



Juvenile Justice and Incarcerated Youth Overview

Erin Yarbro Christian

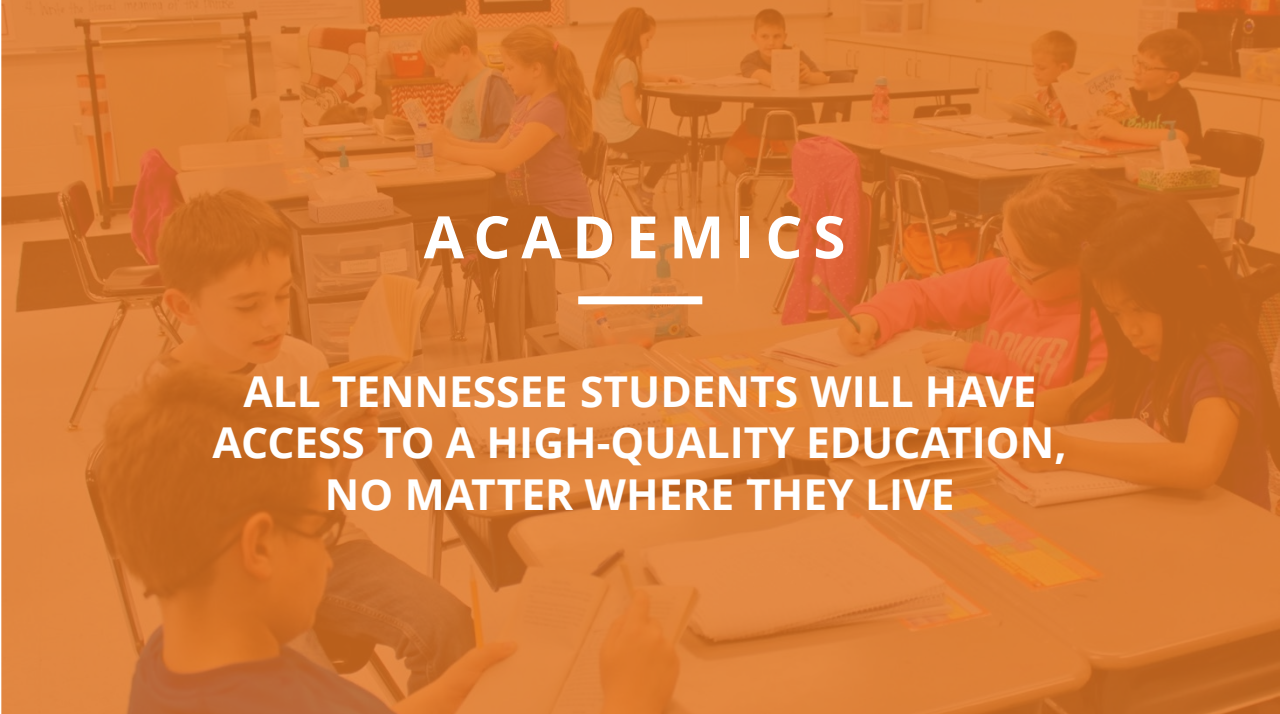
Non-Traditional Educational Programs Manager | Federal Programs and Oversight





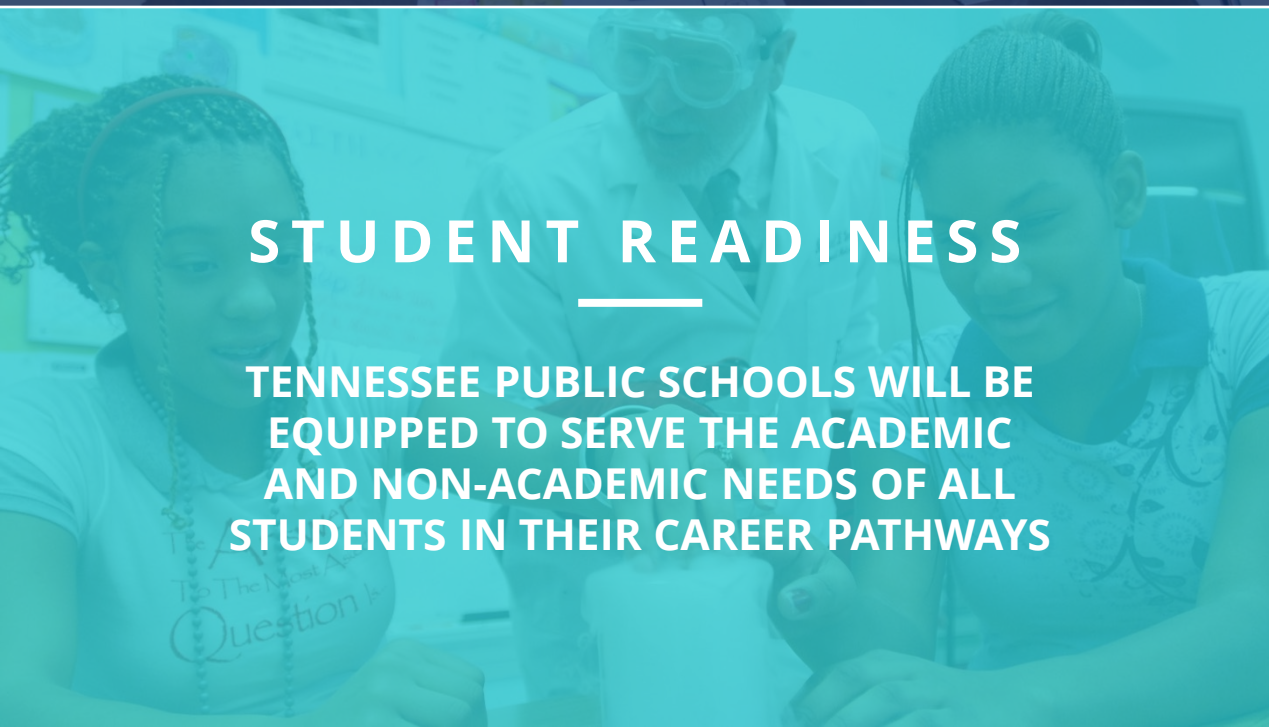
BEST FOR ALL

We will set all students on a path to success.



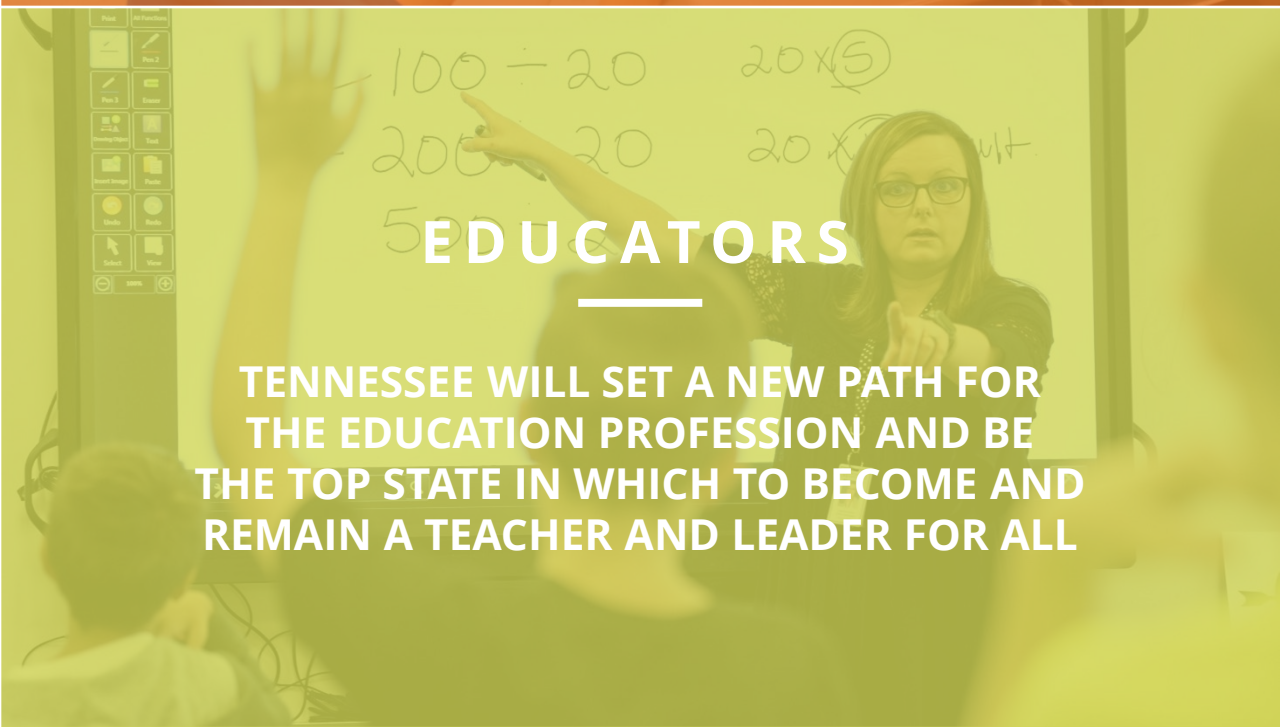
ACADEMICS

ALL TENNESSEE STUDENTS WILL HAVE ACCESS TO A HIGH-QUALITY EDUCATION, NO MATTER WHERE THEY LIVE



STUDENT READINESS

TENNESSEE PUBLIC SCHOOLS WILL BE EQUIPPED TO SERVE THE ACADEMIC AND NON-ACADEMIC NEEDS OF ALL STUDENTS IN THEIR CAREER PATHWAYS



EDUCATORS

TENNESSEE WILL SET A NEW PATH FOR THE EDUCATION PROFESSION AND BE THE TOP STATE IN WHICH TO BECOME AND REMAIN A TEACHER AND LEADER FOR ALL



Agenda

- Introduction
- Types of Detention Facilities in TN
- Laws Applicable to Juvenile Justice Education
- Coding Refresher for JDC Placements
- Service Timeline for JDCs
- Reviewing JDC Data
- Federal Funding
- Discussion
- Resources



Norms and Expectations

- Take calls and necessary phone communications outside of the session room.
- Remain engaged.
- Visit a team member at the registration table if you have questions about the conference.
- All session slide decks are available in ePlan > TDOE Resources > Federal Programs and Oversight (FPO) > Federal Programs Professional Development > 2022 ESSA/ESSER Conference.



Introduction



Erin Yarbro Christian, Non-Traditional Educational Programs Manager & Juvenile Justice (JJ) POC

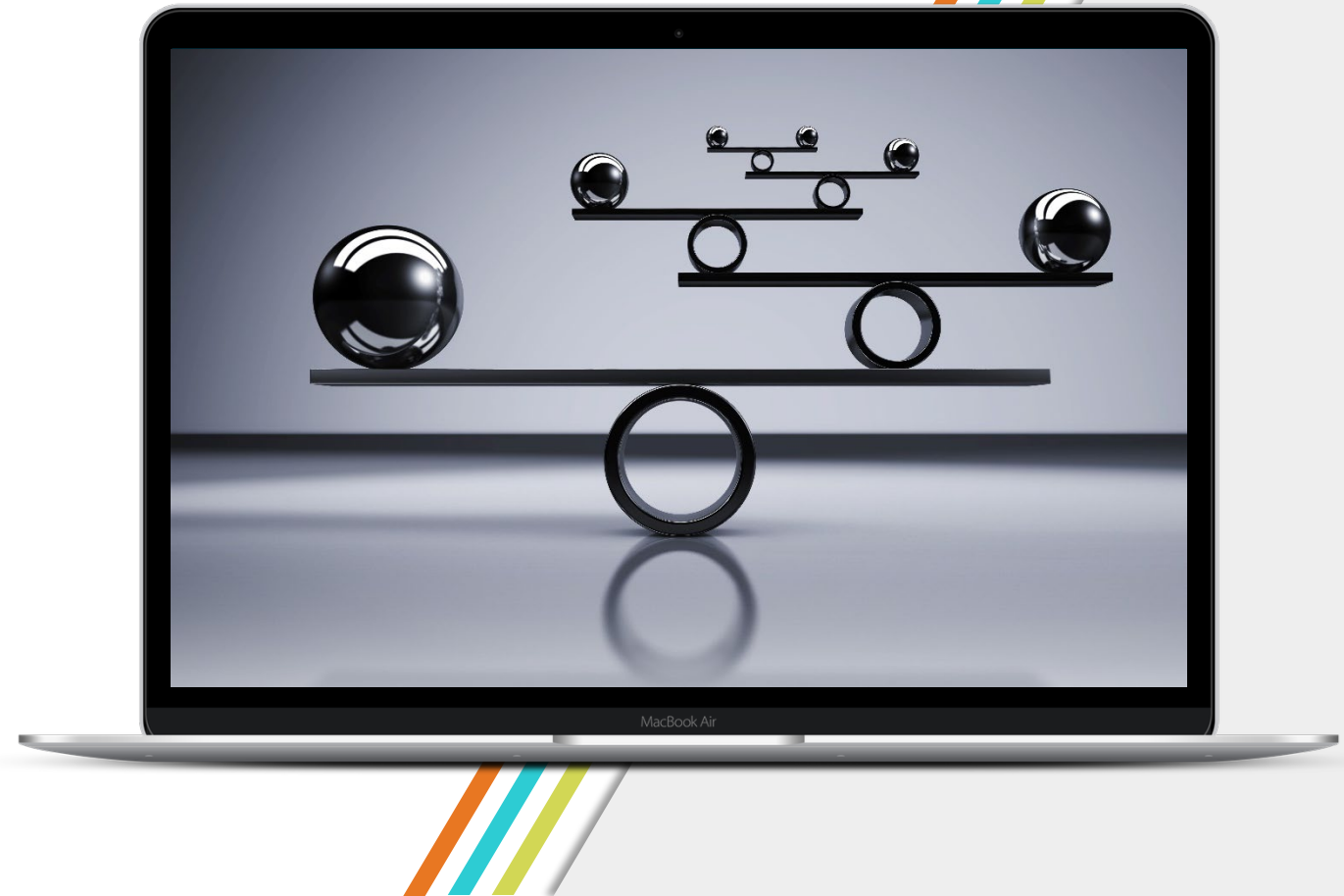
- Master's degree in Secondary Education
- Reading Specialist
- Head of Intervention Program
- Fifteen-year veteran classroom teacher
- Administrator in a Youth Development Center (YDC) for five years
- Six years of experience in Juvenile Justice with the Department of Children's Services (DCS)
- Five years at the department in Juvenile Justice and Neglected and Delinquent programming

