

Education Standards



Standard 8-11-1

(a) A written agreement exists between the superintendent of the local school corporation where the detention center is located and either:

- (1) the presiding juvenile court judge, or designee, for centers operated by a local governmental entity; or**
- (2) the agency director, or designee, for centers operated by a private entity.**

(b) The written agreement must describe the method of delivery of a juvenile detention education program.

(c) The agreement must include the following:

- (1) Funding allocations.**
- (2) Transfer of education records.**
- (3) Special education service delivery.**
- (4) Grade and credit transfers.**
- (5) Access to existing online or computerized education programs approved by the local school corporation.**
- (6) Detention education program annual evaluation.**
- (7) Education services for youth from outside the local school corporation.**
- (8) Education services for youth who have:**
 - (A) dropped out of school;**
 - (B) been suspended; or**
 - (C) been expelled.**

Standard 8-11-1 Continued

Comment 1: *A written agreement or memorandum of understanding between the detention facility and all school corporations and special education cooperatives located in the county is encouraged.*

Comment 2: *Privately operated detention facility directors may enter into an agreement with the superintendent of the local school corporation to meet the requirements of this standard.*

Comment 3: *IC 20-33-2-6 is the Indiana Compulsory School Attendance Law.*

Suggested document(s): *Written agreement*



Standard 8-11-2

Written policy, procedure, and practice provide all juveniles with a comprehensive education program that:

- (1) operates a minimum of two hundred ten (210) instructional days a year;**
- (2) has an instructional day of:**
 - (A) six (6) or more hours of educational programming for juveniles in grades 7 through 12; and**
 - (B) five (5) or more hours of educational programming for juveniles in grades 6 and lower;**
- (3) provides educational programming through:**
 - (A) an on-site classroom teacher;**
 - (B) an approved online instructional program with teacher oversight;**
 - (C) coursework assigned from the juvenile's home school with teacher oversight; or**
 - (D) an approved virtual learning program that includes teacher instruction;**
- (4) has educational program personnel with:**
 - (A) appropriate certification or licensure; or**
 - (B) supervision by a licensed teacher appropriate for the classroom setting;**
- (5) conducts an approved education screening within three (3) days of admission with follow-up assessments conducted as necessary to determine the juvenile's educational needs;**
- (6) enrolls juveniles for participation at the earliest opportunity and within three (3) days of facility admission;**

Standard 8-11-2 Continued

(7) has a system for obtaining school records that:

(A) is initiated within three (3) days of admission, excluding weekends and holidays;

(B) requests the juvenile's:

(i) most recent school schedule;

(ii) course progress;(iii) transcript; and

(iv) IEP, if applicable; and

(C) has regular follow-up until records are obtained;

(8) holds educational programming in classrooms or multipurpose areas; and

(9) allows juveniles in isolation, room confinement, or special security rooms or units:

(A) to continue to progress in their educational program; and

(B) to return to the classroom environment as soon as safely possible.

Standard 8-11-2 Continued

Comment 1: *Juveniles, including those who have been suspended, expelled, or are otherwise not enrolled in the local school setting, should have access to the most appropriate educational program consistent with his/her abilities and needs, taking into account the juvenile's age and level of functioning. The educational program should be structured so that a juvenile can enter at any time and proceed through the various grades at a comfortable pace. Individualized instruction is essential and may include credit recovery or skills development programming*

Comment 2: *IC 20-33-2-29 is the compulsory attendance statute.*

Comment 3: *IAC 7-32-22 defines "Instructional day" as any day or part of a day that students are expected to be in attendance.*

Comment 4: *IC 20-30-2-2 is the education instructional time statute.*

Comment 5: *Virtual learning is defined as, an on-line education system that models conventional in-person education by providing equivalent access to classes, class content, tests, homework, grades, and assessments. It is also a social space where students and teacher can interact through threaded discussions or chat.*

Comment 6: *At minimum, a teacher licensed in secondary education should provide instruction for grades 6 and up; while a teacher with a primary education license should provide instruction for grades 5 and lower. Best Practice indicates that Highly Qualified Teachers provide instruction in the specific area of their licensure.*

