial period, the program must be proven effective in overcoming language barriers/handicaps.

STUDENTS ACADEMIC RECORDS

Academic records and/or files must be developed and maintained by the sponsoring school district in accordance with Mississippi Code of 1972 *Section 37-15-1 and 37-15-3* when a student enters the juvenile detention center for the first time. The academic record contains all of the youth’s identifying information, including family information, contacts, academic assessments, and all available educational information. A copy of the student’s pertinent information will be forwarded to the public, private or home school of the student, if applicable. The sponsoring school district shall comply with state laws governing the storage and maintenance of records.

EDUCATIONAL ATTENDANCE

All students placed in a juvenile detention center are to counted as present and reported to the home school as present unless the students misses the full academic day. Detainees that are summons as a part of judicial proceedings and miss sixty percent (60%) of the instructional day must be considered absent and reported to the home school as an excused absence in accordance to Mississippi Code of 1972 *Section 37-13-91*.

TRANSITION TO HOME SCHOOL/COMMUNITY

The teacher, school attendance officer, and other pertinent staff from the sponsoring school district will be a contributing member of each student’s transition planning meeting for youth leaving the facilities. Plans shall include providing the youth and his or her parents or guardian with copies of the youth's detention center education records. The teacher, as part of the transition team, will work collaboratively with others to help the detainee successfully transition back into the home school district once released from detention. When a juvenile is released, sponsoring school district staff will forward all

completed assignments to the student's home school district, private or home school, to allow for appropriate credit. A copy of the juvenile's academic record will be maintained by the sponsoring school district at the detention center.

APPENDICES

Juvenile Detention Educational Checklist

Student's Name _____ Grade/Academic Placement _____

Grade/Academic Placement Determined by _____

Sponsoring School District _____

Notes:

Date Completed

_____ Notified Home School District

_____ Access to the Mississippi Student Information System Granted

_____ Benchmarks mastered/benchmarks students need to master

_____ Individualized Academic Plan (IAP)

_____ Individualized Education Plan (IEP) (if applicable)

_____ Change of Placement

_____ Textbooks provided

_____ Student's class schedule for _____ (high school only)
current school year

I verify that this packet is complete.

_____ Teacher's Signature

_____ Date

**-----
TO BE COMPLETED BY THE SPONSORING SCHOOL DISTRICT PERSONNEL ONLY**

Date of Entry _____ Expected Date of Release _____

Home District/District of Residence _____

Transition Committee meeting date _____

Individualized Academic Plan (Detention Center Detainees)

I. Student Information

Student's Name	Date of Birth	Age	Gender	Race	Grade	Date of Placement
Projected Completion Date	Home School			IEP	<input type="checkbox"/> <input type="checkbox"/> yes no	Disability
Parent/Guardian's Name	Address					

II. Entry Meeting Date: _____ Committee Members: _____

PRESENT LEVEL OF PERFORMANCE (Please include strengths and weaknesses) To be completed by Sponsoring School District	
English/Language Arts	
Math	
Science	
Social Studies	

Interventions:						
Subject:	Specific Needs	Intervention/Strategies	Monitoring Date	Monitoring Status		
				Insufficient Progress	Some Progress	Mastery
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Intervention Status	Student is not progressing in a timely manner. Intervention/Strategies need to be revised <input type="checkbox"/> Date: _____
	Student is making some progress. Continue with plan as is <input type="checkbox"/> Date: _____
	Student has mastered and completed Student Learning Plan <input type="checkbox"/> Date: _____

Transition Support Plan-Post Release

The following is recommended (Please check all that are applicable):

Academic:

- Literacy Intervention
- Tutoring (building-based)
- Other _____
- Credit Recovery
- Extended Day Learning
- Character Education
- Summer School

Social:

School Counseling
Extra-Curricular Activities
Other _____

Mentoring
Parent/Teacher Compact

Notes:
