EDUCATING JUVENILES IN ADULT JAILS: A PROGRAM GUIDE

Written and Prepared for
Office of Superintendent of Public Instruction
by
Katherine A. Carlson, Ph.D., Senior Associate
Michelle M. Maike, MA, Director
December 2013 (2nd Edition)





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Special thanks are directed to the many individuals in this and other states who provided insight and knowledge about their existing programs and shared materials and resources. Appreciation particularly goes to the individuals in State offices and other pubic and private organizations and institutions, administrators and officers in several county jails, and educators and administrators in the State's schools and juvenile detention and adult corrections facilities who graciously spent their time to inform us about their work and to provide information and referrals to other resources. We benefitted from their knowledge and experience, and hope they will benefit in turn from the Guide.

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FORWARD

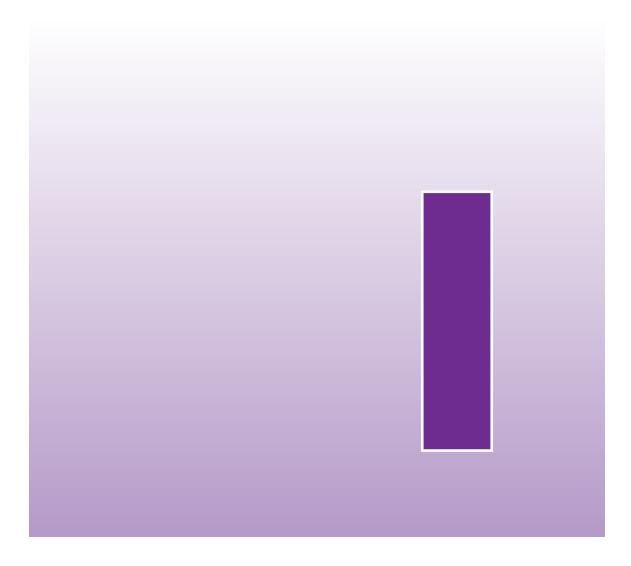
The Educating Juveniles In Adult Jails: A Program Guide was first published in 2010 and updated in December 2013. The primary intended users of Educating Juveniles In Adult Jails: A Program Guide are local school districts or their designated accredited education providers who are charged under Washington state law with responsibility for providing education programs to this population. Those education administrators and teachers who will plan, design, oversee, and deliver education to juveniles in adult jails need an understanding of the rationale for program services as well as the opportunity to learn from the experiences of others. Teaching in an adult jail is very different from instruction in a community-based classroom or in most other institutional classrooms, and these differences must be taken into account if students are to make satisfactory educational progress. The Guide includes information about how to achieve these core program aims.

The Guide is intended to be useful to jail administrators and institutional staff who are hosts for an education program. They too will benefit from a broader understanding of the background and rationale for providing education to the juveniles in their charge. The cooperation and assistance of jail administrators and staff are critical if education programs for juvenile inmates in adult jails are to be effective. It is important for educators to recognize the significance of a jail staff's needs for safety and security; it is equally important for jail personnel to accept the rights juveniles have for education while incarcerated and the essential role of educators in the jail setting.

The Guide does not include and is not intended to provide detailed curricula for program delivery. Rather, it is to serve as an outline for appropriate education services that are within the scope of the educational objectives and capacities of the education provider and fit the safety and security parameters of the jail.

PARTI

Background/Significance



INTRODUCTION

Washington State law was changed in the 1990's to require that juveniles, ages 16-17, who were accused of certain serious offenses be charged as adults. One consequence of these legal changes was an increase in the number of juveniles under 18 who were held in adult jails pending trial. Despite their status as adults in the State's criminal justice system, these juveniles retain their rights to educational access under State and federal law. Until recently, these rights to educational access for juveniles in the State's adult jails had been inconsistently met. A lawsuit and settlement affecting the Pierce County Jail, Tacoma School District, and the Office and Superintendent of Public Instruction in 2009 led to steps to better address this educational need. The result was 2010 Legislation that requires every Washington State school district in which there is an adult jail to make available education services for any juvenile under age 18 who is held in that jail facility. This law is codified in RCW 28A.194, with accompanying regulations contained in WAC 392-122-228.

This document offers guidelines for development and operation of such education programs for juveniles under age 18 held in adult jails. As such, it includes information about the need for these programs, the characteristics of the youth who will be served, how to plan and implement education programs in the jail setting, and the conditions affecting program delivery. The Guide reviews and is in accord with current State and federal rules and regulations regarding juvenile education programs in adult jails and summarizes the roles and responsibilities of education providers and jail personnel. There is an overview of specific instructional approaches and curricula that have been identified as appropriate and effective by practitioners in the field and in the existing literature. The Guide also includes a checklist to assist in program planning and design, sample forms that might be needed for the education program, and useful websites for additional support, reference, and information.

SECTION 1:BACKGROUND/CONTEXT

Use of Adult Jails to Hold Juveniles

Washington State Law: From their inception in the 1890's, juvenile courts have had the capacity to make exceptions to the usual juvenile justice system practices that treat juveniles differently than adults for similar offenses. In the past, such exceptions generally were done through judicial waiver and provided a way for the juvenile courts to respond to serious offenses such as murder by prosecuting and sanctioning juveniles as adults in the criminal courts. Following a period of increased national and local concern over a rising incidence of juvenile violence, in 1994 the Washington State Legislature passed the Violence Reduction Act that automatically transferred jurisdiction to the adult courts of youth aged 16 and 17 who had been charged with certain violent felonies including murder and assault 2. Subsequently, in 1997, the Legislature increased the scope of offenses that would lead to automatic transfer to adult court for juveniles over age 16. These include robbery 1, rape of a child 1, drive-by-shooting, burglary 1 (if the offender has a prior adjudication), and any violent offense if the offender was armed with a firearm. Such transfers are identified as the result of "automatic declination."

These statutory changes initially led to an overall increase in the number of juveniles transferred to adult criminal courts. Under Washington law, juveniles charged as adults and awaiting adjudication in criminal court may be held <u>either</u> in a juvenile detention facility or in an adult jail. The decision on housing prior to sentencing is a local one. State law requires juveniles who are held in an adult jail or prison as <u>juvenile</u> offenders to be housed separately from adults in the same facility. This "sight and sound separation" adheres to federal mandates and typically is a temporary situation prior to transfer to a juvenile facility or some other resolution. Since 2012, federal regulations mandate a similar requirement for juveniles who are charged as <u>adults</u> and held in adult facilities (see page 8 for additional details).

Local Practice: Since Washington is a local control state (i.e., local jurisdictions have the autonomy to make decisions on policies and practices), counties vary in how they hold juveniles charged as adults. Responses to a 2010 survey indicated that a slight majority would house juveniles charged as adults in their adult jails. Those counties whose jails did not typically hold juveniles usually had agreements for such youth to be housed in their local or regional juvenile detention facility. The State's most populous counties, and those likely to have more such offenders, tended to use their jails; smaller counties were more variable and for many, the choice of where to hold transferred youth had not had to be made for many years, a consequence in part of small populations and proportionately low rates of qualifying crimes.

Regardless of the prevailing policy, there was allowance for exceptions. If a youth posed management problems or security risks for a juvenile detention facility, the adult jail would be utilized. Similarly, counties where juveniles were primarily held in jails might also make case-by-case decisions that could include housing in juvenile detention for juveniles who were younger or otherwise viewed as particularly vulnerable. Placements were also subject to change, with juveniles in detention facilities routinely moved to jails when they turned 18 if their cases were still pending.

Such decisions about where to house juveniles charged as adults are a reflection of local capacity, leadership, and community culture, and are being amended with shifts in personnel and public sentiment as well as adoption of new federal standards. The result for Washington's juveniles charged as adults is that their conditions of confinement pending adjudication are often a matter of geography or circumstances, not a product of their offense. This is a national situation as well. There is extreme variability among states, within states, and within counties, in the selection, adjudication, and sentencing of transferred youth (UCLA School of Law 2010).

Adult Jails and Juvenile Detention Centers

There are two distinctive judicial and custodial systems in Washington State: one intended for juveniles and one for adults. Both have two levels of custodial facilities with one designated for short-term and the other for longer-term residents. Short-term facilities include juvenile detention centers for youth under age 18 and city, county, or regional jails for those charged as adults. Detention centers and jails are local facilities, operated by city or county governments. Longer-term facilities include the institutions for juveniles operated by the Juvenile Justice and Rehabilitation Administration (JJRA) and those for adults operated by the Department of Corrections (DOC). These are state facilities. JJRA institutions offer a rich mix of regular and vocational education and supportive services. The Department of Corrections, through interagency agreement with JJRA, houses juveniles (under age 18) who have been sentenced as adults at JJRA facilities at Green Hill School.

Adult Jails: Adult jails are essentially interim correctional facilities. Their population falls within three general categories: 1) those awaiting trial; 2) those awaiting transfer to another setting such as prison; and 3) those sentenced to serve some period of time not exceeding one year. Individuals held in jails are thus accurately presumed to be in transition, whether this be to another institution or back to the community. As institutions intended and designed for a transient population, jail policies and procedures focus on population management, security, and accommodation to court processes (e.g. visits with attorneys, court hearings, trials, etc.).

Delivery of and access to programs such as education and related supportive services are secondary functions for which jail policies and procedures have not been designed, and staff has not been trained. When they are offered in jails, such additional programs are largely provided by external agencies or organizations, or volunteers. Most jails, particularly larger ones, often provide staff support for program coordination as well as in-kind support such as space and staff to supervise inmate movement and maintain security. Washington's 2010 legislation underscores that educational services for juveniles are not the jail's responsibility, but the local school district's.

Juvenile Detention Centers: County or regional detention centers house juveniles under age 18 while they are awaiting court processes as well as juveniles who are serving short-term sentences. Detention sentences are a maximum of 30 days (although concurrent 30-day sentences are possible). Education provided by a local school district or an Education Service District is a major part of a day e.g., 5 hours/day in a detention facility with attendance mandatory and non-participation sanctioned. Other services such as anger management and Functional Family Therapy are also typically available as are referrals

to community-based services for the youth and family. These are intended to support rehabilitation and transition either to school and the community or to another institution established for lengthier stays.

County juvenile detention facilities are designed for short-term and transitional residents; terms of confinement may be longer if pending court processes are prolonged or delayed. Ultimately, although detention facilities do have a juvenile and rehabilitative focus and provide education and other services, these programming advantages are not explicitly designed for long-term residents. Detention education programs are intended to help bridge the period between a youth's attendance at his or her community school and wherever he or she goes next. While education credits can be earned in detention schools, the education program is not typically aimed toward program completion.

Educational Strategies For Juveniles In Adult Jails: A 2007 survey of educational offerings for juveniles in adult jails from a national sample found that 40 percent of facilities provided no education of any kind while just 11 percent made provision for special education (Campaign for Youth Justice, 2007, pg. 4). Washington jails had been consistent with national trends in their frequently limited educational offerings for juveniles. In 2008, a member of the Washington State Legislature's House Health and Human Services Committee requested staff to survey the State's adult county jails to determine whether or not they housed juveniles and provided educational services. The results of this survey as well as more recent information collected from interviews indicates that prior to 2010, there was no more than minimal provision for the education of juveniles in nearly all of the State's adult jails.

Number and Characteristics of Youth Involved

A one-day count of the number of youth under age 18 held in adult jails in the United States identified 7,220 juveniles (Ziedenberg, 2011). This number is a point in time, and beyond it, there can be no complete and accurate report of how many juveniles are held in adult jails in Washington or nationally due to the inconsistent methods and manner in which such data are recorded (Mulvey and Schubert, 2012). The rates of juvenile crimes have been steadily declining since 1995, and this decrease as well as shifts in national and related local policies regarding holding juveniles in adult facilities is also likely to be reflected in the number of juveniles held in adult jails.

Further complicating any understanding of the numbers requiring educational services is the fact that this is often a very transient population. Some juveniles reported as housed in adult jails are likely to have been there only temporarily pending transfer to a juvenile institution or release, with stays less than five days, and would not have been charged as adults. The situation is similar in Washington jails, meaning that some youth effectively simply pass through the state's adult jails and would not be appropriate for an education program.

Distribution of Juveniles: Overall, the number of Washington juveniles eligible to receive education in adult jails is fairly small at any one time. There was a total of 27 juveniles involved in the state's jail education programs during the 2012-13 school year. These youth were located in just eight adult jails and were overwhelmingly concentrated in the jails of the State's two most populous counties, Pierce and King. The number of individuals actually enrolled in jail educational services in one of the above two counties during the 2012-13 school year ranged from nine to fifteen. Smaller jails in smaller counties typically had a juvenile population ranging

from zero to one or two, and most jails in the state did not have any juveniles who would have needed educational services. Thus although any juvenile resident in an adult jail poses a similar educational need, the variability in the number of juveniles involved presents a much greater educational challenge in most of the State's adult jails.

Demographics: Juveniles who were transferred to adult court in Washington were disproportionately youth of color, with this discrepancy most notable for African American or Native American males (Washington Coalition, 2009). This far exceeds the proportionate population distribution of juveniles for the State as a whole as well as that for individual counties. Racial and ethnic disproportionality is a consistent national pattern associated with juvenile transfer to adult courts (Ziedenberg, 2012; UCLA School of Law 2010; Bortner, Zatz, and Hawkins, 2000). The information about the specific characteristics of this population are not definitive due to the same poor or erratic data recording procedures mentioned above, nor are there specific data about these juveniles' mental health status, family circumstances, or substance use.

Relevant State and Federal Laws and Regulations

Washington's Constitution states that: "It is the paramount duty of the State to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex" (Article IX, section 1). Article IX, section 2, further notes, "The legislature shall provide for a general and uniform system of public schools." These constitutional provisions and federal statutes serve as the foundation for the laws and administrative codes governing education in the State.

Title 28A RCW Common School Provisions, contains all laws that have been adopted in the State of Washington related to the delivery of educational services. The full text of applicable laws is available online at: http://apps.leg.wa.gov/RCW/default.aspx?cite=28A. More specifically, the law that outlines the provision of education services inside the institution schools (detention centers, juvenile long-term facilities and jails) is contained in RCW 28A.190 Residential Education Programs. The Washington Administrative Code (WAC) contains the procedural rules and regulations adopted under these laws, with those from the State Board of Education under Title I80. The full text of these regulations is available online at: http://apps.leg.wa.gov/wac/default.aspx?cite=180. Those rules and regulations specifically outlining education inside institutions begin at WAC 392-122-200.

The following discussion is limited to only those laws and regulations that are most significant for educating juveniles in adult jails and includes a brief summary of the most salient State and federal laws. These laws and the administrative codes that result from them are subject to changes from year to year and thus can be considered current only for the date of this document's completion. The extent to which such changes can influence practice is evidenced by the 2010 law that specifically provides for education of juveniles in adult jails.

State Laws

REVISED CODE OF WASHINGTON

Chapter 28A.194 – Education Programs for Juveniles in Adult Jails

In March 2010, the Washington State legislature adopted Second Substitute Senate Bill 6702 (2SSB 6702) Juveniles in Adult Jails – Education Programs. This legislation addressed the gap in the law related to the provision of educational programs for juveniles held in adult jails and added a new chapter to RCW 28A – Common School Provisions.

The 2010 legislation is based on the provisions of RCW 28A.190, concerning education for juveniles in residential facilities, including juvenile detention centers, and RCW 28A.193, dealing with education programs for juvenile inmates under the jurisdiction of the Department of Corrections. The following summary of the legislation regarding education for juveniles in adult jails is codified in RCW 28A.194 Education Programs for Juveniles in Adult Jails. The full text of the legislation is in Appendix A and may be found at http://apps.leg.wa.gov/rcw/default.aspx?cite=28A.194.

The law states that each school district within which there is an adult jail must provide a program of education for any juvenile under age 18 confined in that jail. Local districts may contract with educational service districts, community and technical colleges, four-year institutions, or other qualified entities to provide all or part of these services. The education provider and jail will negotiate a contract that defines each party's respective roles and responsibilities. In brief, these place the requirements for program services on the school district and make the jail responsible for securely hosting the program.

At a minimum, the education provider is responsible for employing and supervising teachers and any other education personnel and providing textbooks and other instructional materials and supplies. The district or other provider must develop the curricula, instruction methods, and educational objectives of the program. Program funding is allocated through the Office of the Superintendent of Public Instruction (OSPI) and program financial support is also the responsibility of the education provider. For its part, the administrator of the jail has *five* (5) school days within which to notify the district or other provider that an eligible juvenile is in residence. Following this, the education provider has *five* (5) school days in which to initiate program services. The jail primarily assumes responsibility for providing a safe and secure space for instruction, and for supervising the youth and the teacher to ensure their safety during instructional periods.

Additionally, this legislation requires each school district with an adult jail within its boundaries to submit, or update, an instructional service plan to OSPI regarding how it will deliver educational services in these facilities. As noted previously, although some counties have a formal or informal policy that juveniles charged as adults will be held pre-adjudication in juvenile detention facilities, such a policy does not excuse the need to submit a plan. Regardless of preferred policy, there are circumstances in which the detention center will not be suitable housing, thereby requiring that a juvenile be housed in the jail. Thus every school district in which an adult jail is located will need to have at least a rudimentary plan in place for how education will be provided. Plans need to be updated only in the event of a significant change to the instructional planning process.

WASHINGTON ADMINISTRATIVE CODE (WAC) 392-122-228: Alternative Learning Experiences for Juvenile Students Incarcerated in Adult Jail Facilities

WAC 392-122-228 specifies the regulations governing alternative learning experiences for education programs offered to juveniles held in adult jails. The jail-based alternative learning experiences shall be accessible to all eligible students, including those with disabilities, with the program for special education students provided in accordance with chapter WAC 392-172 – Rules for the provision of special education. It is the responsibility of the school district or education provider to ensure that students have all curricula, course content, instructional materials, and other learning resources necessary to successfully complete the requirements of the required written student learning plan.

The regulations specify annual program monitoring and reporting to the school district's and other provider's board and adherence to State requirements for courses of study and graduation. Student performance must be supervised and assessed, and recorded by school staff, with monthly progress assessments. Direct, personal contact between the teacher and student can be as little as once a week, and as brief as 30 minutes. The school year is 220 days. These education services are funded through money appropriated by the legislature through OSPI for this purpose and allocated to the education provider. More detailed discussion of program requirements is provided in subsequent chapters of the Guide. The full text of the regulations is in Appendix B, or can be found at http://apps.leg.wa.gov/WAC/default.aspx?cite=392-122-228.

Federal Laws

Title I, Part D of the No Child Left Behind Act of 2001

In addition to funds appropriated by the legislature, there are federal funding sources created to assist juveniles to transition back to the community after leaving incarceration. Title I, Part D, of the No Child Left Behind Act of 2001 (NCLB)—also known as The Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk is one of these sources. This is administered by the Office of Student Achievement and School Accountability Programs (SASA), within the U.S. Department of Education's Office of Elementary and Secondary Education (OESE) and allocated to states through their administrative education offices such as OSPI. Title I, Part D, provides supplemental assistance to educational programs for children and youth who are "neglected," "delinquent," or "at risk" through two separate programs.

The State Agency Program (Title I, Part D, Subpart 1) was originally authorized in 1966 and serves youth in State-operated institutions or community day programs. The Local Agency Program (Title 1, Part D, Subpart 2) was originally authorized in 1994 and supports school district programs that collaborate with locally operated correctional facilities and programs for youth who are "neglected," "delinquent," or "at risk". The juveniles in adult jails meet this definition.

In Washington State, these funds are utilized to provide transition services to juveniles incarcerated in detention centers and juvenile long-term facilities as well as to provide a support system with Education Advocates in communities who assist juveniles to return to and remain in school or the community after incarceration. Title 1, Part D, funds are allocated to assist juveniles in adult jails where there are sufficient numbers. Creation of this manual is another example of the use of these funds.

Individuals with Disabilities Act 2004 (IDEA)

The Individuals with Disabilities Education Act (IDEA) is a 1997 reauthorization of a federal law ensuring educational access and services for handicapped children that was first enacted in 1990. Additional reauthorization in 2004 further outlined the types of special education programs and services that must be available for all eligible students. Other relevant federal laws include Section 504 of the Rehabilitation Act of 1973, a civil rights statute. This prevents discrimination based on disability in any program or activity receiving federal financial assistance, a group that includes public schools. The Americans with Disabilities Act (ADA) prevents discrimination on the basis of disability by any public entity, including exclusion from participation in or denial of the benefits of the services, programs, or activities of the public entity. Again, this group includes public schools.

Youth in juvenile correctional and detention facilities are more likely than their counterparts in public schools to be identified as eligible for special education services under IDEA. Morris and Thompson (2008) report the results of a 2000 national survey of juvenile offenders that found considerable variability across states in the proportion with an identified disability, with a median prevalence of 33.4 percent (p. 175). This is three times the rate reported for all identified youth in public schools (11.5%).

IDEA is designed to protect the rights of students with disabilities by ensuring that everyone receives a free appropriate public education (FAPE), regardless of ability or their educational placement. This legislation and the results of several lawsuits clearly intend that these federal regulations apply to both students in public education and those who are incarcerated. This means that education programming for juveniles in adult jails must also include special education services for eligible youth. Legal decisions have affirmed that special education students held in correctional facilities must be identified, evaluated, and an IEP developed and/or implemented (Morris & Thompson, 2008).

Special education services are individualized to meet the unique needs of students with disabilities and are to be provided in the least restrictive environment – a requirement that is obviously diminished for juveniles who are incarcerated. Each eligible student under IDEA has an Individualized Education Plan (IEP) specifically tailored to the unique needs of that student. Further information on regulations governing special education in Washington State is in WAC 392-172A; specific questions on how these regulations apply to juveniles in adult jails should be directed to the Office of Special Education in the Office of Superintendent of Public Instruction (refer to www.k12.wa.us/specialed).

Prison Rape Elimination Act (PREA)

The Prison Rape Elimination Act (PREA), unanimously passed by United States Congress in 2003, is a federal statute focused on sexual assault and victimization in juvenile facilities, prisons, jail, lockups, and other correctional facilities. The final rule was published in the federal register on June 20, 2012, and became effective on August 20, 2012. However, certain standards do not go into effect until a later date. The statute aims to prevent, detect, and respond to sexual abuse in correctional facilities (refer to www.prearesourcecenter.org for additional information).

Information contained in the *Implementing The Prison Rape Elimination Act: A Toolkit for Jails* (The Moss Group, 2009) provides a step-by-step guide for preventing, detecting,

and eliminating sexual abuse of inmates and for responding to such incidents when they occur. Youth held in adult facilities are at highest risk of sexual abuse (National Prison Rape Elimination Commission, 2009). As such, the Youthful Inmate Standard 115.14 of PREA exists to protect youth in adult facilities. Specifically, the Standard addresses how correctional facilities should house and provide services to youthful inmates. The Standard requires that (p. 27):

- Inmates under the age of 18 be placed in housing units that have sight, sound and physical contact separation from adult inmates.
- In areas other than housing units, sight and sound separation must be maintained between youthful inmates and adult inmates unless the facility can provide direct staff supervision over inmates in the area.
- Agencies should not use isolation or denial of exercise, education, or other program/ work opportunities in order to comply with the requirements.

Further, the Department of Justice recommends the use of alternatives for youth housing rather than the reliance on isolation, a recommendation based on isolation's effects on mental health and association with higher risks of suicide (UCLA School of Law, 2010). PREA alternatives include:

- youth-dedicated units, wings or tiers;
- · agreements with other entities to detain youthful inmates; or
- exploration of non-secure alternatives.

PREA standards apply equally to locally-operated facilities, such as lockups, jails, juvenile detention centers and locally-operated residential community confinement facilities. The consequences of failing to adhere to these standards depend on the facility's specifics and applicable standards. Local policy makers and jail administrators should review the PREA standards to determine if any changes in practices with youthful offenders are needed for compliance.

SECTION 2:

THE SIGNIFICANCE OF EDUCATION FOR JAILED YOUTH

Assigning adult status for purposes of criminal processing puts the youth into a different system of judgment and sentencing, but this reassignment from one system does not affect the juvenile's status in other societal systems. The youth under 18 still cannot vote, join the military or marry without permission, plus a host of other distinctions associated with financial responsibility and presumed maturity. Not least of these are the rights to educational access. The differences in legal and societal positions associated with juveniles and the significance of education are underscored by public perceptions and research on adolescent development and problem behaviors. The following provides information on the importance of providing juveniles in adult jails with educational opportunities.

Public and Policy Supports

There are several indications that, despite the expansion of transfer laws and the increased use of adult court processes for juvenile offenders, the public nonetheless still perceives juvenile offenders differently than adults. Redding (2006) finds that Americans overall feel that juveniles should receive rehabilitative treatment, a sentiment that includes those who are tried as adults. A 2007 poll by the National Council on Crime and Delinquency (NCCD) revealed that 9 out of 10 respondents believed in the preventative benefits of rehabilitation and treatment for youthful offenders. There was similarly strong sentiment that the transfer to adult court should be done on a case-by-case basis (NCCD, 2007). Similar views are reported for Washington State residents polled in a 2007 MacArthur Foundation survey: 90 percent believe youth who commit crimes are capable of change and positive growth; 80 percent feel that "...incarcerating youth without rehabilitation is the same as giving up on them" (Washington Coalition, 2009, p. 19). A 2010 U.S. Supreme Court decision finding that juveniles cannot be sentenced to life without parole except for homicide reflects the strong basis for this sentiment (Graham v. Florida, May 17, 2010).

The impetus to improve educational services for transferred juveniles charged as adults and held in adult jails is thus justified by more than statutory requirements for providing education. Access to education for these youth is consistent with the prevailing view that adolescents are amenable to change and should be given opportunities to become productive adults. Appropriate education, in theory, restores some aspects of the rehabilitative functions that would occur if the youth were retained in the juvenile justice system or held in juvenile detention facilities pre-adjudication.

Improved Outcomes

Providing education for juveniles held in adult jails can help mitigate the negative effects the transfer to adult criminal court appears to have on subsequent criminal activity (UCLA School of Law, 2010; Mathur & Schoenfeld, 2010; Task Force on Community Preventive Services, 2007). Not only is poor school performance one of the strongest predictors of delinquency and criminality, improved school performance is also associated with their reduction (JJEEP,

2005). Other researchers have reported that early involvement in crime predicts subsequent criminality by limiting later education and employment choices. These barriers to educational and occupational achievement accumulate over time, exacerbating the difficulties of behavioral change and rehabilitation, thus increasing the likelihood of recidivism (Uggen & Wakefield, 2005).

Researchers from the Washington State Institute for Public Policy conducted a systematic review of empirical evaluations of programs to reduce crime in adult and juvenile correctional settings in 2007. They identified vocational and general education as programs with a statistically significant effect in reducing recidivism among adult offenders. For youth in the juvenile offender system, the general category of educational programs made the largest contribution to crime reduction of the multiple programs reviewed, reducing recidivism by 19.4 percent (Drake, Aos, & Miller 2009, p. 187). They also looked at prevention programs in terms of effects on recidivism and here as well, education, specifically high school graduation, had the largest impact.

Developmental Maturity

The accumulation of recent research on brain development has produced findings that show the adolescent brain is still anatomically immature in several critical areas (Washington Coalition, 2009). Overall, adolescents, even older adolescents, "...are less able to assess risks, control impulsive behavior, and engage in moral reasoning" (pg. 5). Further consequences of developmental immaturity include poor judgment of future consequences and inability to correctly evaluate rewards and punishments. Findings indicate that these differences are likely to be particularly evident among juveniles with developmental disabilities, mental illness, or disruptive social histories.

The many months a juvenile might spend pending trial as an adult are, in the course of his or her life to date, a comparatively large amount of time. It may also be lengthy. The processing time for such youth tends to be longer than that for adults, extending in some cases as much as a year or more. A recent national review further found that more than half of the juveniles who were transferred to adult court jurisdictions did not receive adult court convictions (Ziedenberg, 2011).

In terms of the acquisition of skills and completion of developmental tasks associated with this period of life, this time is also extremely consequential. Chung, Little, and Steinberg (2005) point to key developmental tasks that are optimally completed between the ages of 16 and 24, an age period that not coincidentally coincides with the period of greatest likelihood of delinquent and criminal activity. In addition to those qualities of self-control and moral reasoning noted above, Chung and his colleagues identify the development of the individual's capacity to function as a productive member of society. This capacity is the result of education and vocational training that will provide competence sufficient for employment.

Adolescents also must acquire mastery associated with interpersonal relationships and social functioning. Steinberg and Cauffman (2000) identify several interrelated reasons why the period of 12 to 17 years of age is developmentally significant. First, they note the rapid and substantive changes in the young person's "...physical, intellectual, emotional, and social capabilities" (p. 383). Further, they characterize adolescence as a period of potential malleability to be shaped by experiences in "the family, peer group, school, and other settings" (p. 383).

Multiple Problem Behaviors

Making the successful transition to adulthood is likely to be more difficult for juvenile offenders than for other adolescents. Multiple research studies have documented the conclusion that most juvenile offenders have "some combination of problems that are likely to compromise positive youth development" (Chung et al., 2005, p. 71). These interconnected problems are the core of the prevailing prevention approaches based on risk and protective factors (Arthur, Hawkins, Pollard, Catalano, & Baglioni Jr., 2002). This complex of associated problems includes mental health issues (a category that encompasses substance abuse), unstable and unsupportive family relationships, association with delinquent peers, lack of positive role models, and most significantly for education programs in jails, poor school performance and truancy (Leone, Wilson, & Krezmien, 2008). A review of the literature on prosecuting juveniles as adults also found that such juveniles were more likely than incarcerated adults to have some form of learning disabilities, psychiatric disorders, and substance abuse problems (UCLA School of Law 2010).

Compared with juveniles who are not delinquent, delinquent youth are likely to have poorer grades and attendance and more problems with school disruption (Mathur & Schoenfeld 2010). Researchers Fondacaro and Fasig (2006) further note that repeated studies have related the severity of delinquent behaviors to poor school performance. They suggest this relationship is particularly likely for juveniles who are transferred to adult courts. Other factors identified as associated with juvenile offenses include low school commitment, low educational goals, and poor motivation. It comes as no surprise that juvenile offenders tend to be below grade level (Mathur & Schoenfeld, 2010; JJEEP, 2005). Youth in juvenile correctional and detention facilities are also more likely than their counterparts in public schools to be identified as eligible for special education services. Estimates of the prevalence of some type of disability in the juvenile delinquent population range from about one-third to as high as seventy percent (Mathur & Schoenfeld, 2010). As the previous associations would indicate, the predominant disability identified for juvenile offenders in one national study was emotional disturbance, reported for nearly half (47.7%) compared to just 8.2 percent among youth in public school settings (Morris & Thompson, 2008).

Confinement in adult jails can compound these identified problems. In addition to the boredom associated with an institution whose primary focus is security, juveniles report anxiety regarding separation from friends and family, anxiety over their unresolved cases, and anxiety posed by their placement with adult offenders and the consequent perception of risk (Bishop & Frazier, 2000). There are consistent findings that juveniles who are held in adult facilities have higher risks of suicide than do adult inmates, have more medical and social needs, and frequently need protection from harm from other inmates (UCLA School of Law, 2010; Bishop and Frazier, 2000). Isolation, as reflected in the previously referenced PREA standards, is not a solution for these problems. The Campaign for Youth Justice reports that juveniles held in adult jails are 19 times more likely to commit suicide than youth in the general population and 36 times more likely to commit suicide than those held in juvenile detention (2007, p. 4).

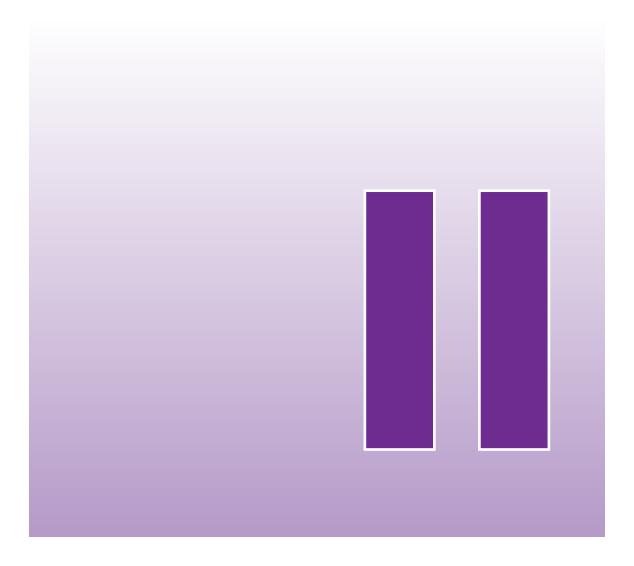
A study of Texas youth held in adult facilities concluded that these and other negative effects are closely associated with a general lack of services, particularly educational services (Deitch 2011). Thus, the jail education program as well as the program's teacher may have a significant role in countering the negative effects of this complex of problem behaviors.

Kupchik (2007) reports that environments in which staff serves as mentors, such as those found in juvenile corrections facilities, are associated with more effective rehabilitation. Such mentoring roles are among the strategies identified as particularly appropriate for reducing recidivism. Bishop and Frazier (2000) emphasize that juvenile offenders need opportunities to "...form attachments to conventional others (especially staff), to be reinforced in conventional beliefs (by both staff and other inmates in programs), and to make commitments of conventional action (e.g. in educational and vocational programs)" (p. 263).

Delinquent youth who have positive adult outcomes are those who have experienced "turning points" that help them move in a positive direction. One researcher noted that the most important of these are development of supportive social bonds with peers or adults that get them involved and invested in healthy activities such as school or employment (Chung et al., 2005). A Florida study confirmed this, finding that better academic achievement while held in a juvenile correctional facility was associated with the youth's return to school upon release. And, among those who did re-enter school, those with better attendance were less likely to have reoffended when followed up one year later (Bloomberg, Bales, & Piquero, 2011).

PART II

Guidelines for Effective Programs



Implementing an Education Program for Juveniles in a Local or Regional Jail: A Checklist¹

This checklist provides a quick overview of the required steps and components of an effective education program within the jail setting. It is intended to present a straightforward way to guide program planning and delivery. A more detailed description of each area is contained in Sections 4-6, with sample forms and resources in Section 7.

ED	DUCATION PROGRAM PLANNING		
	Contact local/regional jail administrator		
	Determine if there is a formal or informal policy in place to hold juveniles charged as adults in local or regional detention centers rather than the jail		
	Proceed with education program checklist regardless of policy		
	Tour the jail facility		
	Identify level of need for services (number and frequency of inmates under age 18)		
	Determine education provider (Local school district assumes initial responsibility)		
	Review needs to decide if alternative education provider is more appropriate		
	Determine interest and availability of alternatives (e.g. ESD Cooperative, other district, college)		
	Select designated alternative, as applicable		
	Develop Interagency Agreement/Plan between education provider and jail (Annual Contract). Submit to OSPI.		
	Establish Roles and Responsibilities outlined in Interagency Agreement (see p.49)		
SA	FETY AND SECURITY		
	Review jail security procedures		
	Identify security requirements associated with educational equipment and materials		
	Complete jail security process (e.g. background checks)		
	Review jail communication policies		
	Identify jail policies on separation of inmates by age, gender, security level, or other factors		
ED	DUCATION STAFFING REQUIREMENTS AND TRAINING		
	Develop position description for administrator/principal for program and determine if from present staff or new hire, depending on program size and needs		
	Establish Jail Education Program Teacher job description (see p. 25 for recommended characteristics)		
	Identify education provider resources (e.g., educational materials and equipment)		
	Identify supervisory responsibilities for staff and roles of the school and jail administrators (see p. 23)		
	Hire or assign staff and begin the process of completing background checks, as required		
	Conduct training needs assessment		
	Arrange appropriate training for administrator/instructor in jail security, other needs		
	Work with jail administrator to ensure jail staff receive training/information about the education program		
	Develop professional development plan for instructor based on specific needs and evaluations		
PR	ROGRAM IMPLEMENTATION		
	Determine process for jail to notify education provider of eligible inmate(s) e.g., juveniles under the age of 18, within five (5) school days of intake		

¹ Adapted from State of Virginia, Department of Education, Special Education in Local and Regional Jails program manual.

		ablish process to inform inmates of their right to participate in the education program within five (5)		
	school days of notification, or to access at any time during their jail stay prior to their 18" birthday			
	, ,			
	Ider	ntify time of day inmates are most likely to be available for educational services – be cognizant of:		
	•	Predictable interruptions (e.g., in cells, counts, meal times)		
	•	Potential interruptions (e.g. visiting hours, attorney visits, court appearances, lockdowns)		
		ntify potential for use of instructional equipment (e.g. computers, AV equip., etc.)		
	Dev	relop strategies for program promotion and provision of services		
	•	Brochures or other promotional materials, if needed		
	•	Educational materials and equipment needs		
		E ASSESSMENT AND RECORDS MANAGEMENT		
		ablish initial intake interview process to include the following:		
	•	Program overview e.g., written materials, brochure		
	•	Intake form (see sample Sect 7)		
	•	Opt out procedures (see sample, to include subsequent return or delayed selection process, Sect 7)		
	•	Assessment of educational and other needs including strengths and interests (see sample Sect 7)		
	•	Verification/Identification of Individualized Education Program (IEP)		
		ablish procedures to ensure confidentiality of education records in accord with requirements of both		
		school district and jail		
		ablish procedures to obtain educational or other records from previous school(s) of origin		
		ablish procedures to maintain student records and respond to requests for transcripts		
ED		ATIONAL PLANNING, INSTRUCTIONAL MODELS AND METHODS TO BE USED		
		relop written Student-Learning Plan for each student with measureable objectives and timelines e sample Sect 7).		
		relop/modify, as appropriate, IEP for Special Education students		
		chase or gather instructional materials and equipment (review list with jail staff to determine that all		
	mat	erials and equipment are in accordance with jail security requirements)		
	Det	ermine instructional strategies. Consider if these are:		
	•	Delivered one-on-one		
	•	Suitable for learning styles e.g., visual, auditory, kinesthetic, etc.		
	•	Culturally appropriate		
Ш		ermine instructional content including:		
	•	Course offerings aligned with district standards, as applicable		
	•	Alternative support i.e., GED prep, career education, voc tech, Adult Basic Ed		
_		Supportive services		
Ш	Det	ermine need for other school-related services such as:		
	•	Adult education and other jail programs		
_	Fat	Gender-specific services		
		ablish procedures for parental involvement		
AS		SMENT OF STUDENT PROGRESS		
쁜		ablish procedures to assess student progress toward learning goals monthly		
屵		relop intervention plan process for students who do not make satisfactory progress		
片		rise intervention plan if progress not satisfactory for three months		
<u> </u>		ablish procedures to conduct annual standardized assessment of student learning		
IR		SITION PLANNING		
		ablish procedures to receive advance notification from jail staff of inmate release or transfer		
		relop transition plan in collaboration with student and others, as appropriate		
		riew student's educational goals, incorporate estimated release date into Student-Learning Plan		
빝		ntify linkages that need to be made in future inmate placements or the community		
1 1 1	ı ⊢st:	ablish procedures to forward educational records		

SECTION 3:REPORTING AND FUNDING

Required Data Reporting

General Reporting Requirements: The Comprehensive Education Data and Research System (CEDARS) is a longitudinal data system that will allow Washington's Office of Superintendent of Public Instruction (OSPI) to collect, store and report data related to students, courses, and teachers in order to meet state and federal reporting requirements and to help educators and policy makers to make data driven decisions.

It is expected that Washington State Public School districts will continually strive to consistently report the highest quality and most complete data possible for students, staff and courses to the CEDARS data collection system. However, a minimum submission expectation has been developed to establish accountability and enforcement. There are fifteen (15) files that will be submitted each time a district submits data. Each file is made up of data elements pertaining to students, staff, courses and locations. These data elements can be found on the OSPI website at: http://www.k12.wa.us/CEDARS/pubdocs/2013-14CEDARSDataManual.pdf#Intro

Monthly Student Data Reporting: Each school district which has juveniles in their local city or county adult jail is required to report those students to their district who enters the information into the CEDARS data reporting system monthly. Other data reporting on student progress and student and teacher characteristics (as identified in RCW 28A.300.500) may be included in the program evaluation.

Funding Methods

Enrollment Counts: The State's regulations for educating juveniles in adult jails (WAC 392-122-228) specifically include the requirement that the education provider report the enrollment count of defined full-time equivalent students (WAC 392-122-225). The determination of a full-time equivalent student is based on the number of juveniles who are completing the learning hours specified in their written student learning plan at the time of the State's enrollment count date (WAC 392-122-211).

State Reimbursement: And this same regulation requires all education providers to report the enrollment count of defined full-time equivalent students. This full-time equivalent student count in adult jails under the Alternative Learning Experience (ALE) model (WAC 392-122-228) will qualify the education provider for state reimbursement under State Institution Funding (See Appendix C for copy of reporting form). State Institution Funding will be allocated based on a staffing ratio of 1 full-time equivalent (FTE) certificated teacher to every 9.3 FTE students.

Base Allocations: Those schools with enrollments greater than zero and less than 9.3 shall receive a minimum allocation for one (1) certificated teacher. The formula also provides for an allocation for certificated administrative and classified staff and is based upon a 220-day school year (WAC 392-122-228) (See Appendix D for State Institution Funding formula).

SECTION 4:

GUIDELINES FOR IMPLEMENTING EDUCATION IN JAILS

Program Planning

A quality education program for incarcerated youth requires advance planning. The required timeline for notification and delivery (RCW 28A.194) allows at most ten (10) school days from the time a juvenile enters the jail until an education program is in place. This timeline, and the further requirement for each district to submit, or update, a plan to OSPI by September 30, means that every district in which there is an adult jail needs to be planning such a program. The immediate first step in this process is for a district or designated school administrator to review their legal obligations under the legislation and the associated regulations (WAC 392-122-200 through 392-122-275).

Every affected district – that is all those in which there is an adult jail – will need a plan for delivery of an education program for juveniles held in that jail even when such placements are not the usual practice. A plan is also necessary even where juveniles are rarely charged as adults. A process for annual review of the agreement should be implemented to keep plans current in the event of personnel changes and further revisions in local or state policies and laws. The following outlines the steps for program implementation.

KEY POINTS:

- Contact Jail Administrator
 - Establish relationship
 - Develop education plan, as applicable
 - Tour the facility
- Identify Current Policies
- Determine Needs and Educational Service Provider
 - Identify level of need for services e.g., number and frequency of inmates under the age of 18
 - Identify who will deliver educational services, e.g., district, ESD, or other designee

Contact Jail Administrator: The educational administrator should contact the local jail administrator and arrange to meet and discuss the needs for providing education services for juveniles who might be held in that jail facility. Eligible inmates are defined as juveniles under age 18 who do not have a high school diploma. As noted previously, this meeting and subsequent program planning should occur regardless of whether or not the jail currently has or ever expects to have juvenile inmates. This plan requires information from and cooperation with the jail administration. The school administrator should also arrange to tour the jail facility and possibly identify areas that could be used for educational program services.

Identify Current Policies: The educational administrator will need to identify and familiarize him or herself with the city or county's current practices and policies regarding incarceration of individuals under age 18 who are charged as adults. If these policies are formalized in a written agreement or adopted by the applicable government entity, they can guide the district's initial response to the required plan submitted to OSPI.

Regardless of local policy or preference, a plan directing transferred juveniles to the juvenile detention facility is unlikely to be sustainable in all cases. Additional security or oversight needs, characteristics of the other juveniles in the detention center, the detention center's staffing, capacity, and configuration, and other factors may at times require a different arrangement. Under these circumstances, it may be possible to identify some alternative placement such as a more suitable juvenile detention facility in a nearby larger community that would not involve the adult jail. When the adult jail is the most practical or preferred alternative to juvenile detention, or the only option, the district or other educational provider will need to be prepared to implement an education program as outlined in these guidelines.

Determine Needs and Educational Service Provider: The frequency or infrequency of the potential need for education delivery to juveniles in the jail is also a matter of the number of juveniles who are charged as adults and how common these charges are. In most of the State's school districts affected by this law, the number of juveniles who are involved is very small and their presence in the jail is uncommon. This information is available from the jail administrator or through court records and is a key factor in development of education program plans. With the above information about prevailing policy and number of juveniles involved, the local school district is in a position to make the decision of whether or not the district itself will offer the education program or arrange for some other education provider to do this independently or in a cooperative arrangement, or by contracting with another certified education provider. A nearby larger district or a regional Educational Service District (ESD) may be in a better position to develop and deliver program services.

Roles and Responsibilities

It is important that the educational provider and the jail administration have a clear and shared understanding of each entity's respective roles and responsibilities from the inception of the education program. The following provides information about each agency's respective roles including program delivery, funding, and services.

KEY POINTS:

- Requirements Under the Law
 - Outline roles and responsibilities e.g., education provider, jail administrator
 - Develop interagency agreement, as applicable
- Program Delivery and Funding
- Examples from Other Programs

Requirements Under the Law: The legal foundation for the core roles and responsibilities of both parties are outline in RCW 28A.194 – Education Programs for Juveniles in Adult Jails. These are summarized in the following table.

TABLE 1: ROLES AND RESPONSIBILITIES - RCW 28A.194

PERSO	DNNEL	
Education Provider	Jail Administration	
Employ and supervise teachers, administrators, and others necessary to conduct education programs	Conduct security clearance to approve education personnel	
ENVIRONMENT	AND SUPPLIES	
Education Provider	Jail Administration	
Provide textbooks, maps, materials, other supplies deemed necessary for education	2a. Provide access to an existing safe and secure space to conduct the education program as deemed necessary by the jail facility; provide equipment necessary for the program as deemed necessary by the jail facility;	
	2b. Maintain a clean and appropriate classroom environment that is sufficient to meet the program requirements and consistent with security conditions.	
PROGRAM DELIVERY		
Education Provider	Jail Administration	
3a. Develop curricula, educational methods, and educational objectives subject to state and federal law;	3a. Provide an inmate's medical and mental health records deemed necessary by the jail to conduct the education program;	
3b. Conduct the program according to current OSPI standards;	3b. Provide appropriate supervision of inmates for safety and security of education provider and inmates during educational activities;	
3c. Provide such courses of instruction and school-related student activities as are provided by the school district for students outside the jail as appropriate and agreed upon by both parties	3c. Provide such other support services deemed necessary by the jail to conduct the education program	
TIME	LINE	
Education Provider	Jail Administration	
 Provide educational services within five school days of receiving notice that an individual under 18 has been incarcerated 	Notify the local school district within five (5) school days that an eligible juvenile inmate has been incarcerated	

The preceding summary of roles and responsibilities illustrates the cooperation that must occur between the education provider and the jail administration in regard to education programs for juveniles in adult jails. The primary responsibility for program design, delivery, and support belongs to the education provider; the responsibility of the jail is to ensure that safety and security are maintained, and within this, to accommodate program delivery.

Program design must be congruent with these distinctive roles. It is the specifics of how these functions are to be carried out that will require cooperative and advanced planning between these parties.

Contract: The law calls for an annual written contract, or longer as agreed to by both parties, delineating the respective duties and authority of each entity and how these will be done. Even with careful planning and advance preparation, the differences in purpose and mission between the education provider and the jail will likely require some arrangement for on-going discussion and resolution of possible disputes or misunderstandings. These issues will need to be addressed at the administrator and supervisory level (Section 7 contains a sample Interagency Agreement).

Program Delivery and Funding: The local school district may contract with an Educational Service District, a community or technical college, or other qualified education provider to deliver all or part of the education program in the jail. They may also opt to deliver the program in cooperation with other districts or the education providers listed above. The accredited education provider may award diplomas or other certificates to juvenile inmates who successfully complete graduation requirements. The education program is to be funded through money appropriated by the legislature through OSPI for this purpose and allocated to the education provider (WAC 392-122-228). Additional funds may come from private sources or grants. Jails themselves are not responsible for basic program costs and any excess costs they bear for hosting the program may be negotiated for reimbursement from the education provider. The potential for some sort of compensation to the jail itself to support excess costs associated with the program is just one issue to be included in a negotiated contract between the education provider and the jail, city, or county administration.

Examples From Other Programs: Although such education programs for juveniles are not yet standardized and are not in place in all jails, there are numerous related educational efforts. Many of the State's jails, particularly those of moderate size, have some form of educational programs for adult inmates through the local community college. The established practice for juvenile detention centers and the JJRA is to either use local school districts or arrange with their regional Educational Service District for the education program in their facilities. The program operated for juveniles housed in the Department of Corrections facility in Shelton is provided by a community college. These related programs, together with the State's few comprehensive education programs in place for juveniles in adult jails, plus selected well-developed programs in other states can serve as models for program plans.

These programs have in common a clear understanding of each party's responsibilities. Such division of effort and roles need to be understood by all those who will be affected by the education program for juveniles in adult jails prior to program implementation and be reflected in a written contract. This includes not only jail and school administrators and teachers but line staff in the jail that will play a critical role in managing student access to program services. Such individuals need to be informed of program procedures and their responsibilities to carry out the program's legal mandates. This information should be part of the jail's usual methods for communicating procedural changes, be incorporated into policy and procedures manuals, and follow the chain of command. Secretarial and other support staff of both entities should be included in this process in regard to their potential roles for maintaining and releasing records.

Teacher Characteristics

Researchers involved in the studies of education in Florida's juvenile justice institutions acknowledge the difficulties juvenile offenders pose for both custody and education staff just in the management of classroom behavior. They cite studies in which teachers in these institutions often find themselves ill prepared for the "legal, social, behavioral, emotional, psychological, and instructional challenges" presented by their students (JJEEP, 2005, p. 103). Not surprisingly, they also find that there are high rates of teacher turnover in these settings.

The primary characteristics that should be present in teachers assigned to jail education programs have been compiled from the research literature and interviews with teachers and program coordinators currently serving jailed youth in this and other states. The following outlines these key characteristics.

KEY POINTS:

- Specialized Training e.g., working with multiple intelligences, cultural sensitivity, curricula development
- Certification
 - Secondary Education
 - Special Education
- Subject Matter Expertise
 - Language Arts and Mathematics
 - GED Preparation
- Experience in Classroom Management
 - Working with high-risk adolescents
 - Flexibility in approach and expectations
- Independence

Specialized Training: Because juvenile offenders have educational and social emotional needs greater than those of most students, Bishop and Frazier (2000) recommend hiring teachers with specialized training. Examples of such desirable specialized training include the following:

- Understanding multiple intelligences
- Working with different learning styles
- Cultural sensitivity
- Adolescent development
- Alternative education
- Curricula development
- Working with at-risk youth

Certification: Students in these programs will present a range of educational needs. While nearly all will be aged 16-17, many will not be at grade level and most can be expected to have significant deficits in multiple academic areas. Teachers for this population are likely to be providing subject matter ranging from middle through high school levels as well as doing remedial instruction in basic skills. The ideal background would be for the teacher to have secondary education endorsements covering instruction for grades 5-12.

A proportion of the students that enroll in the jail education program will come with or be identified as needing an Individualized Education Plan (IEP): a status that will require services from a teacher with special education qualifications. Given the small number of total probable students even in this state's larger jails, it is recommended that the regular teacher also have special education endorsement. Such a background will be helpful for developing programs for any student since, like those for students with an IEP, the courses of study for all students will need to be individualized.

Subject Matter Expertise: The most significant subject matter needs are likely to be language arts, particularly reading and writing. Students will also need instruction in mathematics with social studies a secondary subject matter need. Few students are likely to be ready for higher-level mathematics courses under basic education. Subject matter that requires additional materials or equipment, such as science, will be extremely difficult for the teacher to provide in the restricted environment of a jail except through computerized instruction. It would be most helpful for teachers to be able to provide students access to educational software that covers subject matter areas in which they may lack expertise or those where other modes of instruction and feedback will be beneficial.

State law requires the education program to be aimed towards attainment of a high school diploma. It is the case, however, that older students with significant credit deficits may be unable to accumulate sufficient credits to accomplish this during their time in the program. Students in this position may be most interested in pursuing and completing a program towards a General Equivalency Diploma (GED). The teacher in the jail should be sufficiently versed in the requirements for a GED in order to develop a program that would prepare a student to pass the test through provision of basic English and mathematics. While basic education dollars cannot be used for GED testing and certification, supporting this through other funding is an important program component.

Classroom Management Experience: Teachers in a jail setting should be experienced in working with adolescents with multiple needs. All the students in the program will be charged with serious crimes and have an uncertain future that may include a lengthy incarceration. Most will have some history of delinquency and violence; many will come from at-risk home environments and have problems with anger management and alcohol and other drugs. Some will have pre-existing mental health conditions while other issues, such as depression and anxiety, may develop during their time in jail. Most students will bring a history of academic failure and school performance, attendance, and behavior problems. Some students will come with high basic skills aptitudes and potential that may have been compromised by problems in other functional areas.

Teachers in this setting will need to be able to provide instruction to students with a range of educational needs who may be easily distracted and come with prior negative learning experiences. Successful instruction requires flexibility in approach and expectations and the ability to adapt instructional methods and materials for each youth's unique needs.

Independence: Finally, teachers in these programs must be capable of working independently. While there should be administrative supports, these will not be immediately available on site. Nor will there necessarily be other instructors to serve as peers. Rather, the teacher will be working alone in a non-school setting, a setting that, in terms of its population and orientation, is not designed to support education. It is the teacher's responsibility to provide an education program that meets state standards, is appropriate for students involved, and accommodates the jail's requirements and expectations.

Administrative Supports

Strong administrative support will help mitigate the professional and personal demands of teaching in a jail setting. The education provider, whether a local school district or some other accredited entity, needs to identify someone in an administrative position to serve in the role usually filled by a principal. As such, the administrative supports for an effective program include the following.

KEY POINTS:

- Records Maintenance and Management
 - Establish procedures to obtain educational records
 - Establish procedures to maintain records and respond to records requests
- Resource Management
 - Identify necessary resources e.g., texts, copies, supplemental materials, laptop computers, software
 - Establish budget
- Required Data Reporting
 - Determine number of teachers assigned
 - Determine number of FTE students enrolled
- Teacher Performance Review and Professional Development
 - Annual performance reviews
 - Participation in professional development opportunities, e.g., working within an institutional setting, cultural competency
 - Professional Development for Jail Staff such as understanding adolescent development and alternative anger management strategies
- Program Leadership and Development
 - School administrator key communicator with jail administrator
 - School administrator serves as program and teacher advocate
 - School administrator as program activist
- Program Evaluation
 - Conduct periodic self-evaluations of program to measure effectiveness
 - Implement continuous feedback model
 - Establish multidisciplinary team

Records Maintenance and Management: Many students in the jail program will effectively be transferring from another school and their records from that school (or schools) will become the basis of that student's eventual educational plan and objectives. Some of the students will not have recent school attendance; some will have been in other institutional school settings; others will have attended multiple schools or have records housed in other districts or other states. Therefore, each program will need to establish procedures to obtain educational records from the student's school of origin. Similarly, the program will need to maintain records documenting student acquisition of credits and completion of coursework. When the student leaves the jail, this documentation needs to be available on request for any subsequent education providers. All records requirements for community-based schools apply as well to those operated in adult jails including the confidentiality of student records (RCW 28A.225.330).

Recovering, keeping, and transmitting records is an administrative not a classroom function, and ideally is done under the direction of an education administrator even if secretarial staff

manages the program's files. Records maintenance and management is sometimes the responsibility of the teacher him or herself, a situation found in Washington as well as in other states. Where this is the case, it is important that procedural guidelines for any tasks unique to the jail setting are in place in the education provider's administrative office. This will ensure continuity of program administration should a teacher leave or otherwise be unable to perform these functions.

Resource Management: The materials and supplies necessary for the education program are not the same as those required in a community-based school. Although the education provider may align program offerings with the texts and course curricula of the local school district, these may not be able to be provided in the same form due to a jail's security requirements. Depending on safety and security requirements, textbooks may need to be ordered or altered so that they are not hard-back books, and where this is not feasible, an alternative such as copied texts or other handouts will be necessary. Students will need supplemental materials to support the program's emphasis on self-study, and these too will need to be selected to support the school district's and State's standards. In a community-based school, curricula decisions are a matter of thoughtful review and discussion, typically by a selected committee. A comparable practice that ensures similar quality and diversity of viewpoints is important for this educational program as well.

The administrator will also be responsible for budgeting for other items, such as laptop computers for student use and software programs to expand learning modes and options.

Teacher Performance Review and Professional Development: The fact that the jail education teacher works in isolation and without direct supervision should not preclude the need to conduct regular teacher performance reviews. These will be especially important during program implementation or when a teacher is new to the position, a situation during which support and guidance from an administrator can be particularly valuable. These reviews might need to be modified to take into account the differences in requirements and conditions associated with instruction in the jail, and the assigned administrator should inform and prepare him or herself accordingly.

The teacher for the jail education program should have the same opportunities for professional development as his or her peers on the campus. These should include participation in district-sponsored workdays as well as attendance at annual or semi-annual training conferences for institutional education. Teachers who undertake delivery of education in jails need some training in the institutional culture that dominates the philosophy and operation of these facilities. It will be important for instructional and other staff to recognize and accommodate this culture without compromising essential educational functions and values. Finding a middle path for all parties to achieve their aims will be essential tasks for program administrators in both the educational and institutional realms. It may also be appropriate to direct a teacher toward additional study specific to the background and needs of juveniles in adult jail and the jail education program.

Professional Development for Jail Staff: Research findings associated with strategies to improve educational outcomes in jail settings indicate that there also is a need for specialized training of regular jail staff. At a minimum, line and administrative staff in jails housing juveniles should have some understanding of adolescent development and alternative management strategies for expressions of defiance, anger, and aggression that are likely

to occur in this population. The Bureau of Justice Assistance calls for training adult security staff to respond to issues such as juveniles' high potential for victimization and the adverse emotional effects of incarceration (Austin et al., 1997). All of this and more is part of the required training provided staff in juvenile justice facilities and undoubtedly contributes to their effectiveness in rehabilitation.

Program Leadership and Development: The assigned education administrator will be in the best position to manage routine communication with the jail administrator. Such an administrative link will conform to the jail's management structure and practice as well as those of community-based schools. The school administrator can serve as an advocate for the program and the teacher in the inevitable tensions between desirable educational practice and necessary jail security and control. While it is important for the education provider to recognize and accept the rights and rationale of jail policies and procedures even where these may hinder or conflict with educational aims, it is also important that such acceptance is preceded by serious efforts to find compromises that will best serve student needs.

The administrator must also serve as a leader for the program's growth and improvement. This is an activist role. As a program type, the education of juveniles in adult jails in Washington State is newly developing. The localized efforts of individual teachers need to be combined into a format for education delivery that can be applicable in multiple sites and by different instructors. A more systematized approach would be beneficial not just for the incarcerated juvenile but also might contribute to better education for similar students on traditional campuses.

Program Evaluation: The school board or governing body of the education provider must adopt and annually review its policy for its alternative learning experience program for juveniles in the adult jail (WAC 392-122-228). School districts or other education providers offering alternative learning experiences such as jail education programs are required to conduct periodic self-evaluation of these in a manner designed to objectively measure their effectiveness. This evaluation would include the impact of the experiences on student learning and achievement. Self-evaluation needs to follow a continuous improvement model, and may be implemented as part of the local school district's school improvement planning efforts. Ideally coordination between the educational and jail administrators will function through meetings of a multi-disciplinary team. The team's membership should include the relevant administrators of both entities, representatives from the intake and supervisory staff of the jail, a school counselor or social worker, and other representatives from education or corrections likely to be familiar with the program and its needs.

SECTION 5:

WORKING WITHIN THE JAIL SETTING

Safety and Security

Jails are not institutional settings designed or intended to serve as schools, whether this be for adult residents or juveniles. Their principal purpose is consistently characterized as that of providing secure custody for their inmates. Rehabilitation is not undesirable or categorically dismissed as an additional aim but the programming and education that might foster rehabilitation are secondary priorities to security. This essential focus on security affects every activity in the jail, requiring adjustments and accommodations so that security is not compromised. The following highlights safety and security concerns that may directly impact educational services.

KEY POINTS:

- Access and Security
 - Complete jail security process e.g., screening and background check
 - Attend required jail training, as applicable
- Schedule
 - Review current jail schedules
 - Establish set time for educational program
- Movement
 - Establish procedures for escorting inmate and/or teacher to educational setting
- Security Status
 - Identify security levels of educational students
 - Establish procedures for delivery of educational services according to security levels e.g.,
 minimum, maximum
- Instructor Safety
 - Review jail security standards e.g., walking through hallways, engaging with inmates
 - Understand instructor's role in how to respond to a security breach
- Teacher-Student Relationships
 - Establish strictly professional relationships with students

Access and Security Clearance: Access to a jail's secure environment is understandably restricted and each jail will have its own practices and specific policies for entry and internal movement. The education provider must make appropriate arrangements to enter this environment so that a teacher can meet with his or her students. This requires completion of the jail's security clearance procedures, a process that will involve screening and background checks and may take up to a month. There is also likely to be required training in the jail's policies and procedures. Ideally, all individuals involved with the program should complete this clearance process, including the responsible school administrator, the designated teacher, any aides or education specialists, and designated substitutes prior to receipt of program's first student. Without security clearance, entry to a jail's secure areas will be denied and along with this, access to potential students and classroom areas.

Schedule: Maintenance of security is accomplished in part by establishing and adhering to a strict schedule of operations so that inmate movement is both limited and predictable. There are set times for meals, for exercise, for visits, for being in and out of cells, for interaction with other inmates, or for confinement to cells. Educational offerings for juvenile inmates can only occur as a part of this schedule. As an additional and secondary activity to regular jail routines, time for educational services must be carved out of the existing schedule in a way that does not disrupt any of these other, more significant or more structured functions. In Washington State, this along with other factors has meant strict limitations on the amount of time a teacher has with any individual student. In current programs, students spend at most from 1 to 3 hours a week in direct contact with their teacher. The new standards for education programs in jails set a minimum weekly contact time of 30 minutes. The educational program therefore must be designed so it can be accomplished with minimal student-teacher contact.

The jail's established schedule is also subject to periodic disruptions created by some form of security breach. If there is a disturbance or incident leading to a lockdown in which inmates will be confined to cells, the education "schedule" is irrelevant. Security needs will dominate. Visitors such as teachers will not be allowed on site or be unable to exit an area or return to their office until the lockdown is ended. While serious incidents in most jails are relatively rare, more often frequent minor incidents can lead to immediate schedule changes for preservation of security, and these too will impact the educational schedule. Individual inmate schedules are also changeable, with court dates, attorney conferences, medical appointments, and changes in security status altering a given student's availability for meeting with a teacher at a given time and place.

Movement: Movement of an inmate from a cell to a classroom space as well as movement of a teacher into secure spaces within the jail is obviously affected by the schedule considerations outlined above. There are other constraints on movement resulting from the need for inmates and teachers to be accompanied by jail staff. A jail employee must be available to escort an inmate to the classroom space and back. Depending on the location of this space, an employee may also need to escort the teacher to and from the classroom as well. These movements are in addition to those already required for all the jail's usual functions and do create more work for jail staff. This extra effort may or may not be particularly burdensome or disruptive but it can be resented and passively and actively impeded. The education program can proceed only with the assistance of jail staff and it thus becomes imperative to enlist and foster their cooperation. The jail administrator will be responsible for informing line and supervisory staff about their roles in regard to ensuring program access for inmates, and needs to underscore the legal mandate for a juvenile's right to education.

Security Status: Jails classify inmates according to the security risks they are presumed to pose, and this classification system will affect education delivery. The teacher may not be able to provide any group instruction for juveniles considered maximum or high security risks. Under some conditions, teacher student contact could be restricted to that which can occur through the cell door or even video conferencing. It is important to note that, while juvenile inmates who are in isolation or who have maximum-security status may have severe restrictions on their capacity to meet with a teacher, their rights of access to education remain in effect. This is well illustrated by the juveniles who are in the custody of the Department of Corrections and who are unable to be at the JJRA facility due to some

behavioral or security problem. These youth are housed in the Intensive Management Unit at the Washington Correctional Center in Shelton. They are escorted to meet with their teacher by two corrections officers, are shackled, and remain in individual confined units during instruction. Nonetheless, they are provided with their opportunity for education. Local jails will similarly be expected to find a way to achieve access to education for all their juvenile inmates, regardless of security status.

Instructor Safety: Jails must be recognized as environments that pose inherent safety risks. Although the presence and actions of staff, security protocols, and the design of the environment itself reduce these, safety risks cannot be eliminated. Inmates are in the jail because of a conviction or charge for offenses ranging from property crimes to murder, and in the case of the juveniles who are held in adult jails, these offenses usually include violence. Although sometimes onerous to the outsider, jail security practices serve an essential function in regard to protecting inmates, staff, and those who are visitors or from outside organizations such as the teacher in the education program. The teacher will need to be trained in appropriate responses to standard security needs, responses that can include procedures for walking in hallways and through areas that have groups of inmates. The teacher must also be familiar with procedures for responding to a current or imminent security breach or threat, and be prepared to respond immediately and without question to requests from uniformed staff.

Teacher-Student Relationships: Security concerns also affect the nature of the potential relationship between the teacher and the student. It is essential that education personnel working in jails keep their relationships with their students strictly professional. This means no sharing of personal information from either party. Communication needs to be strictly focused on the specific task, which is to teach. The teacher's attire also should be conservative and consistent with jail expectations. These may be different from those for a regular classroom. One rationale for such a guarded interactional style is that the juveniles who are students in the program are also accused felons, perhaps gang members, and possibly experienced criminals. The teacher in this setting must be conscious that, despite their youth, their students share an environment with other accused and convicted criminals. Inmates, including juveniles, may try to use any personal information or relationships to manipulate or even harass or threaten the instructor and his or her family. A teacher will be one of the few adults from outside the jail or court system with whom the youth will interact. This offers potential for a positive and supportive relationship to develop, and this should be the aim. At the same time, the relationship must be limited to the jail and focused on the youth's educational program progress and goals.

Included in **Section 7** is a memo from Lt. Costello, Yakima County Department of Corrections, outlining specific issues pertaining to behavior and communication for adults working within the jail setting. This document gives concrete examples about professionalism and communication and provides do's and don'ts to guide safe interactions with inmates.

Environmental Considerations

The dominance of safety and security considerations also influences the means by which any education program will be delivered. Environmental considerations include where the teacher is able to meet with the student, what materials and resources are available

for teaching and studying, and how the student and teacher can communicate with jail staff and administrators about program interests and needs. These factors will need to be clearly outlined in the formal agreement between the educational provider and the jail administration.

KEY POINTS:

- Space
 - Identify location for education program delivery
- Mode and Materials
 - Identify security requirements associated with educational equipment and materials
 - Review potential education materials with jail staff to ensure these do not violate security requirements
- Communication
 - Review jail's communication policies

Space: Designated space for a classroom may be hard to find if the facility is overcrowded or designed without much consideration for activities other than custody, a situation that characterizes most jails. Minimal requirements are for a relatively private and quiet space that is simultaneously separate from groups of other inmates but which can still be supervised by jail staff. Such general purpose or interview rooms are typically very limited and under high demand from other programs and for other purposes; the education program must be prepared to share space with these other users. These rooms are classrooms only in the sense that they will be temporarily used for educational purposes. Some may not comfortably accommodate more than a few students at one time or present other issues of noise or distractions that make them poorly suited for the concentration necessary for education. The space available for education may have few common "classroom" characteristics such as a black or white board, and will generally have tables and chairs rather than desks. These physical circumstances are further complicated by the challenges educational delivery can pose for routine jail operations and the additional demands it is likely to place on jail staff.

Mode and Materials: Jails are environments in which not only movement and access are restricted but also the use and exchange of most commonly utilized educational materials. Many items fall into the category of "contraband" and are prohibited due to their potential use as weapons or as valuables for exchange in inmate barter arrangements. The general rule to follow is if an item is not explicitly permitted, one should assume it is prohibited. The advice on such matters is "when in doubt, do not allow, and ask permission." It can be difficult for civilians to correctly identify what items will qualify as contraband. Hard cover books, pens, standard sized pencils, and common mathematical or scientific instruments, including small, individual calculators, are typically not allowed. There is somewhat more leeway for items that are under the teacher's constant supervision and control, but there may be considerable risks of potential loss or misappropriation that precludes using anything considered as contraband for inmates even under teacher supervision.

Many common educational materials may breach jail security requirements while certain materials may be available for use in the classroom but may not be taken back to the inmate's cell. The types of materials and supplies used by the education program may vary considerably due to local rules, regulations, and access to classroom space. It is imperative that education staff review desired educational materials and equipment with jail staff to ensure that selected materials do not violate security requirements. Furthermore,

educators must put into place systems to account for approved equipment and materials prior to and after class. Educators must secure materials and equipment in accordance with jail procedures. All educational materials should be clearly labeled as belonging to the education provider and jail staff should be aware of procedures for returning any education materials to the program that may remain in an inmate's cell after his or her departure.

Restrictions of what can and cannot be used in the jail are particularly onerous in the area of computer-assisted instruction. This is a mode of educational delivery that would be particularly valuable in a situation where students have multiple skill levels, different educational plans, and limited access to a teacher. There are numerous, excellent and readily available software programs designed to facilitate the sort of self-directed and individualized learning that is essential to jail education programs. These do not necessarily need Internet access, and without Internet capability, could potentially be used in laptop computers under teacher supervision in accord with specific jail policy. In a situation where a single teacher is likely to need to be all things for all students, the topical and skill range available through educational software would be particularly helpful. Unfortunately, Washington's jails typically do not provide computers for inmate use, and introducing them as part of a juvenile education program would require some adjustments in usual practice.

Communication: Jails are operated on a para-military model. That is, they function through adherence to a strict chain of command in which there are clear lines of communication and authority. This mode of operation is likely to be unfamiliar to educators, but the education program and its personnel must learn to respect and follow it. As noted previously, security conditions may require rapid and unquestioning response, and the teacher must be prepared to follow directions from any uniformed officer.

Routine institutional communication is formalized and written through use of request forms, informally often referred to as "kites." These forms are part of seeking and receiving permission for a range of services, including education. Line staff or corrections officers transmit such forms to the appropriate responsible party, but in a formal sense, typically do not have the authority to grant or refuse permission. In accordance with this chain of command, questions about potential contraband or modes of service delivery will need to be directed to the officer in charge and education personnel will need to learn how and when to send questions and requests to supervisory and jail management staff as appropriate.

Special Considerations: Small Jails and Small Populations

The considerations discussed in the preceding chapters on implementing education program and working in jails and are applicable to all jails and their associated school districts statewide, regardless of size. A single youth held in one of the State's many small jails has the same rights of access to an education program comparable to that of the community based school as do multiple youth in the State's largest jail. Small school districts in which there is an adult jail must prepare, submit, and annually review and update their plans for delivering education to juveniles in their adult jail.

Notwithstanding these equivalent rights of educational access and requirements for individualized student learning plans, small jails and small school districts are much less likely to be in a situation where a juvenile is charged as an adult and needs to be confined pending trial due to smaller populations and proportionately fewer crimes leading to adult

charges. The following discussion identifies some of the key considerations that will affect education providers faced with implementing a program under these conditions.

KEY POINTS:

- Security Clearance
 - Appropriate staff complete jail security process e.g., screening and background check
 - Attend required jail training, as applicable
- Staff Availability
 - Identify appropriately qualified staff
- Maintenance of Program Awareness
 - Regularly inform jail of education program e.g., right of access, content, and policy to inform within 5 school days of juvenile's arrival
- Space
- Mode and Materials

Security Clearance: The considerations of access to the secure jail environment and staffing are intertwined, and ensuring that a teacher can enter the jail to provide the education program will require advance planning when the jail does not consistently or frequently house eligible juveniles. The education provider cannot deliver a program in the jail without first completing that facility's procedures for security clearance. This process requires advance identification of the specific individuals – teacher, administrator, educational advocates, etc. – who will be involved in direct program services with juveniles in the jail so that these individuals can be cleared for access. Security clearance takes time, and given this, the education provider will need to designate the individuals who will be involved in the program even when there is no immediate need for program services.

Staff Availability: The dilemma is how can a small school district or even a larger district or an ESD provide the necessary staff for a program with an unknown timeline and need? Ideally the education provider will be able to identify and gain clearance for a teacher who is appropriately qualified for the program and able to work in that program on a full or part time basis with little or no advance notice. There are obvious difficulties involved with having to have a suitable and approved teacher waiting in the wings, as it were, and once called upon required to immediately offer a program. Cooperative or regional arrangements might make these staffing concerns less difficult. Districts may also find this a good role for teachers involved in a tutoring or home school support program, efforts with many similar needs for independent and individualized instruction.

Maintenance of Program Awareness: Jail staff, especially those responsible for intake, must also be kept informed and reminded about the potential for a juvenile under age 18 to be held in the jail and involved in an education program. The jail has a legal responsibility to notify the provider of the admittance of an inmate under age 18. The education program for juveniles and policies regarding rights of access, and the requirement to notify the education provider within five (5) school days of the juvenile's arrival in the jail, should be incorporated into the jail's written policies and procedures and be part of training for current and new staff. Jail staff also should be advised of the contents of the education program plan through standard institutional communication channels, and this information needs to be updated and repeated at least annually.

Space: There may be more difficulties accessing space for education program delivery in small jails. In addition to often being very small, many such facilities are older and if not over-crowded, offer few spaces that are not already in full use for the jail's normal operations. The education provider and the jail administrator will need to work together to identify some suitable space for a classroom that is safe and secure for teacher and student, keeping in mind that this space need only be available for a minimum of 30 minutes a week per student (WAC 392-122-228). The advantage of the small number of students likely to need educational access at any one time is that the demands placed on the jail for space, staff support and other factors are proportionately reduced as well.

Mode and Materials: Finally, the education provider will need to have some means for acquiring and/or storing appropriate textbooks and other educational materials that will be needed in the program. The possible broad range of skill and course needs of jailed juveniles, and security restrictions unique to a given jail will make it difficult to keep an appropriate stockpile when calls for its use are infrequent. A workable strategy might be to maintain suitable materials for instruction in basic skill areas that would be appropriate for academic levels from middle through high school. Note that these materials must not fit the definition of contraband and may need to be modified accordingly, a task that should be done ahead of any need.

Another approach would be to rely on the regional ESD for maintenance of appropriate materials regardless of education provider. Compiling and maintaining texts and other materials for specific courses to be distributed on loan to local districts is a common ESD role and one that could readily be adopted for jail education programs. The circumstances of small jails further provide a situation in which computerized instruction, subject to a jail's security requirements, would be an optimal solution for problems posed by infrequent and unpredictable need for services.

SECTION 6:ELEMENTS OF EFFECTIVE PROGRAMS

Promotion and Dissemination of Program Information

Identification of eligibility for educational services is done at the time the juvenile is processed into the jail system. Jail personnel conduct the intake process that, at a minimum, identifies inmates potentially eligible for program services because they are under age 18. The following outlines the elements of an effective education program.

KEY POINTS:

- Identification of Eligible Students
 - Create written brochure to inform eligible inmates of their rights of access to education program
 - Establish process for notifying education provider of eligible inmate(s) within five (5) school days of intake
- Program Introduction and Follow Up
 - Develop strategies to promote program participation
 - Initiate educational program services within five (5) school days from time of notification
 - Establish procedures to conduct initial interview with potential student
 - Develop "opt out" procedures and document refusal to participate
 - Develop procedures to routinely follow up with student who refused services to encourage participation

Identification of Eligible Students: Potentially eligible inmates should be verbally informed of their rights of access to the education program by the jail staff and ideally also provided with written materials or a brochure created by the education provider outlining the program's offerings (Sample of these materials are in Section 7). The intake or classification officer in the jail has **five (5) school days** in accord with RCW 28A.194 to notify the education provider that juvenile under age 18 has entered the jail. Alternative options are to provide a daily roster of inmates under the age of 18 to the education program supervisor or directly notify the teacher.

Program Introduction and Follow-up: Individuals entering the education program must be under the age of 18 and not have completed a high school diploma. Unless the juvenile's educational status was included in the information collected during intake to the jail, this must be determined by the teacher during program introduction in order to decide if a given juvenile is eligible for program services. Those who meet program eligibility requirements will be invited to enroll in the program and should be encouraged to do so but attendance cannot be required. The juvenile inmate's rights are for educational access. This contrasts with educational programming in juvenile detention centers and JJRA facilities, where educational participation is mandatory and non-participation is sanctioned.

Education providers need to develop strategies to promote program participation. Under RCW 28A.194, the provider is given **five (5) school days** from the time of notification to initiate program delivery. During this timeline, the teacher arranges to meet with the youth, introduces the program, and outlines program offerings and the yearly calendar. Potential program participants may not have recently attended school and may be dropouts or chronic truants with histories of school failure. When the program is first introduced, some youth will have no interest in resuming their education or taking advantage of program offerings and choose to opt out. It is critical that the teacher formally document any inmate's initial refusal of participation. A sample non-participation form is included in Section 7.

An initial refusal to participate should not mark the end of the teacher's efforts to engage an eligible inmate in the program. Continuing to invite participation is legally significant since the juvenile's rights of access to education are not set aside when he or she refuses participation but continue as long as he or she is eligible – that is, until age 18. Repeated efforts to engage a juvenile inmate also reflect the significant role education and high school completion can play in that individual's future. After a time in jail, a young person who previously did not want to participate may well conclude that, with few alternative activities available, involvement in an education program is worth their time. Education providers need to be ready for such decisions with procedures for the juvenile to indicate their interest in enrollment. Jail personnel could be parties to these ongoing recruitment efforts; program information could be posted in the housing units with appropriate forms to request entry to the program available on request. This written request would be in the form of a "kite," and transmitted to jail staff according to internal jail procedures for inmate communication.

Intake Assessment and Education Planning

Central to the success of the education program is the assessment of students' academic skill levels as well as understanding his or her strengths and interests. This information along with previous education records is used to develop the student-learning plan.

KEY POINTS:

- Assessment
 - Develop intake procedures to assess student's academic skill levels
- Additional Information
 - Conduct semi-structured intake interview to assess student's strengths and interests
- School Records
 - Establish intake procedures to obtain educational records e.g., transcripts, IEP
- Special Education Students
 - Identify if IEP exists, modify as appropriate
- Student Learning Plans
 - Develop individualized written Student Learning Plan with measurable objectives and timelines
- Individualized Education Plans
 - Develop/modify, as appropriate, IEP for Special Education students

Assessment: Juveniles who decide to participate in jail education services come with a variety of skills, abilities, and experiences. Development of an appropriate education plan for such a potential diversity of students begins with assessing each individual student's needs.

Assessment tools, both standardized and based on interview information, help guide the teacher on the structure and content of the student's student learning plan.

Standardized academic assessment tools provide a means of formally assessing a student's academic performance levels. These types of tools provide practitioners with a measure of the student's competency in specific academic areas such as mathematics, reading comprehension, spelling, and language. Examples of standardized tests include the Tests for Adult Basic Education (TABE), the Wide Range Achievement Test (WRAT), or the Brigance Comprehensive Inventory of Basic Needs-Revised (CIBS-R). The Comprehensive Adult Student Achievement Systems (CASAS) offers another well-recognized and widely used tool for determining student skill levels. Other standardized assessments could be drawn from the diagnostic math and reading tests from a pre-GED test book, and a comparable pre-test for vocabulary. A general assessment of writing skills can come from having students write an essay on a selected topic. Educators should also check with their local school or district for recommendations regarding assessment tools.

Additional Information: A structured or semi-structured interview provides a useful way to gather additional information about the student's prior academic career. This personalized assessment process should emphasize student self-reported prior academic performance, competencies, and interests. Unlike standardized assessment tools, interview-based assessments are often teacher designed. In addition to academic needs, teachers are encouraged to assess students' learning styles, conduct an interest inventory, identify strengths, and talk to the student about their academic and career goals. A set of sample questions for such an interview is included in Section 7.

School Records: Students referred to the education program in the jail facility will most likely have little to no written school records or test results with them during the time of educational program intake. Furthermore, it is unlikely that teachers will have immediate access to academic records prior to the student's entry into the program. The formal process to retrieve these records should be initiated immediately according to the timeline and procedures outlined in RCW 28A.225.330. The teacher will need to proceed with development of a student-learning plan to meet the required timeline for services before school records are available in most cases. Once a student's previous school records are received, the student-learning plan can be reviewed to be certain it is still appropriate or needs amendment.

Special Education Students: The procedures described above are suitable for all students, with modifications depending on individual responsiveness and skills. It will be important early in this intake and assessment process to ascertain if the student had an Individualized Education Plan (IEP) at his or her previous school or if he or she has ever had an IEP. If the student qualifies for special education services under IDEA, the teacher will need to be aware of this in assessment of needs and development of the education plan. The service needs of this student will potentially be more extensive than those of regular program enrollees. A current IEP may need to be revised following IDEA rules and regulations. While a full range of special education and related services may not be feasible in the jail, the teacher will nonetheless be responsible for taking the student's needs for such services into account and trying to address them directly or through alternative programming.

Student-Learning Plans: Each student enrolled in the education program must have a written student-learning plan designed to meet his or her individual educational needs. This written plan will give both the instructor and the student direction and focus. A written student learning plan is required under newly adopted procedures for an alternative learning experience course of study for juveniles in adult jails (WAC 392-122-228), and these are the standards to be used in jail education programs. The written student-learning plan under these standards must be developed in partnership with the student and include at least the following elements:

- (a) A beginning and ending date for the learning experience;
- (b) An estimate of the average number of hours per week that the student will engage in learning activities to meet the requirements of the student learning plan;
- (c) A description of how direct personal contact requirements with the teacher will be fulfilled, with these at least 30 minutes per week;
- (d) A description of the specific learning goals and performance objectives of the student-learning plan that clearly identifies the requirements a student must meet to successfully complete this plan;
- (e) The instructional materials necessary for this successful completion; and
- (f) The timelines and methods that will be used to evaluate student progress.

The student's learning plan needs to show how it addresses one or more of the State's learning standards or some other academic goal, objective, or requirement as defined by the educational provider. The plan should also specify whether or not the experience meets State and district graduation requirements (See Section 7 for a sample plan, and a sample student contract and hour record). It is important to note that if the classroom model is used, the learning plans are not required.

Individualized Education Plans: For students in the program who also have an IEP, the student learning plan will be more detailed, depending on the nature and magnitude of their specific needs. An existing IEP can be used where feasible or modified to adapt to the restrictions of the jail setting in accord with WAC 392-172A. Parent participation is also called for in this process but this may need adjustment as well. Special education services are individualized to meet the unique needs of the specific student. Learning plans for juveniles in adult jails who need special education services may include curriculum or teaching modifications, assistive technology, transition services, or other specialized services such as physical, occupational, and speech therapy. IDEA also grants increased parental participation and protection for student's rights. As noted previously, the security requirements and constraints of the jail environment may make some of the indicated approaches and services unfeasible, a situation that will require the teacher to make alternative arrangements that continue to address the student's needs insofar as this is possible.

Instructional Strategies

A 2002 Florida study on juvenile transfer to criminal court found that youth in adult systems need educational programming that is more structured, thorough, and intensive than that which is typically provided in adult institutions (Lanza-Kaduce, Frazier, Lane, & Bishop,

2002). Florida's Juvenile Justice Educational Enhancement Program (JJEEP) has a decade of targeted research and quality assurance efforts in the state's juvenile justice system. Their studies have found that a uniform approach is not appropriate for these youth. Rather, students need individualized student plans, curriculum focused on targeting reading and speech deficiencies, and credit-recovery programs (JJEEP, 2005).

KEY POINTS:

- Individualized Instruction
 - One-on-One
- Learning Styles
 - Identify individual student's learning style e.g., visual, auditory, kinesthetic
- Culturally Appropriate Instruction

Individualized Instruction: The requirements of alternative learning and WAC 392-122-228 underscore the need for individualized instructional plans for students in a jail education program, and the conditions of the jail and the characteristics of the students make one-on-one instruction an optimal educational strategy in most cases. Teachers may seldom be in a position to offer the same instruction to even a small group of students but will only be able to work with students individually. The emphasis on one-to-one instruction is a product of security requirements that may separate youth by custody status, or is due to lack of space for group instruction. In smaller jails, there may only be one or at most two juveniles in residence at any one time. Teachers will need to use multiple instructional strategies to accommodate the varied needs of these juveniles.

Learning Styles: Different individuals have different learning styles, and for youth who have had a history of educational failure, it will be critical for the teacher to identify an approach that is congruent with each student's learning style. The identified learning styles include: *Visual learners*, who prefer ideas are presented in pictures or diagrams and learn best by watching; *Auditory learners* who like to listen, or to have things explained; and *Kinesthetic learners* who need to move their bodies to learn and to feel the action before they understand. There are also *Print-oriented learners* who love to read, preferring to read rather than to be told and *Group-interactive learners* who learn best in discussions or other activities that require working in teams.

Responding to the full range of learning styles in a jail education program will be extremely difficult. The restrictions associated with a jail's security requirements will necessarily limit the different ways in which instruction can be delivered, with active learning and group instruction less likely to be practical. There are as well the limitations posed by having only a single teacher rather than many instructors with different teaching styles. The best solution will come from use of multiple rather than single instructional strategies and careful attention to methods that seem to work best for different individuals.

Culturally Appropriate Instruction: Educational services to youth in jail settings must be culturally appropriate if they are to be effective, and this means fostering cultural competence among teaching personnel and ideally among institutional staff as well. In addition to the probability of needing to serve students of different races and ethnicities, these youth may also come from different socio-economic backgrounds, have a history of gang affiliation, and have needs associated with emotional and other disabilities. Teachers may need additional training and support to accommodate to the diversity of students. These support needs may

include dealing with language barriers, and the education provider must be prepared to provide materials in other languages or assist with translation should these be necessary for a student in the program.

Instructional Content

The general instructional content of the education program in the jail will be determined by the requirements of the local school district or other educational provider along with the constraints imposed by jail security. Local requirements are guided by state standards for minimum credits for high school graduation as adopted by the State Board of Education (See WAC 180-51 for applicable standards).

KEY POINTS:

- Course Offerings
 - Align educational offerings to meet district standards as applicable
- Alternative Support
 - GED prep, career education, vocational, Adult Basic Ed.
- Model Program

Course Offerings: Each school district will have its own version of specific courses that will enable students to meet these standards as well as any additional requirements for that particular district's diploma. Reading, writing, and mathematics should form the core offerings of the program. As stated earlier, many of the program's students may have significant credit deficits, with skills that are not at the level necessary for high school coursework. These are likely to be the areas of greatest need and are also likely to be most readily delivered within the largely self-paced instructional format necessitated in the jail. It was previously noted that the jail environment and its security restrictions will make some types of coursework, such as laboratory sciences, difficult if not impossible to provide without some sort of supporting software and computer access.

Alternative Support: Students approaching age 18 with substantial credit deficits towards a high school diploma may be best served by assistance obtaining a certificate of General Equivalency Diploma (GED). Career education and vocational training might also be the most useful strategy for juveniles who might be soon entering the workforce (JJEEP, 2005). Other youth may be so far behind that they need adult basic education; others may have limited English language skills. Providing special education services to those youth who enter the jail with an Individualized Education Plan (IEP) presents a number of even greater instructional challenges due to federal and state requirements for a complex of services and approaches that can be difficult to meet even in a community educational setting. In the restrictive environment of a jail, there would need to be specific arrangements made for access for other specialists as well as accommodations for time, materials, and equipment such specialists may require.

Model Program: Some districts will expect the jail program to adhere as closely as possible to their specific curricula and assigned texts while other districts will permit the program in the jail to be more flexible. In the latter case, the jail education program may be primarily focused on subject matter areas rather than specific courses, with the student able to earn full or partial credits that can then be applied to these courses or which can prepare him or her for subsequent completion of a GED. One example of a fully developed jail education program for juveniles offers the following services:

- High School Diploma
- Basic skills (ABE)
- English as Second Language for non-English speaking inmates
- Tutorial in high school subjects
- Life management
- Transition services
- High school equivalency (GED) preparation
- GED certification

Assessment of Student Progress

The teacher will need to periodically assess student educational progress toward the learning goals and performance objectives of their written student-learning plan. Such progress assessments are called for under the requirements for educating juveniles in adult jails (WAC 392-122-228) as outlined in the following section.

KEY POINTS:

- Progress Review
 - Conduct monthly with student; document findings
 - Corrective interventions as needed
- Progress Reinforcement
 - Establish means to encourage and support e.g., partial credit
- Annual Assessment
 - Conduct standardized State assessment annually

Progress Review: The timeline for these required progress assessments is that they be conducted at least once per month. Progress reviews should be done during a face-to-face contact with the student, following which the teacher must determine and document the extent to which the student is making satisfactory progress on his or her educational plan. The regulations require informing the student of the results of this review. Where progress is unsatisfactory, the teacher must discuss these findings with the student and try to identify corrective actions. If the student fails to make satisfactory progress for two consecutive evaluation periods or otherwise is not following their written student-learning plan, the teacher must develop and implement a formal intervention plan designed to improve student progress. This intervention plan shall be a mutual effort with the student. If progress does not improve after three monthly reviews, the intervention plan should be revisited and revised.

Progress Reinforcement: These youth will need a lot of encouragement to sustain the level of self-study necessary in any jail education program and it will be important to provide them with consistent information about their successes. Because students in the jail education program are likely to have multiple credit deficits, and given that they will be working largely on their own to recover credits, it is a good educational strategy to set up a process whereby the student can earn partial credits. This will give the student a greater likelihood of actually gaining some measurable results from his or her efforts and may make these results more frequent. Both factors are important for program effectiveness. The jail environment and the limits on teacher-student contact are not ideal conditions except for the most self-directed learners. These youth are unlikely to be this kind of learner and will need all the incentives available

to reinforce their perseverance. The only rewards likely to be available due to jail security restrictions are praise from the teacher and evidence of progress on the student-learning plan.