Types of Detention Facilities in Tennessee



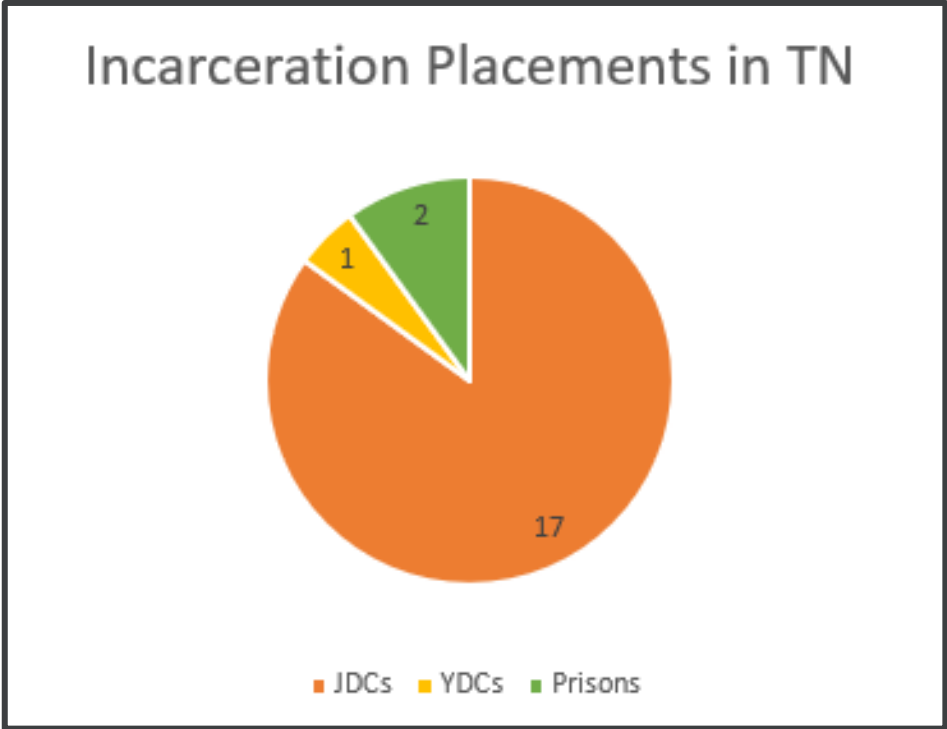
Types of Detention Facilities in Tennessee

- Juvenile Detention Centers (JDCs)
- Youth Development Centers (YDCs)
- Community Placements
- County/City Jails
- Correctional Complexes



Number of Facilities by Type

- 17 JDCs
- One YDC
- Two Prisons





Juvenile Detention Facilities (Short-Term Placement)

- There are 17 JDCs licensed by DCS.
- The local education agency (LEA) is the county in which the facility is located.
- School days vary by facility.
- Most JDCs have certified special education and general education teachers; however, all **should**.
- Average length of stay is three days but can be up to 1+ years.



Youth Development Centers (Long-Term Placement)

- Wilder Youth Development Center
 - Youth are placed in a YDC for the following:
 - Conviction for three or more felonies and/or
 - Conviction of any sexual offense.
- LEA: Department of Children's Services
- Traditional school schedule of five days a week
- Certified special education and general education teachers
- Credit-bearing classes
- Diploma and High School Equivalency Test (HiSET) options available





Correctional Complexes (Long-Term Placement)

- Northwest TN Correctional Complex and Debra K Johnson Rehabilitation Center for Women
 - Youth are placed in “prison” when they are charged as an adult and found guilty of at least one aggravated felony offense.
- LEA: Department of Corrections
- Traditional school schedule of five days a week
- Certified special education and general education teachers
- HiSET option only
- Access to TCAT and other post-secondary opportunities once the student is 18 years old



Laws Applicable to Juvenile Justice Education





Every Student Succeeds Act (ESSA)

- Provisions in ESSA help support and improve access to educational services in correctional facilities.
- ESSA places increased emphasis on smooth transitions from school systems to juvenile justice placements and back.
- It requires state agencies to establish procedures for assessment of youth when entering a juvenile justice facility.



