

Education Program (Title 15, Section 1370)

613.1 PURPOSE:

To provide guidelines for establishing and maintaining an education program for youth in Juvenile Detention and Assessment Centers and Treatment Facilities that complies with federal, state, and local laws. This includes the needs of youth with disabilities and communication barriers according to state and federal guidelines. To ensure educational needs and continuity of educational services are provided to youth unable to attend regular classroom instruction including Special Education and related services as required by law and determined by the San Bernardino County Superintendent of Schools (SBCSS).

613.2 DEFINITIONS:

504 Plan: A written educational plan developed by a group of educators, administrators, parents and other relevant participants pursuant to Section 504 of the Federal Rehabilitation Act of 1973; Title 29 of the United States Code, Section 794; and Title 34 of the Code of Federal Regulations, Part 104, that addresses the needs of a disabled student as defined under section 504.

Child Find: A legal requirement for all school districts to identify, locate and evaluate all children with disabilities or suspected of a disability, regardless of the severity of their disabilities.

Continuum of Alternative Placements: When an Individualized Education Program (IEP) team has decided what services a youth needs, a decision must be made about where services will be provided. Where the youth's IEP is carried out is called placement. The continuum of alternative placements includes the different options where children can receive services. These options include placements such as: a general education class, a special education class, a special education school, at home or in a hospital or other public or private institution.

Continuity of Education: Refers to providing educational services to all youth who are temporarily restricted to their rooms for safety, security, or legal reasons, or unable to participate in regular classroom instruction.

Individualized Education Program (IEP): The IEP is, according to the 2004 Individuals with Disabilities Education Act (IDEA) and Code of Federal Regulations (CFR), Section 300.320, a plan or program developed to ensure that a youth who has a disability identified under the law and is attending an elementary or secondary educational institution receives specialized instruction and related services.

Manifestation Determination Review: The review is to determine whether or not the child's behavior that led to a disciplinary infraction is linked to their disability.

Multi-Disciplinary Team (MDT): A collaborative meeting between Probation, FAST, Medical, and educational staff. The MDT assesses and evaluates youth who have identified behavioral, medical issues or special needs and develops treatment strategies to assist the youth in their adjustment to detention. Representatives from other agencies may participate as indicated.

San Bernardino County Probation Department

Procedures Manual

Education Program (Title 15, Section 1370)

Joint Transition Planning Policy: A collaboration between the County Office of Education (COE) and the Probation Department which includes local educational agencies (LEA) to improve communication regarding dates of release and the educational needs of pupils who have had contact with the juvenile justice system. Agencies shall coordinate immediate school placement and enrollment and ensure that probation officers in the community have information to support the return of pupils transferred from juvenile court schools to public schools in their community, as per Education Code Section 48647.

Trauma Informed Care: An organizational structure and treatment framework that involves understanding, recognizing, and responding to the effects of all types of trauma. A trauma informed organization: *Realizes* the widespread impact of trauma and understands potential paths for recovery; *Recognizes* the signs and symptoms of trauma in clients, families, staff and others involved with the system; *Responds* by fully integrating knowledge about trauma into policies, procedures, and practices; and *Seeks* to actively resist re-traumatization.

613.3 GUIDELINES:

- A. In the event youth with an active IEP that requires Special Day Class (SDC) placement and cannot be placed in an SDC setting due to safety and security concerns (i.e. youth housed on Maximum Security Units, Administrative Separation, etc.), an IEP meeting will be requested by the caseload counselor and approved by the PCSI to address the situation and determine an appropriate program.
- B. Probation staff shall work cooperatively with educational staff to make every effort to return each youth on temporary restriction to regular classroom instruction as soon as possible.
- C. Probation staff shall work cooperatively with educational staff and local educational agencies to support the return of pupils who are being transferred from juvenile court schools to public schools in their communities.
- D. Probation staff shall meet the transition needs of youth in accordance with the Joint Transition Planning Policy and the State Education Code.

613.4 RESPONSIBILITIES:

Programs:

- I. School Program:
 - A. The County Board of Education shall provide for the administration and operation of juvenile court schools in conjunction with the Chief Probation Officer or designee pursuant to applicable state laws.
 - B. The school and facility administrators shall ensure communication and coordination between educators and probation staff.
 - C. Culturally responsive and trauma-informed approaches should be applied when providing instruction.