Annual Assessment: The educational progress of students enrolled full time in the jail education program is required to be assessed at least annually using the State assessment tool for the student's grade level and any other annual assessments required by the school district. This means the full-time students in the jail education program should be offered the opportunity to take the State's current standardized assessment of student learning for their grade level. However, because of short stay of jailed students the student's home school should be notified when the testing window is open so that the home school can provide the make up assessment at a later date. Assessment results for students assessed according to these provisions are to be included in the education provider's accountability measurements.

Other School-Related Activities

The language of RCW 28A.194 calls for the education provider in a jail education program to offer "such courses of instruction and school-related student activities as are provided by the school district for students outside of adult jail facilities," adding the caveat, "to the extent that it is practical and judged appropriate by the school district and the administrator of the adult jail facility." These other "school-related student activities" are not specifically defined. They could, however, include participation in volunteer programs offered at the jail.

KEY POINTS:

- Support and Intervention Services
 - Identifying existing supportive resources
- Services for Young Women
 - Identify gender-specific needs
- Services for English Language Learners
- Parent Involvement
 - Establish procedures for parental engagement as applicable

Support and Intervention Services: There are other activities and services offered on campus at many public schools that are likely to be needed by the juveniles in the adult jail. The absence of these may be particularly significant for this population. The complex of problem behaviors such as mental health disorders, substance abuse, difficulties managing anger and emotions, and the psychosocial deficits that these youth are likely to bring with them into the jail will adversely impact their capacity to learn.

Other facilities for juvenile offenders - detention centers and JJRA facilities – offer a variety of programs and services designed to address these problems and behaviors. Many schools offer education and intervention for youth with substance abuse and violence problems; most have school counselors and some have social workers. Adult jails may offer similar rehabilitative services for their adult inmates such as access to alcoholics or narcotics anonymous groups or opportunity to meet with a mental health counselor. These opportunities however, may not be appropriate for the needs of juveniles.

In general, jails will lack the types of supportive resources that these juveniles are likely to need. Many jails do have, however, a network of volunteers as well as relationships with

community-based providers for occasional inmate needs. While some appropriate supportive services in the community may be prohibitively expensive or simply prohibited due to the safety and security concerns identified previously, others may already be acceptable to the jail administration. It is not reasonable to expect the teacher to be able to deliver services that are external to the educational program but it may be possible for the education provider to arrange for them to be available through either the jail itself or district, regional, volunteer, or community resources. Failure to attend to the issues and behaviors that are so frequently associated with juvenile criminal behavior will inevitably make instruction more difficult and satisfactory completion of the student-learning plan less likely.

Services for Young Women: Services for Young Women: The different needs of young women in this population also are important to consider. While females make up only a small part of the transferred population (7 percent in the Sentencing Guidelines Commission 2000-2008 dataset), their presence in the juvenile offender population has been increasing and their participation in crimes of violence is also on the rise. Research on female juvenile offenders finds that they have higher rates of mental health problems than male offenders and are very likely to have been victims of abuse (Washington Coalition, 2009). It is not uncommon for female inmates to be pregnant, a situation that leads to needs for a range of other services. These gender specific needs must be taken into account for an effective education program.

English Learners: It is a likely that a number of youth may be English Learners (EL). These students are the fastest growing segment of the public school population in the U.S. Since the late 1990s, the number of ELL students in the United States has nearly doubled—to about five million, with projections showing that by 2015, EL enrollment will again double to 10 million (Department of Education, nd.). To address the needs of this population of juveniles, programs, at a minimum, should provide English as a Second Language (ESL) and bilingual education according to students' educational needs.

Parent Involvement: As juveniles under age 18, program students may benefit from parental support and involvement in some aspects of their educational program. Other adult family members may also be available to provide support and encouragement. While some jailed juveniles may come from at-risk homes with a history of family violence, substance abuse, child abuse and neglect, or one in which the parents themselves have criminal histories, these factors alone do not mean that parental support would not be helpful for the juvenile. Most parents want to see their children do well, and for the period the juvenile is in jail, successful educational progress is one of the few ways in which a young man or woman can take positive steps to improve their future.

For students with an IEP, parental involvement is integrated into the required processes for plan development as well as for regular meetings, and a substitute of some type may be needed in the absence of parent participation. For all juveniles who maintain family contact, the teacher should seek to provide parents and other family members with information about the juvenile's educational progress and goals and find ways to encourage them to support these efforts. Any such contacts and information exchange must be approved as required by jail administration and follow security guidelines.

Transition Planning

Transition planning in the traditional sense is aimed at bridging the gap between the education provided in the institution and the student's subsequent re-entry into the school or community. The problems in planning for and facilitating transition for this population are integral to the purpose of their jail stay. This stay is itself a transition and the juvenile will not be in the jail indefinitely. Eventually, some will continue in the adult corrections system, some will be transferred to the juvenile justice system, and some will be released to the community.

KEY POINTS:

- Begin at Intake
 - Review student's educational goal
 - Incorporate estimated release date into student learning plan
- Continuing Education in an Institution
 - Establish procedures to forward education records
- Continuing Education in the Community
 - Establish procedures to link juvenile with appropriate community services

Begin at Intake: Planning for transition needs to begin at intake into the education program. Transition planning should include a review of the student's goals and objectives from their written student-learning plan or IEP and emphasize the importance of continuing to be involved in academic or vocational education for a better future.

Until they are adjudicated or their cases are otherwise resolved, juvenile offenders' destinations after jail are uncertain. More specific transition planning will require some advance notice that an inmate may be moving on. While it may not necessarily be possible to identify an exact timeframe for an inmate's departure or transfer, there could be an estimate based on date of trial or other procedures that could be used to trigger general transition planning. The jail administrator and education provider can establish procedures so that this estimate can be incorporated in the student-learning plan or, if this is not practical, at least in advance of the inmate's departure.

Continuing Education in an Institution: If a student is subsequently transferred to an adult or juvenile correctional institution, some aspects of transition become a matter not dissimilar from that between any public school system: ensuring records are complete and up-to-date and available to the new setting. For inmates still under age 18, those sentenced to an adult prison term will be housed and educated in a juvenile facility operated by JJRA. Educational services will be provided and be required. For those transferring to a JJRA institution, the emphasis can be on continuing toward a high school diploma with special attention to career and vocational interests that might be pursued. A syllabus for a transition class at Green Hill School, a JJRA facility, is in Section 7.

Students who have reached the age of 18 while enrolled in the program and who will be transferring to an adult prison should be offered a chance to complete their GED before leaving the jail if they are able to do so. While basic education funding cannot be used for this testing, such individuals should be eligible for the jail's GED testing program for adult inmates if there is one in place. If the jail has no GED program, the education provider and jail administrator are encouraged to contact the local or regional community college to try to

provide this service for inmates. Where GED testing is not an option while the inmate is still in the jail, records of pre-GED test scores and academic assessments should be sent to the DOC reception center to facilitate continued pursuit of this certificate.

Continuing Education in the Community: Transition is different and more difficult for juveniles returning to the community. This may mean a return to an unsupportive environment and delinquent social ties, conditions that have been found to contribute to recidivism (Risler & O'Rourke 2009). If feasible, the transition practices required for youth with special education needs that emphasize continuing care and the engagement of parents and other agencies would be ideal in these situations (Morris & Thompson, 2008). The key elements of any such strategies for transition to the community need to be ways to foster education continuation and links with appropriate community services.

Transferring back to a public school might be inappropriate or undesirable if an individual is older or has no interest in returning to a regular school setting. Alternative schools, community-based organizations, private vocational schools or community and technical colleges provide other educational options for these youth that should be identified and explored. For students over age 16 who have not received a high school diploma, transition planning for the community should also include information about obtaining a GED. For all these youth, this review should further stress information about life skills including job search and interview skills and budgeting.

SECTION 7:RESOURCES and SAMPLE FORMS

Historical Summary: Transfer of Juveniles to Adult Court

The Federal Juvenile Justice and Delinquency Prevention Act of 1967 established the core parameters of the modern juvenile justice system. Washington State's Juvenile Justice Act of 1977 conforms to the federal guidelines regarding juvenile offenders and is routinely revised to remain current. The Act emphasizes protecting society and holding juveniles accountable. Under the Act, juveniles between the ages of 8 and 18 can be charged with the same crimes as adults.

From their inception in the 1890's, juvenile courts have had the capacity to make exceptions to this general approach that treats juveniles differently than adults for similar offenses. This provided a way for the juvenile courts to respond to serious offenses such as murder by prosecuting and sanctioning juveniles as adults in the criminal courts. These pathways to adult court generally took the form of judicial waiver, wherein a juvenile court judge, after consideration of a case and the youth's circumstances and needs, approved the juvenile's transfer to criminal court.

Every state including Washington has judicial waiver laws, the traditional, and once the most common form of transfer. Increases in juvenile offenses in the late 1980's and early 1990's, particularly in serious and violent offenses, led to widespread reconsideration of how such offenders should be processed. States began to enact more and broader transfer laws that allowed juvenile offenders to be processed as and housed with adults without prior consideration by the juvenile court judge. All but three states made such changes between 1992 and 1998 (Task Force, 2007). A 2008 analysis of juvenile transfer laws by the National Center for Juvenile Justice (Griffin, 2008) found that there are only 8 states in which judicial waiver is the only means for transfer. Washington State has been no exception to this trend.

In 1994, the Washington State Legislature passed the Violence Reduction Act that automatically transferred jurisdiction to the adult courts of youth aged 16 and 17 who had been charged with certain violent felonies including murder and assault 2. Subsequently, in 1997, the Legislature increased the scope of offenses that would lead to automatic transfer to adult court for juveniles over age 16. These include robbery 1, rape of a child 1, drive-by-shooting, burglary 1 (if the offender has a prior adjudication), and any violent offense if the offender was armed with a firearm.

Washington joins 29 other states with laws that statutorily exclude certain cases from processing by the juvenile court. Under these laws, juveniles are treated and processed as adults from the time they are charged. Most states also provide some opportunity for courts to consider the appropriateness of criminal processing on an individual case-by-case basis even after the case is filed in adult court. Washington is one of 15 states in which, once a juvenile is charged as an adult, there is no such "fail-safe" option for a youth to plead individual circumstances that might make him or her an exception (Griffin, 2008). Moreover, once transferred to the adult system, all future charges against the youth, regardless of guilt, are automatically transferred – known as the "once an adult, always an adult rule" (Washington Coalition for the Just Treatment of Youth, 2009). This practice is found in a total of 34 states (Griffin, 2008)

SAMPLE INTERAGENCY AGREEMENT –



AGREEMENT/ CONTRACT NO: Fiscal Year:

1482 2013-2014

AGREEMENT BETWEEN

EDUCATIONAL SERVICE DISTRICT NO. 112 2500 NE 65th Avenue Vancouver, WA 98661-6812

and

CLARK COUNTY JAIL P.O. Box 410 Vancouver, WA 98666

WHEREAS, Educational Service District No. 112 and the Clark County Jail want to comply with RCW 28A.194, and provide an education program at Clark County Jail to meet instructional needs of students under 18 years of age; and

WHEREAS, the Clark County Jail has space available where an educational program can be conducted; and

WHEREAS, the parties hereto mutually desire to reach an understanding concerning conducting the educational program and use the facilities for the <u>2013-2014</u> school year;

NOW, THEREFORE, for the reasons above and in consideration of the material covenants contained herein, the parties agree as follows:

1.0 Term.

- **1.1. Initial Term.** The initial term for the Agreement shall be from September 1, 2013 through August 31, 2014.
- **1.2. Renewal.** Refer to section 4.7.

2.0 Educational Service District 112 Responsibilities

- **2.1** Educational Service District 112 agrees to provide qualified staff, supplies, materials, and equipment to conduct the educational program based on the alternative learning experience guidelines in WAC 392-122-228 and WAC 392-121-182.
- **2.2** Educational Service District 112 will supervise the educational process and conduct evaluations of certified and classified staff.

- **2.3** Education Service District 112 will maintain an inventory of fixed assets within the classroom.
- **2.4** Educational Service District 112 will provide upkeep and maintenance for items purchased with school program funds.
- 2.5 Educational Service District 112 will make available information on students as may be requested by Clark County Jail staff, i.e., educational progress reports, assessment data, behavior and attitude observations and school placement. Any such disclosure of educational records shall be made in accordance with State and Federal laws governing the same.
- **2.6** Educational Service District 112 will provide transcripts/credits earned by a youth while in detention to the student's home school or other educational program as needed.

3.0 Clark County Sheriff's Office, Custody Branch (referred to commonly as "Clark County Jail" Responsibilities

- 3.1 Clark County Jail agrees to provide adequate space and utilities for the educational program, basic furniture for use by the students and teachers, and maintenance of the space and furniture.
- **3.2** Clark County Jail agrees to provide access to a telephone for use by the instructor.
- 3.3 The Jail Supervisor will supervise the security section of the Jail within which the classroom is located and coordinate program operations.
- 3.4 The Clark County Jail will notify Educational Service District 112 staff located at Clark County Juvenile Justice Center that a student, under the age of 18, has been placed at Clark County Jail within 5 school days of the student inmates booking (incarceration) date.

4.0 General Provisions:

- 4.1 Items purchased by Educational Service District 112 or Clark County Jail become and remain the property of the respective purchaser, however, mutual use of properties may occur at the Jail classroom.
- 4.2 The Jail teachers are responsible to conduct the educational program within policies, procedures, and regulations of Educational Service District 112 with adaptations as appropriate to the Clark County Jail setting. When student situations or actions occur within the educational program which cause a disruption to the learning environment, the Clark County Jail and supervisory staff shall intervene to take action in the best interest of the facility and instructional staff.

- **4.3** Both parties of this agreement shall discuss and agree to any change in existing, or the implementation of new policies, procedures, and regulations that may have an effect on the educational program or Jail Operations.
- 4.4 The certificated and classified staff conducting the instructional program are employees of Educational Service District 112 and have the rights, responsibilities, and due process guarantees as defined by Educational Service District 112 policy and regulations and negotiated agreements.
- All employees of Educational Service District 112 will complete a "Jail Clearance Check," and agree to abide by all federal and state laws, local jail rules and security procedures. Failure to participate in the Clark County Jail Clearance process will result in the Educational Service District 112 employee being declined entry into the Clark County Jail. Breaches of security rules, protocols and revocation of Clark County Jail clearance, depending on the specific circumstances of the breach.
- 4.6 Educational Service District 112 and Clark County Jail staff will meet as may deemed appropriate or at least once yearly for the purpose of evaluating the educational philosophy, the established goals, the utilization of personnel and the effectiveness of the program. Such qualified personnel, as may contribute to planning and/ or evaluation will be utilized to the extent possible.
- 4.7 This agreement will renew annually unless Educational Service District 112 or Clark County Jail request in writing not to renew this agreement by August July 1st. preceding the start of the next school year.
- **Organization and Governance.** The parties agree Educational Service District 112 is authorized as the legal and administrative entity to govern and direct the operation of this Agreement and the parties' obligations hereunder in accordance with the terms of this Agreement and the Educational Service District 112's adopted policies and procedures.
- **Assignment.** Neither this Agreement nor any interest therein may be assigned by either party without the prior written consent of the other party.
- **7.0** <u>Mutual Termination.</u> This Agreement may be terminated by mutual agreement by the parties.

8.0 <u>Crimes Against Children</u>

The ESD is prohibited from employing any person who will provide services under this Agreement, and who may come into contact with children in a public schools, if the person has plead guilty to or been convicted of a felony crime specified in RCW 28A.400.322. Failure of the ESD to comply with this section shall be grounds for immediate termination of this contract.

- **9.0 Force Majeure.** The ESD shall not be liable for any failure to perform its obligations in this Agreement if the failure to perform is a result of any act of God, riot, war, civil unrest, flood, earthquake, or other cause beyond the ESD's reasonable control, such as changes to federal, state or local laws, but excluding failure caused by the ESD's financial condition or negligence.
- 10.0 Waiver. No provision of this Agreement, or the right to receive reasonable performance of any act called for by its terms, including but not limited to the right of a performing party to notify a non-performing party there has been a unilateral early termination, shall be deemed waived by a parties failure to enforce the provision or rights to performance in a particular transaction or occurrence. Any and all waivers shall be in writing and signed by the party waiving the provision or its rights to performance. Any waiver that is not in writing shall not be binding or effective.
- 11.0 <u>Severability.</u> If any term of condition of this Agreement or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other terms, conditions, or applications of the Agreement which can be given effect without the invalid term, condition, or application and, to this end, the terms and conditions of this Agreement are declared severable.
- **12.0** Governing Law and Venue. This Agreement shall be governed by the laws of the State of Washington and any action or litigation undertaken to enforce the terms of this Agreement shall be conducted in Clark County, Washington.
- **Whole Agreement.** The parties agree that this Agreement, together with all appendices, if any, constitute the entire agreement between the parties and supersedes all prior or existing written or oral agreements between the parties and may not be amended other than in writing signed by the parties.
- **Attorneys Fees and Costs.** In the event litigation arises out of this Agreement, each party shall bear its own attorney's fees and costs.
- **15.0** <u>Captions.</u> Paragraph headings have been included for the convenience of the parties and shall not be considered a part of this Agreement for any purpose relating to construction or interpretation of the terms of this Agreement.
- 16.0 Opportunity Without Discrimination. Per the requirements of state, local and federal laws, including 13 CFR 145, the ESD and the Clark County Jail agree not to discriminate on the basis of race, creed, religion, color, national origin, age, families with children, sex, honorably discharged veteran or military status, marital status, sexual orientation including gender expression or identity, or non-job-related physical, sensory, or mental disabilities, or use of a trained guide dog or service animal. Inquiries regarding compliance and/or grievance procedures for the ESD may be directed to the ESD at its address above.
- **Authority.** The terms and conditions of this Agreement to which the parties agree are being entered into by appropriate resolutions of the respective boards of directors of Educational Service District 112 and Clark County Jail.

IN WITNESS WHEREOF, Clark County Jail and Educational Service District 112 have executed this Agreement on the date and year indicated below.

EDUCATIONAL SERVICE DISTRICT NO. 112			
By:	Date:		
CLARK COUNTY JAIL			
By:	Date:		
PLEASE SIGN, DATE, ATTO:	ND RETURN BOTH COPIES OF THIS	AGREEMENT	

Internal Fiscal Services
Educational Service District 112
2500 NE 65th Avenue
Vancouver WA 98661-6812
A countersigned copy will be returned to you.

10/11/13

SAMPLE SAFETY and SECURITY TIPS –

Yakima County, Washington DEPARTMENTS OF CORRECTIONS

Administrative Division

Lt. G. Costello

Memo

Date: October 4, 2013

To: Michelle Maike- Maike and Associates

From: Lt. Costello

Re: Educating Juveniles in Adult Jails

Cc: File

Stay Professional. Focus your actions and communication on your task.

- Inmates are highly manipulative, be on your guard at all times.
 - Beware of sad stories, tears, accounts of physical abuse, sexual abuse, mental abuse, bad childhood, etc. Inmates will use these types of stories to attempt to lure you into feeling sorry for them. Although the stories could be true, focus on your reason to be there, which is to teach.
- Set the parameters of the relationship and stick to those parameters. Don't let the inmate have any control over the parameters.
- Avoid using your entire name. Use your first name or last name, but try not to use both.
- Stay away from any conversations that could lead to learning personal aspects of the inmate's life to include:
 - o Don't ask the inmate what he is charged with.
 - Stay away from any conversation concerning why the inmate follows a criminal lifestyle, gang life etc.
 - Don't ask the inmate about his/her family or children unless it has something to do with the lesson plan (Some classes are about family). If the inmate brings up his/her family be polite and acknowledge what he/she has to say, but watch close for the conversation to spin.
 - o Don't ask the inmate about his/her likes, dislikes or favorites
- Don't bring inmates anything that does not have to do with the class or subject.
 - No extra pencils, pens or paper
 - Do not give any extra books, magazines etc. unless they are part of the lesson plan.
 - o Do not give money or leave money on books
 - o Do not take out letters either to deliver or mail
 - o Do not bring any correspondence for inmates into the facility
 - o If the facility you are working in allows you to have a cell phone, do not allow the inmate to use it.
 - o Do not make contact with friends or family for the inmate

Sample Safety and Security Tips

- Do not bring treats unless approved through the facility, and don't make a habit of it or do it very often.
- Do not allow inmates to call your home phone, send you letters or have any contact other than what is allowed by the facility.
- Don't answer any personal questions concerning the same types of subjects as noted above. Also,
 - o Don't talk about your new car
 - Vacation plans
 - o Pets
 - Anything that could narrow down where you live, like your address, schools close by, describing some crime happened by your house, complain about the road needing repair, etc.
 - Personal problems
- If an inmate tries to spin the conversation into a personal area, redirect. If the inmate continues, state firmly, but not in an aggravated or angry tone, that it is personal and you will not discuss it.
- Challenge an inmate's mind, but don't get in a challenge over power. If an inmate attempts to control the situation, call the staff and have him removed

Apparel

- Watch the way you dress. What is appropriate for the regular classroom may not be appropriate for a jail setting. Things to think about:
 - Necklines
 - Hemlines
 - Short tops
 - o Form fitting clothing
 - o How easy it is to see through the garment
 - o Don't wear sleeves that are very short
 - No open toed shoes
 - No high heels
 - Clip on ties and scarves only
 - o Don't tie sweaters or jackets around your neck
- Remember that some inmates have deviancy issues and you may not know which ones they are so use "Universal Precautions"
- It is alright to create a rapport, just ensure that it is within parameters that you set, not the inmate
- Go ahead and wear your wedding ring. It could prevent more problems than it could cause. Just remember not to talk about your spouse or family.

Lt. Costello

SAMPLE STUDENT LETTER¹ –

Greetings New Student:

I would like to welcome you to Tacoma Pierce County Education Center for the 2012-2013 school year. My name is Clarence Henley and I will be your teacher. I am a graduate of the University of Washington - Tacoma, and I have certification in both general education and special education. I have been a teacher in the Tacoma School District for the past six years and have been teaching at the jail for the past three years.