Comment 7: *There should be a systematic procedure for educational screening at intake that includes standardized testing so that each juvenile can be placed in appropriate educational programs. Staff should be qualified to interpret tests and decide when additional testing is needed. Follow-up educational assessments are conducted as defined by the local school corporation or by Title I program requirements.*

Comment 8: *Documentation is available to support the need to discontinue education services for juveniles in room confinement or isolation.*

Comment 9: *Coursework completed in the detention center should be counted towards high school credit. Staff should coordinate with the receiving school to make sure all completed coursework is provided for evaluation. Note that the transfer of student education records between schools does not require written consent from the student's parent or guardian.*

Suggested document(s): *Documentation of when instructional days are held during the calendar year; Facility master schedule; Documentation of the method of providing educational programming; Documentation of educational program personnel's licensure/credentials; Screening assessment tool; Documentation of juvenile's enrollment; Documentation of school record request for the required documents; Follow-up request and date records received; Photograph; Activity log; Documentation of educating juveniles in confinement/isolation*

Standard 8-11-3

Written policy, procedure, and practice provide education staff shall:

- (1) determine the need; and
- (2) provide remedial **reading** services;
for juveniles who have not attained basic literacy skills.

Comment 1: A structured remedial reading and/or basic literacy skill development program may be included as part of the juvenile's education instructional time.

Comment 2: Without basic literacy and job skills, juveniles will have little chance of accessing educational and employment opportunities on discharge from the facility. The educational program should set minimum literacy levels that conform to those established by applicable state or local educational agencies.

Suggested document(s): Documentation of evaluation for remedial reading services

Standard 8-4-4

(a) Written policy, procedure, and practice provide all juveniles must take the courses necessary to progress toward their:

- (1) high school diploma;
- (2) individual education plan goals; or
- (3) high school equivalency exam.

(b) Written course curriculum must be aligned to the Indiana Academic Standards for Indiana Middle Schools and the "Core 40" high school diploma.

(c) Written course curriculum:

- (1) must include core academic subjects of English, math, science and history;
- (2) may include core academic subjects of reading or language arts, foreign language, civics and government, economics, fine arts, history, and geography; and
- (3) may include noncore academic subjects of physical education and interpersonal relations when credits are able to be awarded by the local school corporation.

(d) Juveniles have access to:

- (1) textbooks;
- (2) digital curriculum;
- (3) learning materials; and
- (4) specialized equipment;

necessary to meet minimum state **academic** standards.

(e) A system for recording academic progress data, such as completed assignments, test scores, and credits earned is available.

Standard 8-11-4 Continued

Comment: *Standardization of curriculum assists in monitoring student progress between the detention facility and the local school corporation. Emphasis should be on individual student progress as measured by observable or assessable instructional objectives.*

Suggested document(s): *Documentation of juvenile courses taken; Documentation of curriculum meeting Indiana Academic Standards; Curriculum; Inventory list of required materials; Photographs of educational equipment; Documentation of recording progress data, Copy of teachers gradebook*

Standard 8-11-5

Written policy, procedure, and practice provide the following:

- (1) Special education programs and services must be available.
- (2) Special education programs and services must be aligned with the state requirements for juveniles with educational disabilities.
- (3) Special education services are provided by appropriately licensed professional staff.
- (4) Special education services are aligned to the student's individualized education plan (IEP).
- (5) An IEP is developed or implemented within ten (10) days of enrollment into the facility's educational program.
- (6) A system for obtaining previous special education records that:
 - (A) is initiated within three (3) days of admission;
 - (B) requests the juvenile's:
 - (i) most recent IEP; and
 - (ii) performance record; and
 - (C) has regular follow-up until records are obtained.
- (7) A process to refer juveniles who may need to be identified for special education services.
- (8) Access to regular and special education classes and supplemental services.
- (9) Transition services as required by the IEP to the extent possible due to the juvenile's confinement.