Individuals with Disabilities Education Act (IDEA)

- Federal law addresses the provision of services to students with disabilities who are incarcerated.
- Unless specified, all requirements apply to state and local juvenile and adult correctional facilities (34 C.F.R. § 300.2).



IDEA: Child Find Requirements

- State and local agencies are required to establish procedures to identify, locate, and evaluate students in correctional facilities who have or are suspected to have a disability (34 C.F.R. § 300.111).
- The timeline for conducting initial evaluations (60 calendar days) applies, and the agencies must coordinate to ensure that the evaluation is completed (34 C.F.R. § 300.301).



IDEA: FAPE Requirements

- A free appropriate public education (FAPE) must be made available to children with disabilities ages 3 through 21 (34 C.F.R. § 300.101).
- FAPE must be provided through the provision of comparable services when a student transfers to a correctional facility (34 C.F.R. § 300.323 (e)).
- Records must be transferred as expeditiously as possible and "reasonable steps" must be taken to transfer records to and from correctional facilities (34 C.F.R. § 300.323 (g)).



IDEA: FAPE Requirements

- Least restrictive environment (LRE) requirement applies, and correctional facilities may not routinely place all students with disabilities in classes that include only students with disabilities (34 C.F.R. § 300.114).
- Transition services must be provided unless the student has been convicted as an adult and IDEA eligibility will end prior to being released (34 C.F.R. § 300.320, 34 C.F.R. § 300.324 (d) (ii), Tennessee Special Education Laws Chapter 0520-01-09-.05).





IDEA: FAPE Requirements

- Students in **juvenile** correctional facilities must participate in state and district assessments with appropriate accommodations (34 C.F.R. § 300.114 (a) (6)).
- The discipline protections apply, and a manifestation determination review is required if the student is removed from the educational placement for more than 10 days (34 C.F.R. § 300.530).
- Personnel providing special education and related services in the correctional facility must be appropriately licensed to provide the services (34 C.F.R. § 300.156).



T.C.A. § 49-6-3023

- Under state law, as of 2018-19, districts must provide educational services to students incarcerated in juvenile detention centers (JDCs) licensed by DCS.



Coding Refresher for JDC Placements



The Purpose of Proper Coding

- Establishes streamlined accountability
- Determines funding implications
- Promotes stability for students





Coding Refresher

- When a JDC notifies an LEA that a **general education student** has been detained:

The student remains enrolled in the LEA regardless of the location of the JDC.

The LEA enters the juvenile detention center student classification for the facility (see the JDC student classifications slide) in SIS and uploads to EIS.

The juvenile justice (JJ) point of contact (POC) plans for the student's educational services with the JDC and the other LEA if the JDC is in another district.

If the student is placed in a JDC in another district, the juvenile justice POC works with the receiving LEA to ensure that all educational records are received in a timely manner and that the student is coded properly in the student information system.



Coding Refresher

- When a JDC notifies an LEA that a **special education student** has been detained:

The student remains enrolled in the LEA *only if* the JDC is located within the LEA.

The student is withdrawn from the home LEA and enrolled in the receiving LEA if the JDC is in another LEA.

This process ensures that the receiving district, which is responsible for compliance with IDEA, has access to the IEP in EdPlan (EasyIEP).

The LEA that enrolls the student during the incarceration enters the juvenile detention center student classification for the facility in SIS and uploads it to EIS.

JDC Student Classifications

Code	Facility	Code	Facility
JDC01	Bedford County Juvenile Detention Center	JDC10	Richard L. Bean Service Center / Knox County JDC
JDC02	Blount County Juvenile Detention Center	JDC11	Rutherford County Juvenile Detention Center
JDC03	Bradley County Juvenile Detention Center	JDC12	Scott County Juvenile Detention Center
JDC04	Davidson County Juvenile Detention Center	JDC13	Sevier County Juvenile Detention Center
JDC05	Hamilton County Juvenile Detention Center	JDC14	Shelby County Juvenile Detention Center
JDC06	Madison County Juvenile Detention Center	JDC15	UHS/McDowell Juvenile Detention
JDC07	Middle Tennessee Juvenile Detention Center	JDC16	Upper East Tennessee Regional JDC
JDC08	Putnam County Juvenile Detention Center	JDC17	Williamson County Juvenile Detention Center
JDC09	Rhea County Juvenile Detention Center		

Service Timeline for JDCs



Educational Services Timeline: The First Month

Annually

Each district has a JJ point of contact & must submit a request to TDOE if he/she is not the attendance coordinator.

Within five instructional days

The receiving LEA must request transcripts & educational records from the sending LEA. The student must take an academic pre-test.

Within ten instructional days

The sending LEA must send the student's records to the requesting LEA (JJ POC). Special Education services must begin.