You have agreed to participate this year in the Tacoma School District education program for students in the Pierce County Jail. The goal of the program is to provide you with a quality alternate learning experience that will lead to your continuing success in learning, a positive attitude about education, and the opportunity to earn high school credits. Here are some of the details regarding the program:

- Your academic skills will be assessed using reliable assessments that will be used to identify specific reading and math needs, which a "Student Learning Plan" will address.
- The program will follow the Tacoma School District's calendar.
- You will have a minimum of one hour per week of one-on-one instruction.
- You will be given the necessary instruction and materials to complete five hours of independent school related work per school day.
- You will have a Written Student Learning Plan and I will contact your parent/guardians to seek their participation and input in creating this document.
- There will be a monthly review of the written student learning plan utilizing assessments and work completed to determine your academic progress.
- As a student, you have the opportunity to earn a maximum of 2.5 credits per semester to total 5 to 7.5 credits per year toward graduation and a diploma.
- The requirement for graduation includes gaining 23 credits, passing state assessment tests in reading, writing math and science, and completing a culminating project and a high school and beyond plan.
- While you are earning credits, you will also be gaining the skills that are needed to pass the GED. I encourage all students to consider working toward passing the GED as a "plan B" alternative to high school graduation.
- The credits you earn and the skills you gain are dependent on the amount of effort you provide to attend class and complete assignments.
- You have been provided with a copy of your rights as a youth detained at the Pierce County Jail, the Tacoma Public Schools "Student Rights, Responsibilities and Regulations, and a school calendar.

I am looking forward to working with you to make you successful in attaining a complete education that will help you gain income and access opportunities in the future. If you have any questions or concerns please feel free to contact me by kite. Thank you.

Sincerely,

Clarence Henley
Tacoma Pierce County Education Center

¹ From Tacoma Public Schools, Tacoma Pierce County Education Center (2013).

SAMPLE PARENT INTRODUCTION LETTER –

Thursday, January 09, 2014

Dear Parent/Guardian:

I would like to take this opportunity to welcome you to Tacoma Pierce County Education Center for the 2012-2013 school year. My name is Clarence Henley and I will be your child's teacher. I am a graduate of the University of Washington Tacoma, and I have certification in both general education and special education. I have been a teacher in the Tacoma School District for the past six years.

Your child has agreed to participate this year in the Tacoma School District program for students in the Pierce County Jail. The goal of the program is to provide a quality alternate learning experience that will lead to continuing success in learning and positive attitude about education, while providing the opportunity to earn high school credits. Here are some of the details regarding the program:

- Your child's academic skills will be assessed using reliable assessments that will be used to identify specific reading and math needs, which will be addressed by a "Student Learning Plan".
- The program will follow the Tacoma School District's calendar.
- All students have a minimum of one hour per week of one-on-one instruction.
- All students will be given the necessary instruction and materials to complete five hours of independent school related work per school day.
- Your child will have a Written Student Learning Plan and I will contact you to seek your participation and input in creating this document.
- There will be monthly reviews of the student's progress and a report will be reviewed with the student and sent to you.

I have enclosed a copy of your rights as a parent of a detained youth, as well as the Tacoma Public Schools calendar and student rights, responsibilities and regulations.

I am looking forward to working with you in to help to make your student successful in education. If you have any questions or concerns please feel free to contact me at my Tacoma Public Schools office at 253-571-1113 or at the Pierce County Jail Education Office at 253-798-6225. Thank you.

	ce	

Clarence Henley
Tacoma Pierce County Education Center @ PCJ

- SAMPLE NON-PARTICIPATION FORM² -

Non-participation in **Education and Related** Services

I, public education until my 18th bi	, understand that I have a right to a free appropriate irthday (RCW 28A).
I choose not to participate in the related services.	education programs including special education and
I understand that at anytime duri in and receive education and rela	ing my stay at (name of facility), I can choose to participat ited services.
Student Signature	Date
Jail Education Coordinator/Instru	uctor Date

² Adapted from State of Virginia, Department of Education, Special Education in Local and Regional Jails program manual.

- SAMPLE NON-PARTICIPATION FORM 3 -

REFUSAL TO RECEIVE TACOMA PIERCE COUNTY EDUCATION CENTER (TPCEC) SERVICES

I also understand that by signing this, I will not reprogram that option is available to me, so loam older than 18, I notify the TPCEC that I was a significant to the significant transfer of the sig	articipate in the TPCEC education program. I eceive services provided by the staff of TPCEC. In my mine and want to enroll in the TPCEC ong as I am either under 18 years of age or, if I wish to reenroll during the current school year. PCEC teacher (via Pierce County Jail KITE) that I
Student Signature	Date
TPCEC Teacher	Date

³ Adapted from Tacoma Public Schools, Tacoma Pierce County Education Center (2010).

- SAMPLE TERMINATION FORM4 -

TERMINATION OF TACOMA PIERCE COUNTY EDUCATION CENTER SERVICES

, am withdrawing from participation in the TPCEC ucation program. I am no longer interested in receiving any educational services ovided by the staff of the TPCEC.			
available, so long as I am either unde notify the TPCEC that I wish to reenr	d I decide to return to the program that option is er the age of 18 year of age or, it I am older than 18, I roll during the current school year. It will be my e County Jail KITE) the TPCEC teacher that I wish to re-		
Student Signature	Date		
ΓΡCEC Teacher	Date		

⁴ From Tacoma Public Schools, Tacoma Pierce County Education Center (2010).

- JAIL EDUCATION PROGRAM HANOVER COUNTY PUBLIC SCHOOLS -

INTERVIEW FORM

Housing Unit		Date:			
Name:Last	First		Middle		
Date of Birth:Month	Day Year	HCPS ID #	Hanover Stu	dents Only	
Last School Attended:					
Location: (City, State)					
Last Grade Completed:		Year G	Fraduated:		
GED Test Year (approximate,	if necessary):	Location of Testing	Center: (State)		
Have you ever received services	-	YES	NO		
SOCIAL SECURITY NUMBE I certify that the above informa APPLICANT'S SIGNA	R: tion is true to the best of my k				n.
For school use only:					
(School)					
(City, State)					
Faxed to: Name and/or Number					
Date Sent:	2 nd Notice		3 rd Notice		
Transcript Received:	SPED Cat	tegory:	GED:	Yes No	
Notes:					

SAMPLE INTERVIEW QUESTIONS⁵ -

Although the screening process should not rely on self-report data, a personal interview with youth when they are admitted to the facility, conducted by an experienced staff, can be a good source of information. Sample questions that are helpful in eliciting information about a prior history of education include:

- What was the name of the last school you attended? How long ago did you last attend school?
- What was the last grade you attended?
- · About how many students were in your classes?
- What were your best or favorite subjects in school? What subjects gave you the most trouble?
- Did you see a teacher or counselor to get extra help with those subjects, or with your behavior?
- How about a speech teacher, or a social worker -- did they ever help you out?
- Did you attend a special program? Did you ever attend an alternative school, or a special school?
- Were you ever enrolled in special education? Did you have an IEP?
- Did your parent go to school to attend an IEP meeting?

⁵ Special thanks to Sheila Hight, Jail Education Coordinator, Piedmont Regional Jail/Prince Edward Public Schools, Farmville, VA, for sharing this information.

- SAMPLE STUDENT LEARNING PLAN⁶ -

TPCEC Written Student Learning Plan

Student: [name] High School Credits: 12.9

Subjects: Reading, Writing, Math, Social Studies

Starting Date: September 21, 2012

Text: Instructional materials are approved by TPS

ID # 99999999999 Goals: Dual Track GED-HSC Teacher: Clarence Henley

Due Date: September 21, 2013

Student Responsibilities:

 The student is required to complete 25 hours of study per week. A portion of this time includes instructional time with the teacher and the remaining time will be for independent assignment completion

2. The student will attend class each week during which time the student will receive instruction, review of assignments, conferencing, and will participate in other forms of learning activities.

- 3. The student will work outside of class time to get the majority of the assigned work completed.
- 4. The student will adhere to the requirements of this written student learning plan.

Learning Goals and Performance Objectives – Reading:

When given the Gates-McGinitie test for reading on 9/7/12, [name] scored at a 10.0 level on vocabulary and at a 8.9 level on comprehension. [name] will work to raise his Comprehension scores on the Gates McGinitie to a 10.9 level within the school year...

- 1. EALR 1: The student understands and uses different skills and strategies to read.
 - a. The student will demonstrate evidence of reading comprehension in varied genres by summarizing what he has read and successfully answering comprehension questions.

IEP Goal: [name] will improve his reading ability from answering 2 out of 5 questions correctly on passages containing 3 syllable words, to answering 5 out of 5 questions correctly on texts containing 3 syllable words.

Learning Goals and Performance Objectives – Writing:

On a writing assignment dated 9/13/12, [name] writes with 83% accuracy. He uses proper sentence structure and good spelling but sentences are sometime too plain and lack complexity needed to make them more interesting and concise. [name] will continue

⁶From Tacoma Public Schools, Tacoma Pierce County Education Center (2013).

Page 2 of 3

Sample Student Learning Plan

TPCEC Written Student Learning Plan

to improve his writing demonstrated by an increased use of new vocabulary and a higher level higher level of complexity. He will also improve his writing skills by writing in varied genres and by the writing of more comprehensive projects.

- 1. Writing EALR 1 The student will understand and use a writing process.
 - a. The student will demonstrate his understanding of the writing process by prewriting, producing drafts, and by revising and editing text.

IEP Goal: [name] will improve his writing ability, by following examples and receiving direct instruction, from writing essays consisting of 1 or 2 paragraphs which are punctuated incorrectly to writing 5 paragraph essays, using punctuation correctly on 5 out of 5 essays.

Learning Goals and Performance Objectives – Math:

[name] initially placed into Saxon Course 3 with a score of 33/50 on 9/7/12. He is knowledgeable in many math concepts but needs to brush up on some of his computational fluencies before moving on to the next level. [name] will assess up to Algebra 1 within the next 2 semesters.

- 1. Math EALR 1 The student will understand and apply the concepts and procedures of mathematics.
 - a. The student will demonstrate his understanding of mathematic concepts and procedures by solving math problems as given on the Saxon math assessment level Course 1 and 2 involving:
 - i. Computing fractions, mixed numbers and decimals
 - ii. Percentages
 - iii. Use of variables
 - iv. Perimeter, area, and volume

Learning Goals and Performance Objectives – Behavior:

IEP Goal: [name] will progress from disrupting the class 2 days out of 5 to disrupting the class 0 days out of 5.

Teaching Components:

- 1. Student can expect direct instruction during class time.
- 2. Student will work on assignments both in class and in his housing unit.
- 3. Work will be submitted by the student and returned to the student for correction.
- 4. The instructor will work with the student individually on error correction during class.
- 5. Performance, assessment, and attendance will be tracked by instructor.
- 6. Corrected homework will count toward high school semester credit.
- 7. Progress reports will be given to students after the end of each month.

Sample Student Learning Plan

TPCEC Written Student Learning Plan

Evaluation Criteria:

For students to earn .5 credits in each subject area per semester, the following must be met by end of semester:

- 1. Completing the work as detailed above including the required class attendance and independent study.
- 2. Successful completion of various district and program assessments (i.e. Gates-McGinitie, Saxon Math, DRP, SRI, District scheduled math assessments).
- 3. Class time attendance.

Instructional Materials:

- 1. Reading
 - a. Appropriate books of choice at student's current reading level
 - b. Reading comprehension worksheets
- 2. Writing
 - a. Grade level writing prompts, writing assignments, and a journal
- 3. Math
 - a. Saxon C3 level Math Textbook copies
- 4. Reference
 - a. Dictionary

Agreement:

I have read and understand the requirements for the alternative learning plan. I under	erstand my
responsibilities and agree to fulfill them. All conditions must be met for credit to be a	warded.

Student Signature	Date
Teacher Signature	Date
Parent Guardian Signature	Date

Kent School District 415 – REGIONAL JUSTICE CENTER ALTERNATIVE LEARNING EXPERIENCE SCHOOL Written Student Learning Plan (WSLP) and Progress Report

Student:	BA#	KSD#	High School Credits:				
Start Date:	_ Anticipated End Date: <i>June 2010</i>	10 Courses meet WA State & KSD Graduation Requirements: Yes / No	3D Graduation Requirem	nents: Ye	s / No		
Weekly Meeting Scheduled For:_	@	o'clock Monthly Evaluation	Monthly Evaluation Date: Last school day of each month	each mor	ıt)		
Minimum Hours of Study Required: 25h Minimum Number of Assignments Requi Student Assessment Test Scores: Math.	25 hours per week as shown on docur Required: 25 per month as documented Math:	Minimum Hours of Study Required: 25 hours per week as shown on documented time logs completed by the student. Minimum Number of Assignments Required: 25 per month as documented on log sheet completed by the student. Student Assessment Test Scores: Math: Reading: Vocabulary: Withd	udent. ent. Withdrawal Date:				
II)	Instructional materials used are KSK approved materials)	KSK approved materials)		Att	Attendance	e.	
Goals and Le	Goals and Learning Activities For:	Evaluation and Grades Received (See Attached Course Contracts)	ed (s)	Monday	Tuesday	Тһигѕаау	Friday
Complete pretests in reading, writing, vocab. & math	ng, writing, vocab. & math						
2			2				
8			8				
4			4				
2			5				
9							
7 Exercise 1 hour per day							
Teacher Approval of WSL	ä	Date:	WSLP Reviewal For Month 1	eviewal F	or Mor	th 1	
Student Approval of WSLP		Date:	Progress is Satisfactory: Yes/No	Satisfact	ory: Ye	s/No	
Student is meeting the mon	Student is meeting the monthly FTE of 100 hours? Yes / No		(/25 assignments completed) Progress is unsatisfactory: Yes / No	/25 assignments completed) unsatisfactory: Yes.	ents comp ctory:	leted) Yes / N	0
Comments:		HLNOW:					

Sample Student Learning Plan Kent School District 415

Attendance	Wednesday Wednesday Wednesday Thursday	 2	3	4	25						Progress is Satisfactory: Yes / No /25 assignments completed)			
naterials)	Evaluation and Grades Received (See Students' Contract)							DATE:	Date:	WSLP Reviewal For Month 1	Progress is unsatisfactory: Yes / No		STUDENT SELF EVALUATION:	
(Instructional materials used are KSD approved materials)	Goals And Learning Activities For:	2	3	4	5	6. Read Novels	7. Exercise 1 hour per day	Teacher Approval of WSLP:	Student Approval of WSLP:		Student is meeting the monthly FTE? Yes / No	Teacher Comments:	STUDE	

SAMPLE STUDENT CONTRACT –

SAMPLE: Kent School District 415 Regional Justice Center Alternative Learning Experience School Student Contract

School at the Regional Justice Center consists of a 25 hour weekly commitment where you will be working independently on *Written Student Learning Plans* (WSLP's). These plans will be evaluated at the end of each month to see if satisfactory work is being done. Satisfying the learning plan is required if you want to continue your enrollment in the school for the next month. To satisfy the learning plan, you must complete 25 lessons by the end of the month. These lessons will come from the individualized contract you will have in English and Math. (The level will be based on your pre-test scores.) You may then choose the remaining lessons form social studies, science or GED prep contracts. All of these lessons will by recorded by you on a log sheet that is turned in at the end of each month. You also are required to come to school whenever the teacher comes to your unit. On your unit is where you will receive instruction, correct work and /or use materials not available outside of school. School is held for one hour, generally two or three days a week, in the multipurpose room on your unit. Everyone will have their own individual learning plans to work on outside of class for either high school credit or GED preparation. In class, you are expected to work quietly in small groups or independently.

You will also be expected to keep record of all the hours you daily engage in school related activities such as: homework, contract work, silent reading and exercise. These hours will be recorded by you on a log and then collected monthly by the teacher. It is state mandated that these records be kept and turned in monthly!

All work is to be completed in a neat and organized manner. Remember, the work you are doing is being done for high school credit. Please maintain a high standard of excellence in all of your work.

Please initial the following statements showing you agree to fulfill this Alternative Learning Experience Contract with the Kent School District.

(By signing, you are agreeing to fill out the monthly time sheet and complete 25 lessons per month)

I have read and understand all of the above material I will come to school promptly when the teacher arrives on my unit I will complete all of the group lessons in English and math we do in class each week I will complete and record 25 assignments each month as required for my WSLP I will accurately log all of the hours I engage in school related activities I will complete work in an organized and neat manner I will maintain a high standard of appropriate behavior while in school (No swearing, No stealing, No put-downs, No aggressive play, etc.)									
NAME:	AGE:	GRADE	IN SCHOOL	:					
COURSE OF STUDY WHILE AT THE I	RJC: High Sci	hool Credits; _	GED:						
BEGINNING DATE:		NEXT COU	RT DATE:						
DAYS AND TIME OF SCHOOL:			_ @	_ O'CLOCK					
STUDENT SIGNATURE:									

- SAMPLE STUDENT INTERVENTION PLAN7 -

Name:	Date:
	at tells how you think you did in school this ber you think the teacher would put if she were
Low End: 1 – 2 – 3 – 4 -	- 5 - 6 - 7 - 8 - 9 - 10 High End
Explain why you gave those scores:	
What has prevented you from com	ipleting school work this month?
	u are given in the month to complete? oo easy, to much or just right? Explain.)
	nake this a successful month for you in school mplete the 100 hours and 25 assignments that
Make a plan for a time that you wil	I daily do your school work.
What time is school held on your unit?	Will you be there?

⁷ From Kent School District, Regional Justice Center Program (2013).

• Review once again, for yourself, why staying in school is important.

Page 2 of 2

Sample Student Intervention Plan

Kent School District

• What do you need the teacher to do differently to help you be successful this coming month? I will complete a minimum of one packet each week in these subjects: This is MY W.S.L.P. for the month of _____ (Written Student Learning Plan) l will..... **Teacher's Initials Attendance** Monday Tuesday Wednesday Thursday Friday Student's Signature: _____ Date: _____ Teacher's Signature: Date: STUDENT SELF EVALUATION AT THE END OF THE MONTH:

SAMPLE RECORD OF HOURS WORKED -

Kent School District Regional Justice Center

Individual Learning Contract's Record of Hours Worked (You must turn in this form at the end of each month, so please don't lose it!)

NAME:

Month	Reading	Exercise	School	Math	English	Social Studies	Science	Total Hours (5 hours per day minimum)
1 st								,
2 nd								
3 rd								
4 th								
5 th								
6 th								
7 th								
8 th								
9 th								
10 th								
11 th								
12 th								
13 th								
14 th								
15 th								
16 th								
17 th								
18 th								
19 th								
20 th								
21 st								
22 nd								
23 rd								
24 th								
25 th								
26 th								
27 th								
28 th								
29 th								
30 th								
31st								

Total Ho	urs For	The M	lonth:
----------	---------	-------	--------

Use the back of this page to record your 25 completed assignments. Remember, you must spend 100 hours a month on school related work and have 25 completed assignments recorded on the assignment sheet on the back side of this page for you to remain in school.

SAMPLE STUDENT PROGRESS REPORT⁸ –

TPCEC Student Learning Plan Progress Review

Report For: June-July, 2013 Student: [name] School: TPCEC Teacher: Clarence Henley **Review Date:** 8/5/13 Started Semester 6/14/2013 Ending semester 8/12/2013 17.18 **Current Credits:** Standards met: Writing, Math **Current Grade** 11 Comprehension Vocabulary Math Assessment level: Alg1 - 10/9 Currently PHS 10.2 Previously 7.5 C3 - 9/8 6.4 **GED Practice Scores** Reading Writing Math Social Studies Science 410 min w/ 450 avg to pass 460 580 Semester Work Completed: Math Writing Sci/Art/Health Social Studies Reading math Saxon C3 True to the game job application workout log 45,46,47,50 True to the game II Favorite holiday d1,2x2 math Saxon Alg1 True to the game III perfect world Favorite Month 2nd draft BoC, 1.1 Roses are red 10 IEP Goal - Reading: By 6/11/14 when given a standardized reading assessment, [name] will answer questions related to the reading, improving his reading comprehension skills from a 7.5 grade level to a 10.0 grade level as measured by CBM. IEP Goal - Written Language: By 6/11/14 when given an appropriate writing prompt, [name] will complete a written work, using correct mechanics and writing conventions, improving writing skills from 76% accuracy to 90% accuracy as measured by CBM. IEP Goal - Written Language: By 6/11/14 when given a writing assignment, [name] will write using an introduction, topic sentence, paragraphs, supported statements, and a conclusion, improving paper structure and organization from 0% to 60% as measured by CBM. IEP Goal - SocialEmotional/Behavioral: By 6/11/14 when given a independent work assignments, [name] will complete assignments, improving completion rate from 1.5 assignments per week average to 4 assignments per week average as measured by CBM. Total Semester Hours Worked: Hmwk hrs Cls hrs Total hrs Attendence Avg. Assignment Completion Avg. 2.6 per week Est. credits earned: Reading English Est. total this semester Math Gen. Ed. Social 0.27 0.00 0.11 0.13 0.03 0.53 Progress is: Good Previously earned credits: 16.65 Student Learning Plan is: Successful Aprox. total credits to date: 17.18 [name] is dilligent in class and is working on an advanced level in math. [name] is getting close to high school completion and needs to Teacher Comments: complete his writing portfolio and start his culminating project. [name]'s s academic focus should be on improving his writing skills for completing his writing portfolio and improving his GED writing Focus: test scores Credits needed: 5.82 HSPE Reading, Writing Portfolio and Culminating Project Needed to Graduate: Student Signature Teacher Signature **Student Comments:**

⁸ Adapted from Tacoma Public Schools, Tacoma Pierce County Education Center Services program (2013).

- SAMPLE TRANSITION PLAN -

Kent School District Regional Justice Center ALE School Program

Testing ducation: 1. Dipl Englis Physi 2. GED	al Plan:	ASAS READING CASAS MATH DRP	Pretest	Post test	eration:					
ducation: 1. <u>Dipl</u> Englis Physi 2. <u>GED</u>	al Plan:	CASAS MATH DRP	Pretest	Post test						
1. Dipl Englis Physi 2. GED	al Plan:	CASAS MATH DRP	Pretest	Post test	_					
1. Dipl Englis Physi 2. GED	al Plan:	CASAS MATH DRP								
1. Dipl Englis Physi 2. GED	al Plan:	DRP								
1. Dipl Englis Physi 2. GED	loma: Have				_					
1. Dipl Englis Physi 2. GED	loma: Have									
Englis Physi					_					
Englis Physi		you passed any of	these state te	sts? Math:	Reading Writing:					
Physi					need to earn credit in.					
2. GED	English Pre-Algebra Algebra Geometry PNW World History U.S. History Government									
2. GED										
	<u>ical Sc</u> ience	Biology PE	<u>Health</u> Oc	c <u>upation</u> al Ed. I	<u>Fine Art</u> s <u>Electives</u>					
	: Tests Comp	leted: Reading:	Social Studies	Science	Math: Written Lang					
VVIIII.										
		,,,								
3. <u>Work</u>	k Plan:									
A Duinu										
					Data Campulated.					
					Date Completed:					
				to Civon:	Date Returned:					
	_				Date Returned:					
D. 10011	TOTALITIE JAMIS.	completed Halland	,on l	Jute GiveilI	Juic neturieu.					
4 Life	Chiller Mari	l, aff anala maala	4 aa 4h a aua							
		k off each packe	•	-						
					Date Returned:					
					Date Returned:					
	ing:				Date Returned:					
D. Drive		idy Packet:	Foo	od Handler's Card:						
	er's License Stu									

Page 2 of 4

Sample Transition Plan

Kent School District

	Transition plan to	DOC: Gree	en Hill or Other:		
1.	View Green Hill Orientation vi	deo : Date Co	mpleted:		My Response:
3.	Vocational Plan: Choose one Academic Skills Needed, Educa Opportunities, etc. Welding: B. Construct	ational Training	Required, Working Con	nditions, Salary Rang	ge, Future Employment
	Write down wh	nich program yo	ou would chose and tell	why.	
High :	School Transcripts: Write dow 1. Most Current Schoo	l: Regional Jus	·	\:	u were there.
Credit	s Earned At the RJC: Math:				
	Other High Schools You Have Attended	Dates Attended	Reason You Left	Transcripts Received	Number of Credits
	2.				
	3.				