Standard 8-11-5 Continued

Comment 1: Implementation of the IEP may be achieved through collaboration between the detention facility education staff and the local school corporation and/or special education cooperative staff.

Comment 2: The juvenile detention center is responsible to implement the student's IEP. The public school is responsible for compliance with legal required timelines for assessment and IEP development, along with parental involvement in case conferences. IEP development may occur via conference call if necessary. A probation officer may serve as an educational representative for the juvenile. In special cases, a surrogate parent may be assigned, as defined in IC 7-39-1 and 2.

Comment 3: Parental involvement in case conferences and IEP development may occur via conference call if necessary. A probation officer may serve as an educational representative for the juvenile. In special cases, a Surrogate Parent may be assigned, as defined in IC 7-39-1 and 2.

Comment 4: Remedial services and certified special education teachers should be provided, where applicable.

Suggested document(s): Documentation of available services aligned with state requirements; Licensure/credentials of staff; Documentation of services aligned with IEP; Documentation of juvenile's enrollment and date IEP developed or implemented; Documentation of school record request for the required documents; Follow-up request and date materials received; Documentation of referral; Documentation of IEP transition services provided

Standard 8-11-6

Written policy, procedure, and practice provide high school equivalency programs, preparation, and testing for certification to juveniles who qualify.

Comment 1: When access to testing for the High School Equivalency certification is available in the community, the juvenile court judge may order a temporary furlough or release to allow for testing.

Comment 2: Detention education programs must be at least equal in quality and requirements, to equivalent programs in the community to ensure that student credits, certificates, and diplomas are accepted by employers and transferable to schools and colleges after release. Policies should also provide for emergency or temporary certification to facilitate hiring qualified personnel who lack complete or current certification. Recognition, certification, or licensing by the authority having jurisdiction legitimizes the detention education program and allows opportunity for self-evaluation and outside evaluation; it also facilitates obtaining funding from state, federal, and private sources.

Suggested document(s): Documentation of preparation services offered; Transport order for testing; State Department of Education certificate

Standard 8-11-7

Written policy, procedure, and practice govern the maintenance of and access to juvenile education records to:

- (1) ensure juveniles' rights to privacy and confidentiality in accordance with state and federal laws; and**
- (2) provide academic progress data and coursework to the juvenile's home school district within seven (7) days of discharge to allow for evaluation towards high school credit.**

Comment: Academic/vocational information should become a part of the master file and be transferred when juveniles are moved to other facilities or relocated in the community during prerelease. Accurately maintained student files and records are part of staff accountability and are essential for program needs, assessments, and evaluations.

Suggested document(s): Juvenile educational records and master files; Documentation of juvenile's discharge; Documentation of educational record transfer within 7 days of discharge

Standard 8-11-8

Written policy, procedure, and practice provide an annual evaluation to measure the effectiveness of the **educational programs** against stated **performance** objectives.

Comment: The education program should be evaluated annually, preferably by a local school corporation's management staff or by an independent agency. The results of the evaluation should be submitted to the facility administrator for review.

Suggested document(s): Copy of annual education evaluation/action plan

Standard 8-11-9

(a) Written policy, procedure, and practice provide juveniles are not required to participate in uncompensated work assignments unless:

- (1) the juvenile is performing housekeeping tasks;
- (2) the work is part of an approved vocational or training program; or
- (3) the work is an approved community service project.

(b) The work assigned to juveniles must not be a substitute for duties performed by professional janitorial or maintenance staff.

(c) Juveniles do not perform tasks, including housekeeping, that require them to miss school or interfere with normal sleeping hours.

Comment: Work that benefits the community or the facility may also serve the needs of the confined juveniles. It may be part of a vocational training program, the opportunity to practice existing skills, or simply a relief from boredom.

Suggested document(s): List of work/community programs made available to juveniles; Documentation of staff coverage for work assignment duties; Activity schedule

Standard 8-11-10

Written policy, procedure, and practice provide that juveniles are not permitted to perform any work prohibited by state and federal regulations and statutes pertaining to child labor.

Suggested document(s): Documentation that work assignments are reviewed against applicable labor laws