Within 15 instructional days

An Educational Service Plan (ESP) must be developed for each youth. The receiving and sending LEAs must work together to create each ESP.

Within 20 instructional days

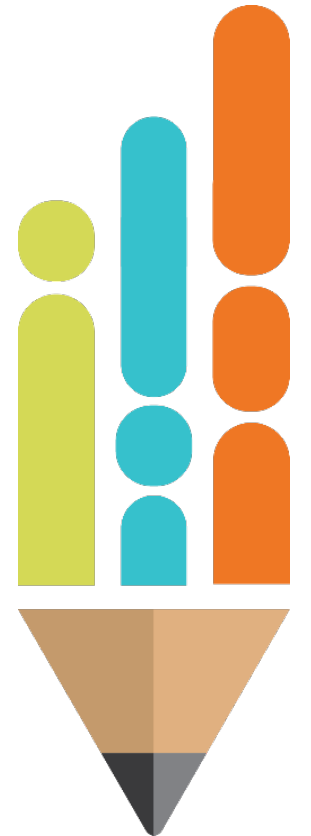
The LEA where the JDC is located must begin providing general education services and instruction. This can be done by certified teachers, accredited on-line platforms or a hybrid.

Educational Service Plan (ESP)

- ESPs are designed to ensure collaboration between the sending and receiving school districts to ensure students remain on track in their coursework.

Key Points

- ESPs must be developed by the student's 15th instructional day.
- Members from both the sending school district and the receiving school district must be involved.
- JJ POCs are responsible for facilitating ESP meetings.

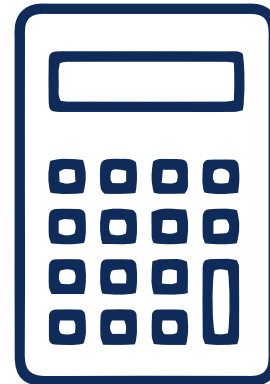


Reviewing JDC Data



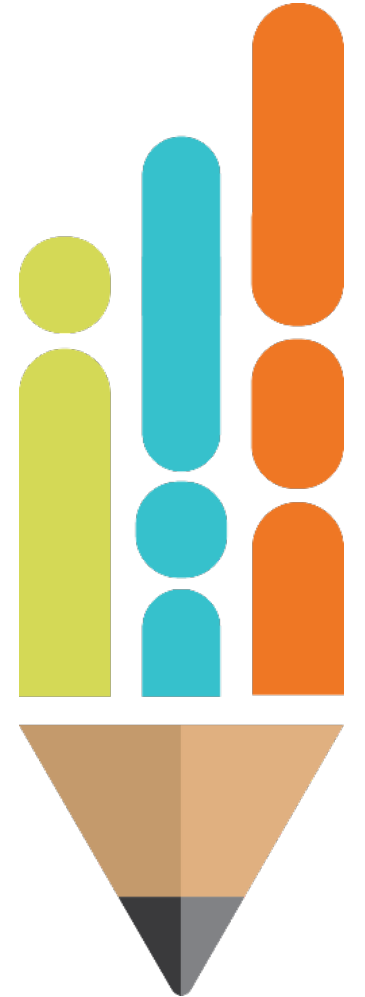
Steps to Examine Data—Internally

- Run a query in your student information system (SIS) for all JDC 01-17 codes.
- Compare the numbers from this report to the FPO JDC Data email from Trish.Kelly@tn.gov .



Steps to Examine Data—Externally

- Compare the numbers from your tracking document to the FPO JDC Data email from Trish.Kelly@tn.gov (sent quarterly).
- Reach out to the other LEAs to discuss any coding discrepancies.
- Make an appointment with Erin and Trish to review your data and revise your procedures if needed.