Page 3 of 4 Sample Transition Plan

Kent School District

SCHOOL BASED STUDENT IDENTIFIED STRENGTHS AND NEEDS

There are good things and bad things about school. Tell me what school has been like for you?
What are your educational plans for the future? What will it take to accomplish these plans in the future?
Rate yourself as a student – 1 (failing) to 10 (Outstanding) Why did you rate yourself as you did? What would it take for you to become a 10?
Tell me about what teachers you get along with. Why do you think you did so well with them?
Tell the about what teachers you get along with. Why do you think you did so well with them.
CAREER AND EMPLOYMENT
Tell me about the jobs you have held. How long did you work at each job? What was the reason you left each job?
What jobs or chores are you responsible for at home?
How would you describe a good worker?
Tell me ways you are a good worker?
What type of career interests you? Do you think you would be good at it? Tell why. If you said no, what do you need to do to be good at it?
Tell on the collection of the control of the collection of the col
Tell me what you like most about yourself and what you'd like to change.

Page 4 of 4

Sample Transition Plan

Kent School District

Student Sig	gnature:	Date:	
Parent's Nai	ne:		
	Do you reside with	your parents?	
		Both – Mom – Dad – Other:	_
	Address:		
	 Phone #:		

Language Arts for Transition

.80 Credit (.50 Language Arts and .30 Transition elective)

Language Arts for Transition addresses Student Learning Goals 3 and 4: Form reasoned judgments and understand the importance of work and education.

uence:	Numerical order, unless asked to do otherwise	
	INTRODUCTION	COLLEGE PATH
1 _	Community Resources	26 College: Benefits, Drawbacks, Goals
2	Long-term, Short-term Goals	27a College Analysis – WOIS
3a _	Accomplishments	27b College Practice Application,
3b	Benefits and Drawbacks of Jobs	Registration, Schedule
	JOB SEARCH	27c Request for Information to College
4a	Career Search – WOIS (1-2 days)	28 Vocab./Grammar/Summary (Colleg
4b	Job Search – WorkSource (1-2 days)	, , ,
5	Letter of Inquiry	
6	Resume	
7 -	Master Application	
8	References	
9 -	Pers. Commercial, Incarc. Speech	VOCATIONAL PATH
	INTERVIEW	Vocational Training: Benefits,
10a	Interview Preparation	Drawbacks, Goals
10b	Interview Questions	27a Methods of Entering Trades
10c	Work-related Qualities	27b Vocational School Analysis – WOIS,
11a –	Interview 1, 2	Voc. School Application
11b	Interview Reflections	27c Request for Information to
12	Aspects of Working	Vocational School
13	Beginning Work	28 Vocab./Grammar/Summary (Trades)
14	Your Own Business	26 Vocao./Grammar/Summary (Trades)
<u></u>	SKILLS	
15	Parenting 1, 2	
16a –	Budgeting	
16b	Banking, Credit, Saving	SMALL BUSINESS PATH
17 –	Basic Health Care	26 Small Business Ownership: Benefits,
18	Taxes	Drawbacks, Goals
19 –	Renting	27a Start-up and Monthly Business
20 -	Voter Registration	Expenses
21 -	Selective Service	27b Business Plan, Licenses, EIN
22 -	Mail COA, Forwarding, Hold	
$\frac{22}{23}$ -	Library Card	27c Request for Information to the Small Business Association
24 –	GED Exploration	
²⁴ –	Successful People	28 Vocab./Grammar/Summary (Business
<u> </u>	CAREER PATHS	
26 2	28 Choose a path from the choices on the	
20 – 2	right, and complete the assignments.	
		MANACEDCHID DATH
	Then complete assignments 29 and 30.	MANAGERSHIP PATH
	EVALUATION	26 Franchise Employment: Benefits,
20	EVALUATION	Drawbacks, Goals
29a _	Prospective Employers	27a Types of Customers, Customer Servic
29b_	Long Term, Short Term Goals Review	27b Paths to Promotion
29c _	Needs and Final Thoughts	27c Request for Information to a Franchise
30	Eval. of Class. Compilation of Materials	28 Vocah /Grammar/Summary (Franchis

Page 2 of 2

Sample Transition Class Syllabus

Kent School District

Class Policies

GED Exploration

This is not an opportunity to obtain a GED while at Green Hill School. Transition class is not a GED preparation class, and your instructor does not have time to teach the material.

However, while you are enrolled in the Transition class, as part of your preparation for transitioning into the community, you may, if you wish, explore the possibility of obtaining a GED after you are released.

In order to help you decide if you want to pursue a GED when you return to the community, you may attempt the Official GED Practice Tests.

If you wish to attempt the Official GED Practice Tests, you may do so on Wednesdays and Fridays.

Library Visits

Two students per day may go to the library from Transition class. Each student may visit the library one time per week. You may spend ten minutes in the library.

Class Description

Transition class consists of the Transition assignments, employment-related films, GED exploration, library opportunities and, because this class is eligible for language arts credit, literature-based films. In order to accomplish all the goals in the class, time in some of the sections must be limited.

Class Expectations

Do not disturb others.
Remain on task all period.
Be seated, with your folder, 15 seconds after second bell.

Do not open another student's folder or file. Be polite.

Assignment Grades

Because of the nature of this course, individual assignments must earn a mark of *A* (excellent), in order to receive credit. If the student's work is not of sufficient quality to earn an *A*, the student must review the material with the instructor and make any necessary corrections before the assignment is credited.

Assignment Grades

A	Acceptable
В	Revise
C	Revise
D	Revise
F	Revise

Participation

Work all period toward your goal. Allow others to work toward their goals.

4 points — Works all period 3 points — Works 3/4 of period

1 point — Works 1/2 of period

0 points - Works less than 1/2 of period

Quarter Grades

Assignment grades = 70%.
Participation = 30%.

A =	4.00	C =	2.00
A- =	3.70	C- =	1.70
B+ =	3.40	D+ =	1.40
B =	3.00	D =	1.00
B- =	2.70	<u>D-</u> =	0.70
C+=	2.40	F =	0.00

- USEFUL WEBSITES -

USEFUL WEBSITES

Open Educational Resources (OER)

Open Educational Resources (OER) are teaching and learning materials that exist in the public domain or have been released under an open license. This means that these resources can be used free of charge and distributed widely.

OER are different from other resources a teacher may use in that OER have been given limited or unrestricted licensing rights. That means they have been authored or created by an individual or organization that chooses to retain few, if any, ownership rights. As a result, resources may be adapted for use with varied student populations in a wide range of settings.

For use with students in institutional settings, OER may provide much needed access to educational material. The list below is by no means exhaustive; it is a very small sampling of potential options. While a limited number of these sites have elements that require an Internet connection for multimedia elements, many have downloadable textbooks or lessons that could be printed via a Print on Demand service like <u>Lulu</u> or <u>CreateSpace</u> or viewed offline. Others have media elements that are downloadable for playback on an unconnected device.

CK12 http://www.ck12.org/student/

Teachers can assemble their own textbooks. Content is mapped to a variety of levels and standards including common core. You can start from scratch or build from anything the the FlexBooks library.

Among many other organizations, Utah has used the CK12 FlexBooks to design science texts for grades 7-12 for statewide rollout. http://www.schools.utah.gov/CURR/science/OER.aspx.

Engage NY http://www.engageny.org/common-core-curriculum
 In order to assist schools and districts with the implementation of the Common Core, NYSED has provided curriculum modules and units in P-12 ELA and math that can be adopted or adapted for local purposes.

Georgia Virtual Learning

http://www.gavirtuallearning.org/Resources/SharedLandingPage.aspx
There are full courses available here for both Middle and High School.
"Moodle minutes" give short verbal description of the lesson and may be downloaded for use offline.

Get the Math

http://www.thirteen.org/get-the-math/teachers/downloadable-media-kit/200/

Combines video and web interactivity to help middle and high school students develop algebraic thinking skills for solving real-world problems.

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Useful Websites

Drawing on conventions of popular reality TV shows, video segments begin with profiles of young professionals, who then pose challenges connected to their jobs to two teams of teens.

Khan Academy

http://www.khanacademy.org/

Library of video content covers math, science, and some history and finance.

All videos are downloadable for playback without Internet connection

• PBS Learning Media

http://kcts9.pbslearningmedia.org/

Downloadable lesson plans as well as many videos and interactives. While some media elements are streaming only, many may be downloaded for offline viewing.

World Languages

http://coerll.utexas.edu/coerll/languages
Center for Open Educational Resources and Language Learning

Free eBooks for download

http://www.gutenberg.org/ https://librivox.org/ (audiobooks) http://manybooks.net/

Explore the OSPI OER website for links to OER repositories as well as reviewed OER content:

- http://digitallearning.k12.wa.us/oer/library/
- http://digitallearning.k12.wa.us/oer/sites.php

Academic Software and Assessment Programs

- The Quarter Mile Math Math Practice Software www.barnumsoftware.com
- Ultimate Phonics Reading Program

www.spencerlearning.com

 Aztec Learning Systems: Adult Basic Education Series www.multilingualbooks.com/aztec.html

Page 3 of 3 Useful Websites

- Education Portal
 - http://education-portal.com
- Digital Learning Department-Online and Alternative Learning http://digitallearning.k12.wa.us
- Test of Adult Basic Education (TABE) McGraw Hill/CTB http://www.ctb.com/
- Test of Adult Basic Education Reading (Free)
 www.tabereadingprep.com
- Student Learning Preferences Assessment www.aboutlearning.com

Resource Sites

- NDTAC: Technical Assistance Center for the Education of Youth Who Are Neglected or Delinquent http://www.neglected-delinquent.org/
- Office of the Superintendent of Public Instruction, Institutional Education http://www.k12.wa.us/InstitutionalEd/Resources.aspx
- Office of the Superintendent of Public Instruction, Special Education http://www.k12.wa.us/specialed/
- Revised Code of Washington http://apps.leg.wa.gov/RCW/default.aspx?cite=28A
- Washington Administrative Code http://apps.leg.wa.gov/wac/default.aspx?cite=180
- WorkSource Washington State http://www.gotoworksource.com

GLOSSARY of TERMS –

Accredited Educational Provider: a school district, Educational Service District, community or technical college, or four-year institution of high education formally approved to offer course work for credits and grant diplomas, certificates or degrees.

ADA: Americans with Disabilities Act.

Adult jail: an adult corrections facility operated by a city or county governing unit primarily designed, staffed, and used for the housing of adult persons serving terms not exceeding one year for the purposes of punishment, correction, and rehabilitation following conviction of a criminal offense (RCW70.48).

Assessment: a process, using formal and/or informal tools, of determining a student's academic or other skill levels and needs.

At-Risk: The term "at-risk," when used with respect to a child, youth, or student, means a school-age 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.

Automatic/auto declination: occurs when a juvenile is charged as an adult and his or her case is transferred from the juvenile to the adult court system due to State law requiring such charges for individuals aged 16-17 and charged with certain crimes. Also know as statutory transfer.

Contraband: anything in a person's possession that is forbidden by law or that is contrary to the rules and regulations of the facility. Contraband falls into two categories: 1) hazardous e.g., any article which, when used or possessed, would endanger the safety, security or preservation of order in a facility or any person(s) therein; 2) nuisance e.g., items not inherently illegal, but which are considered contraband when possessed by a youth or visitor within the facility.

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.

Discretionary declination: occurs when a juvenile court judge transfers a case from juvenile to adult court based on the individual's circumstances and the nature of the offense. Also known as judicial waiver.

Page 2 of 3 Glossary of Terms

DOC: Department of Corrections.

EL: English learner.

GED: General Equivalency Diploma.

IDEA: Individuals with Disabilities Act.

IEP: Individualized Education Plan

Inmate: any individual, whether pretrial, held pending transfer or charges, or sentenced, who is confined in a adult jail facility.

Jail Administrator: any official, regardless of local title (e.g., sheriff, chief of police, jail administrator, warden, superintendent) who has the ultimate responsibility for managing and operating the local adult jail facility.

Jail: a confinement facility usually operated by a local or regional law enforcement agency, which holds individuals detained pending adjudication and/or individuals committed after adjudication for sentences of one year or less. Jails, while intended for confinement of adults, sometimes holds juveniles as well. (See **Corrections Facility)**

JJRA: Juvenile Justice and Rehabilitation Administration, a division within Washington's umbrella social service agency, the Department of Social and Health Services (DSHS), responsible for the operation of facilities for juvenile offenders serving terms exceeding 30 days.

Judicial Waiver: occurs when a juvenile court judge transfers a case from juvenile to adult court based on the individual's circumstances and the nature of the offense. Also known as discretionary declination.

Juvenile: any individual who is under the chronological age of eighteen years.

Juvenile detention facility: a facility operated by a governing unit primarily designed, staffed, and used for the temporary housing of juvenile persons charged with a delinquent offense prior to trial or sentencing and for the housing of juvenile persons for purposes of punishment and correction after sentencing or persons serving terms not to exceed thirty days.

Lockdown: when inmates are locked in their cells for various reasons such as a disturbance in the institution such as a riot, an escape, or searches for contraband.

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Glossary of Terms

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.

OSPI: Office of the Superintendent of Public Instruction, the primary agency charged with overseeing K-12 public education in Washington state.

Para-military: a term used to describe an organizational type, such as in law enforcement and corrections institutions, that is not military but operates under similar adherence to a hierarchy of authority or chain of command for decision making.

Recidivism: a return to criminal activity by an individual who previously had been convicted of a crime.

RCW: Revised Code of Washington, a compilation of all permanent laws currently in force within the State.

Security/Custody/Classification Status: status held by an inmate according to the degree of restriction of inmate movement within a detention/jail facility - usually divided into maximum, medium, and minimum risk levels.

SLP: Student Learning Plan

Special Education Services: instruction specifically designed to address the educational and related developmental needs of children and youth with disabilities.

Transfer: a term used when a juvenile is charged as an adult and his or her case is transferred from the juvenile to the adult court system either through judicial waiver (discretionary declination) or as required by law (automatic declination).

WAC: Washington Administrative Code contains procedural rules and regulations pertaining to laws contained in the RCWs.

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Appendices



Appendix A Chapter 28A.194 RCW

Chapter 28A.194 RCW EDUCATION PROGRAMS FOR JUVENILES IN ADULT JAILS

RCW Sections

28A.194.005	Intent Findings.
28A.194.010	Education programs for juveniles in adult jails.
28A.194.020	Definition.
28A.194.030	Duties and authority of education provider.
28A.194.040	School districts Additional authority and limitation.
28A.194.050	Duties of jail facility superintendent or chief administrator.
28A.194.060	Contract between education providers and adult jail facilities.
28A.194.070	Instructional service plans Notice of closure of facility or unavailability of facility for juveniles.
28A.194.080	Allocation of money Accountability requirements Rules.
28A.194.900	Severability 2010 c 226.

28A.194.005

Intent — Findings.

The legislature intends to provide for the operation of education programs for juvenile inmates incarcerated in adult jails.

The legislature finds that this chapter fully satisfies any constitutional duty to provide education programs for juvenile inmates in adult jails. The legislature further finds that biennial appropriations for education programs under this chapter amply provide for any constitutional duty to educate juvenile inmates in adult jails.

[2010 c 226 § 1.]

28A.194.010

Education programs for juveniles in adult jails.

A program of education shall be made available for juvenile inmates by adult jail facilities and the several school districts of the state for persons under the age of eighteen years who have been incarcerated in any adult jail facilities operated under the authority of chapter 70.48 RCW. Each school district within which there is located an adult jail facility shall, singly or in concert with another school district pursuant to RCW 28A.335.160 and 28A.225.250 or chapter 39.34 RCW, conduct a program of education, including related student activities for inmates in adult jail facilities. School districts are not precluded from contracting with educational service districts, community and technical colleges, four-year institutions of higher education, or other qualified entities to provide all or part of these education programs. The division of duties, authority, and liabilities of the adult jail facilities and the several school districts of the state respecting the educational programs shall be as provided for in this chapter with regard to programs for juveniles in adult jail facilities.

[2010 c 226 § 2.]

Chapter 28A.194 RCW

28A.194.020

Definition.

As used in this chapter, "adult jail facility" means an adult jail operated under the authority of chapter 70.48 RCW.

[2010 c 226 § 3.]

28A.194.030

Duties and authority of education provider.

- (1) Except as otherwise provided for by contract under RCW 28A.194.060, the duties and authority of a school district, educational service district, institution of higher education, or private contractor to provide for education programs under this chapter include:
- (a) Employing, supervising, and controlling administrators, teachers, specialized personnel, and other persons necessary to conduct education programs, subject to security clearance by the adult jail facilities;
- (b) Purchasing, leasing, renting, or providing textbooks, maps, audiovisual equipment paper, writing instruments, physical education equipment, and other instructional equipment, materials, and supplies deemed necessary by the provider of the education programs;
- (c) Conducting education programs for inmates under the age of eighteen in accordance with program standards established by the superintendent of public instruction;
- (d) Expending funds for the direct and indirect costs of maintaining and operating the program of education that are appropriated by the legislature and allocated by the superintendent of public instruction for the exclusive purpose of maintaining and operating education programs for juvenile inmates incarcerated in adult jail facilities, in addition to funds from federal and private grants, and bequests, and gifts made for the purpose of maintaining and operating the program of education; and
- (e) Providing educational services to juvenile inmates within five school days of receiving notification from an adult jail facility within the district's boundaries that an individual under the age of eighteen has been incarcerated.
- (2) The school district, educational service district, institution of higher education, or private contractor shall develop the curricula, instruction methods, and educational objectives of the education programs, subject to applicable requirements of state and federal law. For inmates who are under the age of eighteen when they commence the program and who have not met high school graduation requirements, such courses of instruction and school-related student activities as are provided by the school district for students outside of adult jail facilities shall be provided by the school district for students in adult jail facilities, to the extent that it is practical and judged appropriate by the school district and the administrator of the adult jail facility.

[2010 c 226 § 4.]

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Chapter 28A.194 RCW

28A.194.040

School districts — Additional authority and limitation.

School districts providing an education program to juvenile inmates in an adult jail facility may:

- (1) Award appropriate diplomas or certificates to juvenile inmates who successfully complete graduation requirements:
- (2) Allow students eighteen years of age who have participated in an education program under this chapter to continue in the program, under rules adopted by the superintendent of public instruction; and
- (3) Spend only funds appropriated by the legislature and allocated by the superintendent of public instruction for the exclusive purpose of maintaining and operating education programs under this chapter, including direct and indirect costs of maintaining and operating the education programs, and funds from federal and private grants, bequests, and gifts made for that purpose. School districts may not expend excess tax levy proceeds authorized for school district purposes to pay costs incurred under this chapter.

[2010 c 226 § 5.]

28A.194.050

Duties of jail facility superintendent or chief administrator.

To support each education program under this chapter, the adult jail facility and each superintendent or chief administrator of an adult jail facility shall:

- (1) Provide necessary access to existing instructional and exercise spaces for the education program that are safe and secure:
 - (2) Provide equipment deemed necessary by the adult jail facility to conduct the education program;
- (3) Maintain a clean and appropriate classroom environment that is sufficient to meet the program requirements and consistent with security conditions;
- (4) Provide appropriate supervision of juvenile inmates consistent with security conditions to safeguard agents of the education providers and juvenile inmates while engaged in educational and related activities conducted under this chapter;
- (5) Provide such other support services and facilities deemed necessary by the adult jail facilities to conduct the education program;
- (6) Provide the available medical and mental health records necessary to a determination by the school district of the educational needs of the juvenile inmate; and
- (7) Notify the school district within which the adult jail facility resides within five school days that an eligible juvenile inmate has been incarcerated in the adult jail facility.

[2010 c 226 § 6.]

Chapter 28A.194 RCW

28A.194.060

Contract between education providers and adult jail facilities.

Each education provider under this chapter and the adult jail facility shall negotiate and execute a written contract for each school year, or such longer period as may be agreed to, that delineates the manner in which their respective duties and authority will be cooperatively performed and exercised, and any disputes and grievances resolved through mediation, and if necessary, arbitration. Any such contract may provide for the performance of duties by an education provider in addition to those in this chapter, including duties imposed upon the adult jail facility and its agents under RCW 28A.194.050, if supplemental funding is available to fully pay the direct and indirect costs of these additional duties.

[2010 c 226 § 7.]

28A.194.070

Instructional service plans — Notice of closure of facility or unavailability of facility for juveniles.

- (1) By September 30, 2010, districts must, in coordination with adult jail facilities residing within their boundaries, submit an instructional service plan to the office of the superintendent of public instruction. Service plans must meet requirements stipulated in the rules developed in accordance with RCW 28A.194.080, provided that (a) the rules shall not govern requirements regarding security within the jail facility nor the physical facility of the adult jail, including but not limited to, the classroom space chosen for instruction, and (b) any excess costs to the jails associated with implementing rules shall be negotiated pursuant to the contractual agreements between the education provider and adult jail facility.
- (2) Once districts have submitted a plan to the office of the superintendent of public instruction, districts are not required to resubmit their plans unless either districts or adult jail facilities initiate a significant change to their plans.
- (3) An adult jail facility shall notify the office of the superintendent of public instruction as soon as practicable upon the closure of any adult jail facility or upon the adoption of a policy that no juvenile shall be held in the adult jail facility.

[2010 c 226 § 8.]

28A.194.080

Allocation of money — Accountability requirements — Rules.

