

OFFICE OF CHIEF ACADEMIC OFFICER
Summary of State Board of Education Agenda Items
Consent Agenda
March 17, 2022

OFFICE COMPULSORY SCHOOL ATTENDANCE ENFORCEMENT

- D. Approval to begin the Administrative Procedures Act process: To revise Miss. Admin. Code 7-3: 30.6, State Board Policy Chapter 30, Rule 30.6 – Youth Detention Center Educational Provisions

Background Information: Begin the Administrative Procedures Act process: To revise Miss. Admin. Code 7-3: 30.6, State Board Policy Chapter 30, Rule 30.6 – Youth Detention Center Educational Provisions in accordance with Miss. Code Ann. § 25-43-3.114 which requires an agency to review all of its rules at least every five years to determine whether any rule should be repealed, amended, or a new rule adopted.

State Board Policy Rule 30.6 paragraph 19 is being revised to clarify how Juvenile Detention Center (JDC) costs will be shared between non-sponsoring districts and the sponsoring or host JDC district.

Recommendation: Approval

Back-up material attached

Rule 30.6 Youth Detention Center Educational Provisions

In accordance with Miss. Code Ann. § 43-21-321, educational provisions are required for youth detainees in a juvenile detention center facility at a minimum during the sponsoring school district's academic school year.

1. 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 (JDC).
2. A certified teacher will provide educational services to detainees.
3. Teacher selection shall be in consultation with the youth court judge.
4. The sponsoring school district will pay the salary of the teacher, based upon actual certification, state (teacher) salary schedule and number of employment days.
5. 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.
6. After forty-eight (48) hours of detention during the calendar year, as determined by the sponsoring school district, 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.
7. 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 during the sponsoring school district's academic school calendar. The sponsoring school district shall adhere to Child Find regulations throughout the calendar year.
8. Student assignments shall be provided to a juvenile detention center by the home school for completion during detainment if need by the Juvenile Detention Center (JDC). Student's records, including grades and attendance, shall be part of the student's transition process and submitted to the receiving school district for review, upon release. Grades received from the JDC's education program shall be incorporated into academic performance grades.
9. 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 detention.

10. School districts shall work collaboratively to develop a documented process for the continuation of related services. The school district of residence remains responsible for the student's access to related services while the student is in a juvenile detention center.
11. The sponsoring school districts shall maintain and update the computer labs.
12. Students in the youth detention center shall not be classified as absent by the student's home school and attendance data shall be reported to home district daily.
13. 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.
14. The sponsoring school district shall provide 330 minutes of instruction per school day.
15. The sponsoring school district shall identify students with limited English proficiency and provide appropriate instruction to ensure meaningful access to the curriculum.
16. An Individualized Academic Plan (IAP) shall be written by the sponsoring school district for each student that has been detained for 10 days or more, during the sponsoring school district's academic calendar, and forwarded to the student's home school and shall be used as a transition component. An IAP does not need to be developed if the student has an existing IEP. The JDC educational staff shall follow all state and federal laws for revisions and modifications of an existing IEP to ensure appropriate services.
17. Student detainees who have received a High School Equivalency diploma shall be provided educational services, which may be computer-based on an academic screener. Instruction shall include an integrated career counseling component, and access to career and technical opportunities.
18. The sponsoring school district shall be responsible for providing educational and/or special educational services as required by state and federal law for youth detainees. At a minimum, educational services shall be provided during the sponsoring school districts academic school year and must include a six-week enrichment program. The enrichment program shall focus on mathematics and English language arts instruction, and may include other primary core subject areas, including character education. The sponsoring school district shall ensure compliance with all guidelines set forth by the IDEA. The summer enrichment program shall be at least four (4) hours per day and may be computer-based.
19. 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 need's 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.

20. The Mississippi Department of Education has the authority to develop and promulgate policies and procedures regarding educational programming.
21. The MDE shall monitor each detention center's educational program in accordance with state law. Each sponsoring school districts shall be responsible for conducting a self-assessment of educational programs offered to student detainees. On-site monitoring may be conducted if specified risk factors are identified including, but not limited to:
 - a. Complaints by the Department of Public Safety Facility Monitoring Unit
 - b. Notification of non-compliance by the Office of Special Education
 - c. Sponsoring school district's self-assessment irregularities

Source: Miss. Code Ann. §§ 43-21-321, **37-1-3** (Revised ~~7/2019~~; **3/2022**)

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