San Bernardino County Probation Department

Procedures Manual

Education Program (Title 15, Section 1370)

- D. Educational staff should collaborate with the facility administrator to use technology to facilitate learning and ensure safe technology practices.
- II. Required Elements:
- A. The facility school program shall comply with the State Education Code and County Board of Education policies, all applicable federal education statutes and regulations and provide for an annual evaluation of the educational program offerings.
 - B. As stated in the 2009 California Standards for Teaching Profession, teachers shall establish and maintain learning environments that are physically, emotionally, and intellectually safe.
 - C. Youth shall be provided a rigorous, quality educational program that responds to the different learning styles and abilities of students and prepares them for high school graduation, career entry, and post-secondary education.
 - D. All youth shall be treated equally and the education program shall be free from discriminatory action.
 - 1. Staff shall refer to transgender, intersex and gender-nonconforming youth by their preferred name and gender.
 - E. The course of study shall comply with the State Education Code and include, but is not limited to, courses required for high school graduation.
 - F. Information and preparation for the High School Equivalency Test as approved by the California Department of Education shall be made available to eligible youth.
 - G. Administration of the High School Equivalency Tests as approved by the California Department of Education shall be made available when possible.
 - H. Youth shall be informed of post-secondary education and vocational opportunities.
 - I. Supplemental instruction shall be afforded to youth who do not demonstrate sufficient progress towards grade level standards.
 - J. The minimum school day shall be consistent with State Education Code Requirements for juvenile court schools.
 - 1. Operational procedures shall not interfere with the time afforded for the minimum instructional day.
 - K. Absences, time out of class or educational instruction, both excused and unexcused, shall be documented.
 - L. Education shall be provided to all youth regardless of classification, housing, security status, disciplinary or separation status, including room confinement, except when providing education poses an immediate threat to the safety of self or others.
 - 1. Education includes, but is not limited to, related services as provided in a youth's Section 504 Plan or IEP.

San Bernardino County Probation Department

Procedures Manual

Education Program (Title 15, Section 1370)

III. School Discipline:

- A. Positive behavior management will be implemented to reduce the need for disciplinary action in the school setting and be integrated into the facility's overall behavioral management plan and security system.
- B. Educational staff shall be advised of administrative decisions made by probation staff that may affect the educational programming of students.
- C. Except as otherwise provided by the State Education Code, expulsion/suspension from school shall be imposed only when other means of correction fails to bring about proper conduct. Educational staff shall follow the appropriate due process safeguards as set forth in the State Education Code including the rights of students with special needs.
- D. Educational staff shall document the other means of correction used prior to imposing expulsion/suspension if an expulsion/suspension is ultimately imposed.
- E. Youth who have continuing difficulty completing a school day shall be referred to MDT.

IV. Provisions for Special Populations:

- A. State and Federal laws and regulations shall be observed for all individuals with disabilities or suspected disabilities.
 - 1. This includes but is not limited to Child Find, assessment, continuum of alternative placements, manifestation determination reviews, and implementation of Section 504 Plans and IEPs.
 - 2. Youth identified as English Learners (EL) shall be afforded an educational program that addresses their language needs pursuant to all applicable state and federal laws and regulations governing programs for EL students.

V. Provisions for Special Education Youth:

- A. State and Federal laws shall be observed for youth with special education needs.
- B. Self-identified/previously identified special education youth and their parent(s)/ legal guardian(s) will be interviewed during the intake process and the Juvenile Court Schools Mandatory Special Education Form shall be completed by school personnel.
 - 1. The original completed questionnaire shall be placed in the respective facilities school principal's inbox within twenty-four (24) hours. A copy of the questionnaire shall be placed in the youth's facility file.

VI. Educational Screening and Admission:

- A. Youth shall be interviewed after admittance and a record shall be maintained that documents the youth's educational history including but not limited to:
 - 1. School progress/school history

San Bernardino County Probation Department

Procedures Manual

Education Program (Title 15, Section 1370)