The superintendent of public instruction shall:

- (1) Allocate money appropriated by the legislature to administer and provide education programs under this chapter to school districts that have assumed the primary responsibility to administer and provide education programs under this chapter or to the educational service district operating the program under contract; and
- (2) Adopt rules that apply to school districts and educational providers in accordance with chapter 34.05 RCW that establish reporting, program compliance, audit, and such other accountability requirements as are reasonably necessary to implement this chapter and related provisions of the omnibus appropriations act effectively. In adopting the rules pursuant to this subsection, the superintendent of public instruction shall

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Chapter 28A.194 RCW

collaborate with representatives from the Washington association of sheriffs and police chiefs and shall attempt to negotiate rules that deliver the educational program in the most cost-effective manner while, to the extent practicable, not imposing additional costs on local jail facilities.

[2010 c 226 § 9.]

28A.194.900

Severability — 2010 c 226.

If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

[2010 c 226 § 11.]

WAC 392-122-228

Alternative learning experiences for juvenile students incarcerated in adult jail facilities.

(1) A school district alternative learning experience for juvenile students incarcerated in adult jail facilities may make use of digital and/or online curricula, and may be delivered over the internet or using other electronic means. A school district alternative learning experience for juvenile students incarcerated in adult jail facilities may also include participation by students and parents in the design and implementation of a student's learning experience.

This section provides an alternative method of determining full-time equivalent enrollment and claiming state funding for public school learning experiences that are:

- (a) Individual courses of study for juvenile students incarcerated in adult jail facilities. "Adult jail facility" means any jail operated under the authority of chapter 70.48 RCW;
- (b) Supervised, monitored, assessed, and evaluated by school staff. As used in this section, "school staff" means certificated instructional staff of the school district according to the provisions of chapter 181-82 WAC, or a contractor pursuant to WAC 392-121-188;
- (c) Provided in accordance with a written alternative learning experience plan that is implemented pursuant to the school district board's policy for alternative learning experiences; and
- (d) Provided in whole or part, outside the regular classroom setting, including those learning experiences provided digitally via the internet or other electronic means.

This section sets forth the standards, procedures, and requirements for state funded alternative learning experiences for juvenile students incarcerated in adult jail facilities. This section is not intended to prevent or limit alternative education programs provided by a school district with federal or local resources.

An alternative learning experience for a juvenile student incarcerated in adult jail facilities may be counted as a course of study pursuant to WAC 392-121-107 if the following requirements are met:

- (2) School district board policies for alternative learning experiences: The board of directors of a school district claiming state funding for alternative learning experiences for juvenile students incarcerated in adult jail facilities shall adopt and annually review written policies for each alternative learning experience program and program provider that:
- (a) Require a written plan for each student participating in an alternative learning experience for juvenile students incarcerated in adult jail facilities that meets the minimum criteria pursuant to subsection (4) of this section;
- (b) Describe how student performance will be supervised, monitored, assessed, evaluated, and recorded by school staff. Such description shall include methods for periodic grade reporting, if different from existing school district policy:
- (c) Require each juvenile student who is incarcerated in an adult jail facility and enrolled in an alternative learning experience to have direct personal contact with school staff at least weekly, until the student completes the course objectives or the requirements of the learning plan. Such direct personal contact must be for a period not less than thirty minutes per week. Direct personal contact shall be for the purposes of instruction, review of assignments, testing, reporting of student progress, or other learning activities. Direct personal contact means a face-to-face meeting with the student;
- (d) Require that each student's educational progress be reviewed at least monthly and that the results of each review be communicated to the student;
- (e) Designate one or more school district official(s) responsible for approving specific alternative learning experience programs or courses, monitoring compliance with this section, and reporting at least annually to the school district board of directors on the program. This annual report shall include at least the following:
- (i) Documentation of alternative learning experience student headcount and full-time equivalent enrollment claimed for basic education funding;
- (ii) A description of how certificated and classified staff are assigned program management and instructional responsibilities that maximize student learning, including the ratio of certificated instructional staff to full-time equivalent students:
 - (iii) A description of how a written student learning plan pursuant to subsection (4) of this section, is

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Appendix B WAC 392-122-228

developed, and student performance supervised and evaluated, by certificated staff;

- (iv) A description of how the program supports the district's overall goals and objectives for student academic achievement; and
 - (v) Results of any self-evaluations conducted pursuant to subsection (7) of this section;
- (f) Satisfy the office of superintendent of public instruction's requirements for courses of study and equivalencies (chapter 392-410 WAC); and
- (g) For alternative learning experience courses offering credit, or for alternative learning experience programs issuing a high school diploma, satisfy the state board of education's high school graduation requirements (chapter 180-51 WAC).
 - (3) Alternative learning experience implementation standards:
- (a) Alternative learning experiences shall be accessible to all juveniles incarcerated in adult jail facilities, including those with disabilities. Alternative learning experiences for special education students shall be provided in accordance with chapter 392-172A WAC.
- (b) It is the responsibility of the school district or school district contractor to ensure that enrolled juvenile students incarcerated in adult jail facilities have all curricula, course content, instructional materials, and other learning resources essential to successfully complete the requirements of the written student learning plan.
- (c) Contracting for alternative learning experiences shall be subject to the provisions of WAC 392-121-188 and RCW 28A.150.305.
- (d) The school district shall institute reliable methods to verify a student is doing his or her own work. The methods may include proctored examinations or projects, including the use of web cams or other technologies. "Proctored" means directly monitored by an adult authorized by the school district.
- (4) Written student learning plan: Each juvenile student incarcerated in an adult jail facility who is enrolled in an alternative learning experience course of study shall have a written student learning plan designed to meet the student's individual educational needs. The written student learning plan may be developed in partnership with the student, with recognition that school staff has the primary responsibility and accountability for the plan, including supervision and monitoring, and evaluation and assessment of the student's progress. The written student learning plan shall include, but not be limited to, the following elements:
 - (a) A beginning and ending date for the learning experience;
- (b) An estimate of the average number of hours per week that the student will engage in learning activities to meet the requirements of the student learning plan. This estimate may be used in reporting enrollment in compliance with subsection (5) of this section and must be based upon the criteria in subsection (6) of this section;
 - (c) A description of how weekly contact requirements will be fulfilled;
- (d) A description of the specific learning goals and performance objectives of the alternative learning experience. This requirement may be met through the use of course syllabi or other similarly detailed descriptions of learning requirements. The description shall clearly identify the requirements a student must meet to successfully complete the course or program;
 - (e) Identification of instructional materials essential to successful completion of the learning plan; and
- (f) A description of the timelines and methods for evaluating student progress toward the learning goals and performance objectives specified in the learning plan.

The written student learning plan shall identify whether the alternative learning experience meets one or more of the state essential academic learning requirements or any other academic goals, objectives, and learning requirements defined by the school district. For a high school alternative learning experience, the plan shall specify whether the experience meets state and district graduation requirements.

- (5) Enrollment reporting: Effective the 2009-10 school year, the full-time equivalency of juvenile students incarcerated in adult jail facilities who are enrolled in alternative learning experience programs shall be determined as follows:
- (a) Using the definition of full-time equivalent student in WAC 392-122-225(1) and the estimated average weekly hours of learning activity described in the written student learning plan on the first enrollment count date on or after the start date specified in the written student learning plan; and
 - (b) The enrollment count shall exclude students meeting the definition of enrollment exclusions in WAC

392-121-108 or students who have not had direct personal contact with school staff for ten consecutive school days. Any such student shall not be counted as an enrolled student until the student has met with appropriate school staff and resumed participation in his or her alternative learning experience or participated in another course of study as defined in WAC 392-121-107.

- (6) Accountability for student performance:
- (a) At minimum, juvenile students incarcerated in adult jails who are enrolled in alternative learning experiences shall have their educational performance evaluated according to the following process and schedule:
- (i) Each student's educational progress shall be reviewed at least once per month. The progress review shall be based on the learning goals and performance objectives defined in the written student learning plan.
- (ii) The progress review shall be conducted by school staff and shall include direct personal contact with the student. The results of the review shall be communicated to the student.
- (iii) Based on the progress review, school staff shall determine and document whether the student is making satisfactory progress in completing the learning activities and reaching the learning goals and performance objectives defined in the written plan.
- (iv) If the student fails to make satisfactory progress for no more than two consecutive evaluation periods or if the student fails to follow the written student learning plan, an intervention plan designed to improve student progress shall be developed and implemented. This intervention plan shall be developed by school staff in conjunction with the student.
- (v) If, after no more than three subsequent evaluation periods, the student still is not making satisfactory progress, a plan designed to more appropriately meet the student's educational need shall be developed and implemented by school staff.
- (b) The educational progress of juvenile students incarcerated in adult jail facilities who are enrolled in alternative learning experiences shall be assessed at least annually, using, for full-time students, the state assessment for the student's grade level and using any other annual assessments required by the school district.
- (7) Program evaluation: School districts offering alternative learning experiences to juvenile students incarcerated in adult jail facilities shall engage in periodic self-evaluation of these learning experiences in a manner designed to objectively measure their effectiveness, including the impact of the experiences on student learning and achievement. Self-evaluation shall follow a continuous improvement model, and may be implemented as part of the school district's school improvement planning efforts.
- (8) Annual reporting: Each school district offering alternative learning experiences shall report annually to the superintendent of public instruction on the types of programs and course offerings subject to this section, including student headcount and full-time equivalent enrollment claimed for basic education funding. The report shall identify the ratio of certificated instructional staff to full-time equivalent students enrolled in alternative learning experience courses or programs. The report shall separately identify alternative learning experience enrollment of students provided under contract pursuant to RCW 28A.150.305 and WAC 392-121-188.
- (9) Documentation: In accordance with required records retention schedules, a school district claiming state funding for alternative learning experiences shall maintain the following written documentation available for audit:
 - (a) School board policy for alternative learning experiences pursuant to this section;
 - (b) Annual reports to the school district board of directors as required by subsection (2)(q) of this section;
 - (c) Annual reports to the superintendent of public instruction as required by subsection (8) of this section;
- (d) The written student learning plans required by subsection (4) of this section, including documentation of required weekly direct personal contact;
- (e) Student progress reviews, evaluations, and assessments required by subsection (6) of this section; and
- (f) Student enrollment detail substantiating full-time equivalent enrollment reported to the state, including estimated total hours of participation in educational activities, and any actual documentation of hours of learning for those students failing to make satisfactory progress.

[Statutory Authority: RCW 28A.150.290. WSR 10-20-055 and 10-20-127, § 392-122-228, filed 9/27/10 and 10/5/10, effective 10/28/10 and 11/5/10.]

Appendix C Form SPI - E672



OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION School Apportionment and Financial Services
Old Capitol Building
PO Box 47200
OLYMPIA WA 98504-7200
(360) 725-6300 TTY (360) 664-3631

	ESD	CO	DIST
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MONTHLY REPORT OF INSTITUTIONAL EDUCATION PROGRAM ENROLLMENT

(See reverse side for instructions)

	,					
1. SERVING DISTRICT NAME 2. COUNTY NAME		3. SERVING DISTRICT NO.	4. ESD NO.	5. REPORT MONTH		
6. PROGRAM OR INSTITUTION NAME	8. TELEPHONE NUI	MBER	9. SCHOOL BUILDING NUMBER			
10. TYPE OF INSTITUTION (Check One)	11. ANNUAL NUMBER OF PROGRAM DAYS		SCHOOL YEAR			
Residential Habilitation Ce	T TO GIV WIII D/TTO		2013–14			
State (JRA) Long-Term Ju State Operated Group Hor			2013-14			
County Juvenile Detention						
Department of Corrections						
County or City Adult Jail						
County of City Addit Jail						
INSTITUTIONAL EDUCATION PROGRAM ENROLLMENT						
Only include enrollment reported for Institutional Education Funding						

INSTITUTIONAL EDUCATION PROGRAM ENROLLMENT						
Unly	Only include enrollment reported for Institutional Education Funding					
	Education site is the institution facility named in item 6, above		Education site is other than the institution facility			
			named in item 6. above			
ON THE MONTHLY COUNT DATE	A. HEADCOUNT	B. FTE	C. HEADCOUNT	D. FTE		
Residential Students						
Day Reporting Students (See the definition on the reverse side under Detailed Instructions)			N/A	N/A		
Totals						

CERTIFICATION				
I hereby certify that all students reflected in this report are properly enrolled students of the school district or institution, that conversions to FTEs are in accordance with instructions, and that student records and other pertinent documents are readily available for audit. If "County Juvenile Detention Center" is checked in item 10. "Type of Institution" above, I certify that all students reported meet the definitions of "confinement" according to RCW 13.40.020 and that the facility meets the definition of "detention facility" according to RCW 13.40.020.	Acknowledged			
ORIGINAL SIGNATURE OF PROGRAM ADMINISTRATOR	ORIGINAL SIGNATURE OF LOCAL SCHOOL DISTRICT SUPERINTENDENT OR AUTHORIZED OFFICIAL			

FORM SPI E-672 (Rev. 8/2013)

INSTRUCTIONS FOR COMPLETING FORM SPI E-672

GENERAL INSTRUCTIONS

Count Dates

School districts and other education providers are to report enrolled students as of the fourth school day of September and the first school day of the months of October through July.

Due Dates and Routing of Form E-672Reports are due at the Office of Superintendent of Public Instruction (OSPI), School Apportionment and Financial Services, on September 19 and the tenth calendar day of each month, October through July.

Completed Form E-672 can be faxed to (360) 664-3683 or mailed to:

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION School Apportionment and Financial Services Old Capitol Building P.O. Box 47200 OLYMPIA, WA 98504-7200

Timely reporting rules (chapter 392-117 WAC) apply. Failure to report by the due date or on the form required may result in the delay or reduction of state allocations

Purpose

School districts or other education providers use this form to report state institutional education program enrollment for residential habilitation centers, state long-term juvenile institutions, state operated group homes, county juvenile detention centers, Department of Corrections facilities', and county or city adult jails.

Enrollment reported on Form E-672 is used by OSPI to calculate allocations of state moneys for institutional education programs.

Enrollment Definitions

Enrolled institutional education student (WAC 392-122-220) is a person who:

1. (a) Is in a program in a Department of Corrections facility and is under 18

- years of age, or is 18 years of age and is continuing in the institutional education program with the permission of the Department of Corrections
- and the education provider; or (b) Is in a residential institution other than the Department of Corrections and is under 21 years of age at the beginning of the school year.
- 2. Is scheduled to engage in educational activity in the institutional education program during the current week.
- 3. During the current school year, has engaged in educational activity in the institutional education program provided or supervised by educational
- 4. Does not qualify for any of the enrollment exclusions in WAC 392-122-221.

Educational activity (WAC 392-122-212) means the following teaching/ learning experiences:

- 1. Instruction, testing, counseling, supervision, advising, and other services provided directly by certificated staff or by classified staff who are supervised by certificated staff.
- Up to one hour per day of scheduled study time if the study is in conjunction with other educational activity and if the study is monitored by educational staff who are present during the study.
- 3. Up to two hours per day of individual study conducted by a student when educational staff are not present if all of the following conditions are met:
- a. The study is in pursuit of high school graduation credit, or the study is in a Department of Corrections facility and is in pursuit of a certificate of educational competence pursuant to RCW 28B.50.536 and chapter 131-
- b. The study is part of a program of instruction defined by a certificated employee who evaluates the student's progress in that program. c. The student is making progress in the program.
- d. The study is not counted as work training experience pursuant to No. 4.
- e. Combined individual study time and scheduled study time pursuant to No. 2. above claimed in determining the student's full-time equivalent pursuant to WAC 392-122-225 do not exceed two hours per day.
- 4. Work based learning meeting the requirements of WAC 392-410-315 shall be reported in a student's full-time equivalent enrollment pursuant to WAC 392-121-124

Juveniles in adult jails: School districts that have a county or city adult jail must be prepared to provide a program of education within 5 days of notification from the adult jail facility of a juvenile confined therein

Excused absence means an absence from scheduled educational activity due to illness; attendance in court; or a meeting with a lawyer, case worker, counselor, physician, dentist, nurse, or other professional service provider

Full-time equivalent (FTE) students are defined in WAC 392-122-225 and 392-122-228.

Limitations on Enrollment Counts

Enrollment FTE reported on Form E-672 are not reported on Form P-223 or on Form P-223H.

Institutions, school districts, or other education providers must work together to ensure that enrollment reporting is in compliance with WAC 392-121-107 and 392-122-221. For institutional education funding, institutions must not report enrollment that a school district or other educational service provider has reported for basic education funding. For basic education funding, school districts must not report enrollment in an institutional education program.

To ensure that students are not reported both for institutional education funding and for basic education funding, school districts or other education providers reporting a student on Form E-672 for the first time must notify the student's last school or district of attendance as soon as possible. Notice should be sent to the attention of the person responsible for enrollment reporting.

References

- Refer to the School Apportionment and Financial Services Annual Enrollment Bulletin for instructions related to other enrollment reporting.
- Questions may be directed to Becky McLean, School Apportionment and Financial Services, at (360) 725-6306.

DETAILED INSTRUCTIONS

Enter the ESD, county, and district numbers at the top of the form. In boxes 1-9, enter serving district name, county name, serving district number, ESD number, report month, program or institution name, person preparing the report, telephone number, and school building number, respectively. In box 10, check the type of institution. Check one box only. In box 11, enter the number of planned program days of instruction for the school year.

Residential Students: Students whose living accommodations are at the institution. These students may leave the institution grounds during the day but return to the institution to sleep

Day Reporting Students: For county juvenile detention centers only, students whose residence or living accommodations are not at the institution. These students must meet the standard of "confined" in accordance with RCW 13.40.020 and are on the institution grounds part-time and primarily for education pursuits

Mentally III Offender Unit Students: Students residing at a state long-term juvenile institution and housed in a mentally ill offender unit.

Columns A-F: All counts are as of the monthly count date and are included in the respective Totals box.

Columns A and B: Using the definition of "Residential Students" and "Day Reporting Students" above, enter the headcount and FTE of enrolled education students whose education site is the institution facility named in item 6. in the respective boxes.

Columns C and D: Using the definition of "Residential Students" and "Day Reporting Students" above, enter the headcount and FTE of enrolled education students whose education site is other than the institution facility named in item 6. in the respective boxes. For Group Home facilities and Day Reporting educational programs, institutional education services may only be conducted on-site at the institution facility.

Columns E and F: Enter the headcount and FTE of students housed in a mentally ill offender unit. This headcount and FTE should be included in Columns A-D and reported discretely again in Columns E and F

Certification: Sign and date the completed Form E-672

Appendix D State Institution Enrollment Reporting and Funding

Basis of State Institution Funding

Institution funding is based on reported enrollment and staff mix for a 220 day program. For the months of September through December, funding enrollment and staff mix numbers are based on projected numbers. In January, all calculations are updated to reflect the year-to-date actual enrollment and reported staff mix factor. The institution's staff mix factor is calculated by OSPI School Apportionment through the district's S-275 reporting process.

Staff funding is based on legislative pupil to staffing ratio. These staffing ratios vary per institution type. For adult jails, a minimum of one certificated instructional unit is provided for every jail reporting student enrollment.

	Pupi	Minimum		
	Certificated	Certificated		Certificated
Institution Type	Instructional	Administrative	Classified	Instructional
Rehabilitation Centers	7.8	69.9	6	1
Neglected & Delinquent	9.3	78.7	64.5	1
Group Homes	1 per home			1
County Detention	10			na
Department of Corrections	9.3	78.7	64.5	1
Adult Jails	9.3	78.7	64.5	1

The table below illustrates a simplified funding formula and is a brief overview. Refer to OSPI apportionment report 1191SI for actual detail calculation found on our website at http://www.k12.wa.us/safs/stin.asp.

A.	Full Time Equivalent (FTE) enrollment ÷ staffing ratio =	Funded staff positions
-	`	'
В.	Line A * staff mix * base salary =	Funded salaries for 180 days
C.	Line B * 220 ÷ 180 =	Funded institutional salaries
D.	Line A * \$768 * 12 =	Health benefits
E.	Line A Certificated positions * 18.68%	
	+ Line A Classified positions * 20.95% =	Payroll taxes & retirement
F.	FTE enrollment * \$333.30 =	Supplies & materials (NERC)
$\overline{}$		
G.	Sum of C, D, E & F =	Total institutional funding

Enrollment is reported by the institution on SPI Form E-672. This form is due monthly to OSPI and reports the number of students in the institution education program on a single count day, which is the fourth school day of

State Institution Enrollment Reporting and Funding

September and the first school day of October through July. Funding is adjusted to actual year-to-date enrollment in January, and thereafter uses actual year-to-date annual average full-time equivalent students (AAFTE) through August.

In the monthly funding calculation, OSPI calculates the annual apportionment amount and the year-to-date payment that should be made based on the table below. From that amount, the amount that was actually paid year-to-date, is subtracted to arrive at each current monthly payment.

Month	Paid On	% Paid	Cumulative % to Date
September	nber Budget		7.364%
October	Budget	7.364%	14.727%
November	Budget	4.500%	19.227%
December	Budget	7.364%	26.591%
January	Actual & Recovery for prior year	7.364%	33.955%
February	Actual	7.364%	41.318%
March	Actual	7.364%	48.682%
April	Actual	7.364%	56.045%
May	Actual	4.500%	60.545%
June	Actual	4.909%	65.455%
July	Actual	17.273%	82.727%
August	Actual	17.273%	100.00%

WAC 392-122-270 provides that "institutional education program allocations shall be based on a two hundred twenty-day school year. Allocations to a school district or other education provider offering less than two hundred twenty school days shall be reduced pro rata as provided in WAC 392-122-910." An institution unable to meet the 220-day requirement shall indicate their annual number of program days in the available field on the monthly Form E672. OSPI will adjust the institution's funding accordingly.

By August 15, OSPI will produce the institution report based on the projected enrollment and staff mix for the next school year and post it to the OSPI School Apportionment and Financial Services website (http://www.k12.wa.us/safs/stin.asp). Beginning in January, OSPI will produce the institution report based on actual enrollment and staff mix and post it to the OSPI School Apportionment and Financial Services website (http://www.k12.wa.us/safs/stin.asp) by the 25th of each month. The education provider can print out these reports for their records.

OSPI distributes a memorandum annually with instructions on reporting institutional enrollment. The memorandum also includes the enrollment form and enrollment reporting due dates. The current year's memorandum may be found at the following link: http://www.k12.wa.us/BulletinsMemos/memos2013/M032-13.doc.

The OSPI contact for state institution education funding is Becky McLean and can be reached at becky.mclean@k12.wa.us or (360) 725-6306. Kathleen Sande, kathleen.sande@k12.wa.us or (360) 725-6046 is the OSPI contact for institution program and federal funding questions.