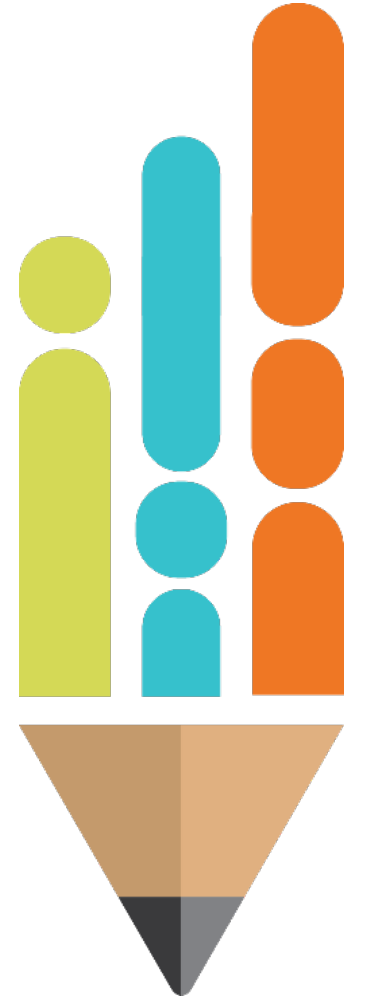


Federal Funding



Title I, Part D, Subparts 1 and 2

- These funds are used to supplement the basic educational services required by state law.
 - Title I, Part D, Subpart 1
 - DCS (Wilder YDC)
 - DOC (Northwest TN Correctional Complex and Debra K Johnson Rehabilitation Center)
 - Contact: Erin.Christian@tn.gov
 - Title I Part D, Subpart 2
 - Neglected and Delinquent Facilities across TN
 - Includes 16 of the 17 JDCs
 - Contact: Jackie.Jacobson@tn.gov



Discussion



Let's Share!


What challenges have you experienced at the start of this school year?



Resources



TDOE Resources in ePlan



TN Department of Education

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Announcements

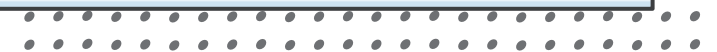
TDOE Announces 2022-23
Contact: Deborah.Knoll@

On Wednesday, July 13th
[Grants](#) to 44 school districts
across the state.

The Perkins Reserve Gra

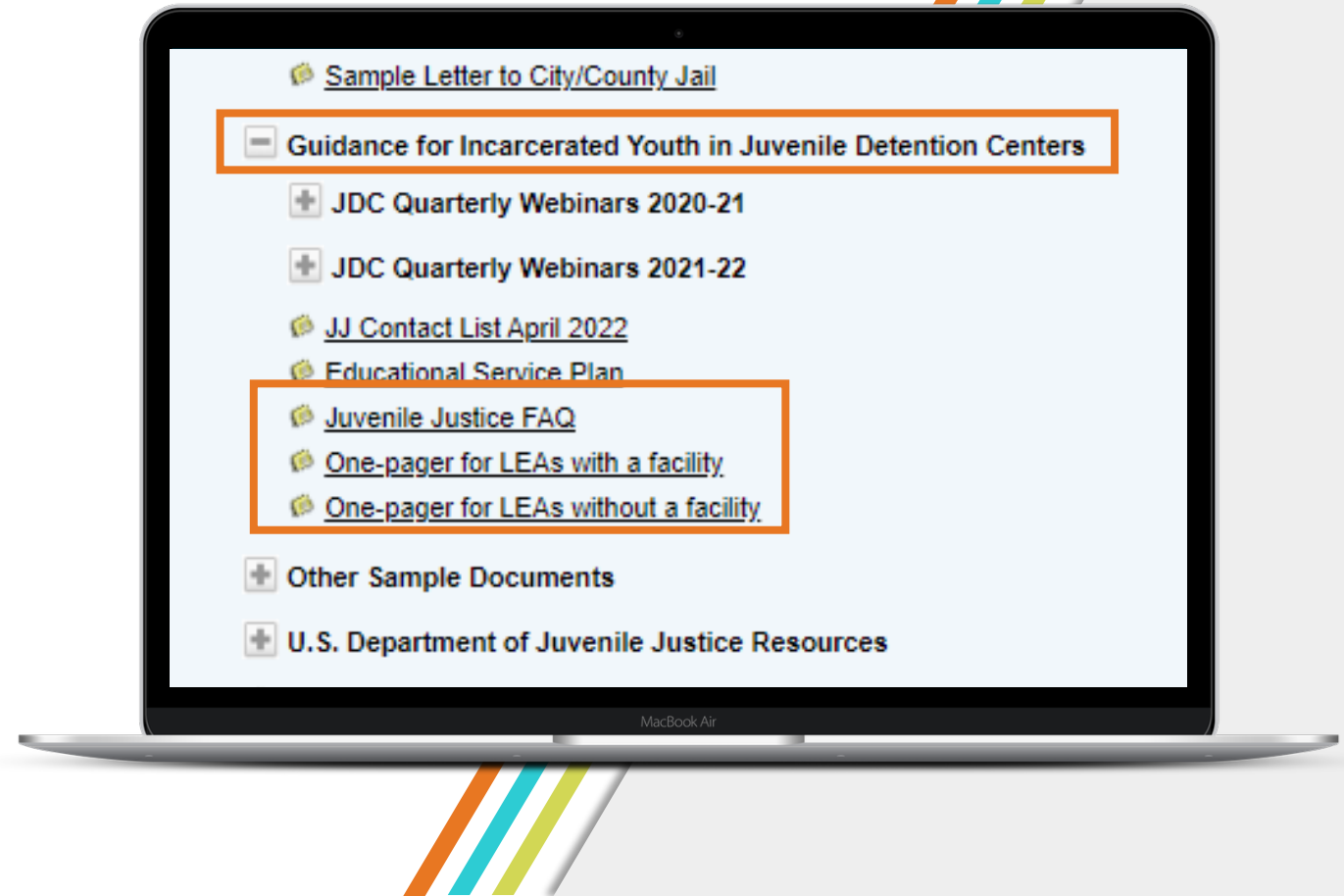
The user does not
need to sign in to
access TDOE
resources.