2. Home Language Survey and the results of the State Test used for English language proficiency.
 3. Needs and services of special populations as defined by the State Education Code, including but not limited to, students with special needs and discipline problems.
- B. Youth will be immediately enrolled in school and educational staff shall conduct an assessment to determine the youth's general academic functioning levels to enable placement in core curriculum courses.
- C. After admission to the facility, a preliminary education plan shall be developed for each youth within five (5) school days.
- D. Upon enrollment, educational staff shall comply with the State Education Code and request the youth's records from their prior school(s), including, but not limited to, transcripts, IEP, 504 Plan, state language assessment scores, immunization records, exit grades and partial credits.
1. Upon receipt of the transcripts, the youth's educational plan shall be reviewed with the youth and modified as needed.
 2. Youth should be informed of the credits they need to graduate.
- E. Educational staff will determine youth's eligibility for graduation under the guidelines set forth by AB 216, Graduation Requirement Exemptions.
- VII. Educational Reporting:
- A. The complete facility educational record of the youth shall be forwarded to the next educational placement in accordance with the State Education Code.
 - B. The County Superintendent of Schools shall provide appropriate credit (full or partial) for course work completed while in Juvenile Court School in accordance with the State Education Code.
- VIII. Transition and Re-Entry Planning:
- A. The Superintendent of Schools and the Chief Probation Officer, or designee, shall develop policies and procedures to meet the transition needs of youth, including the development of an education transition plan, in accordance with the State Education Code and in alignment with Title 15, Minimum Standards for Juvenile Facilities, Section 1355.
- IX. Post-Secondary Education Opportunities:
- A. The school and facility administrator should, whenever possible, collaborate with local post-secondary education providers to facilitate access to educational and vocational opportunities for youth that considers the use of technology to implement these programs.

Continuity of Education Responsibilities:

- I. Probation Corrections Officer (PCO):

San Bernardino County Probation Department

Procedures Manual

Education Program (Title 15, Section 1370)

- A. Work cooperatively with educational staff to ensure a school folder is offered to each youth unable to participate in classroom instruction.
 - 1. Notify a Probation Corrections Supervisor I (PCSI) if a school folder is not provided.
 - B. Inform the PCSI when a youth refuses to attend classroom instruction or refuses a school folder.
 - 1. Refer the youth to MDT if they do not attend classroom instruction and/or refuse a school folder for three (3) consecutive days.
 - C. First and second shift unit staff shall document all youth who did not attend classroom instruction in the Activity School Log in Caseload Explorer (CE) when:
 - 1. Educational services are provided on the unit/living area.
 - 2. The youth is removed from school based on behavior.
 - 3. Add all youth, not participating in the Activity Log in order for the event to be attached to applicable youth's facility file.
 - D. Third shift unit staff shall review the unit Activity School Logs and report, during third shift pop count, the total number of youth who did not attend classroom instruction.
- II. Central Control (PCO):
- A. Confirm with Third shift unit staff the number of youth on each unit who did not attend school and record totals on the facility's population count.
 - 1. Utilize the "School Activity Not Participating" report and ensure totals given are consistent.
- III. Intake Release Officer:
- A. Notify the School Transitional Liaison of pending releases.
 - B. Provide youth and their parent/guardian with the School Transitional Liaison business card and school district resources.
- IV. Probation Corrections Supervisor I (PCSI):
- A. Train and ensure assigned staff track youth who are not attending classroom instruction and/or refusing school folder.
 - B. Review CE files of youth who are not attending classroom instruction and ensure staff follow-up when necessary.
- V. Probation Corrections Supervisor II (PCSII)/Watch Commander (WC):
- A. Verify with the area PCSI that youth not participating in classroom instruction were offered or received a school folder from educational staff and provided the opportunity and necessary materials to complete the assigned school work.
 - B. Ensure the total number of youth removed from classroom instruction is correct on the Third Shift Summary Report.

San Bernardino County Probation Department

Procedures Manual

Education Program (Title 15, Section 1370)

VI. Division Director I/II (DDI/II) or Designee:

- A. Review the School Activity Not Participating Report and conduct a monthly inspection to ensure all youth unable to attend regular classroom instruction received educational services on their assigned unit. This inspection shall be documented in the Facility Inspection Binder.
- B. Ensure communication of information to the County Office of Education regarding youth released and returning to their local school districts for a smooth transition.

VII. School Transitional Liaison:

- A. Compile a list of planned releases.
 - 1. Meet with the youth prior to release to inform them of school information and advise them of the expectation to enroll in school within two (2) business days.
 - 2. Contact the youth's parent/guardian and PO of record to discuss which school the youth will be attending.
 - 3. Contact the youth's prior school district to determine if the youth may return or if any issues need to be resolved.
- B. Contact the Placement Unit weekly for releases from placement due to completion of the program.
 - 1. Notify the Transition Specialist and ensure the LEA has been contacted.
- C. Upon notification by the IRO of a pending release, make contact with the parent/guardian and direct them to enroll the youth in school within two (2) business days.
 - 1. Provide the youth and their parent/guardian with school district resources regarding enrollment and their rights.
- D. Confirm the youth's address and phone number prior to release.
- E. Ensure the IRO has School Transitional Liaison business cards and school district resources to hand out to youth and their parent/guardian for after-hours releases.
 - 1. Follow up with youth and parent/guardian on the next business day.