- Non-Traditional Educational Programs (NEP)
 - + 2019 NEP Conference
 - + Title I, Part D: Neglected, Delinquent, and At-Risk Youth
 - + Title I, Educational Stability for Children in Foster Care
 - Incarcerated Youth (Juvenile Justice)
 - **Guidance for Incarcerated Youth in City and County Jails**
 - [Incarcerated Youth Flowchart](#)
 - [TN Education Policy and Procedures for Incarcerated Children with Disabilities](#)
 - [Sample Letter to City/County Jail](#)
 - **Guidance for Incarcerated Youth in Juvenile Detention Centers**
 - + JDC Quarterly Webinars 2020-21
 - + JDC Quarterly Webinars 2021-22
 - [JJ Contact List April 2022](#)
 - [Educational Service Plan](#)
 - [Juvenile Justice FAQ](#)
 - [One-pager for LEAs with a facility](#)
 - [One-pager for LEAs without a facility](#)
 - + Other Sample Documents
 - + U.S. Department of Juvenile Justice Resources
 - [Incarcerated Youth Webinar 2021](#)
 - [List of Non-Public Schools 20210722](#)
 - [FPO Non-traditional Educational Programs Contacts 20210722](#)
 - [Coding for Residential Mental Health Placements, Juvenile Justice, and Foster Care Attendance Conference 2022](#)



Where to start?

- Answers to most JJ related questions can be found in one of these three documents.



Step-by-Step Instructions for JDC Coding








- Non-Traditional Educational Programs (NEP)
 - 2019 NEP Conference
 - Title I, Part D: Neglected, Delinquent, and At-Risk Youth
 - Title I, Educational Stability for Children in Foster Care
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 - [JDC Quarterly Webinar #1 20211021](#)
 - [JDC Quarterly Webinar #2 20220113](#)
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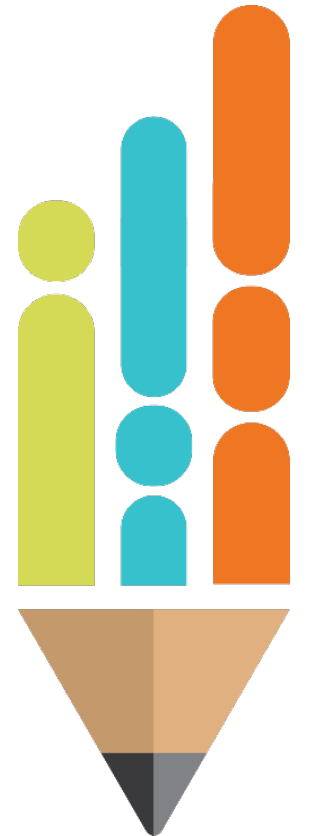


Other Sample Documents

- Sample documents and valuable information from previous webinars are also available.

 Other Sample Documents

-  [Sample agreement with detention center](#)
-  [Sample checklist for incarcerated youth](#)
-  [Sample documentation of training](#)
-  [Sample educational information for detainee](#)

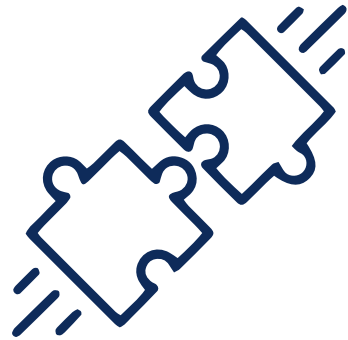


Contact Information

- **Erin Yarbro Christian** | Juvenile Justice Point of Contact

Erin.Christian@tn.gov

(901) 504-9627



**Thank you for
serving ALL of
Tennessee's
students!**



Fraud, Waste or Abuse

Citizens and agencies are encouraged to report fraud, waste, or abuse in State and Local government.

NOTICE: This agency is a recipient of taxpayer funding. If you observe an agency director or employee engaging in any activity which you consider to be illegal, improper or wasteful, please call the state Comptroller's toll-free Hotline:

1-800-232-5454

Notifications can also be submitted electronically at:

<http://www.comptroller.tn.gov/hotline>

Please Share your Feedback:

https://stateoftennessee.formstack.com/forms/juvenile_justice_and_incarcerated_youth_overview_feedback

SKILLS AND KNOWLEDGE

