



Justice Involved Students Fall Training 2024

Erin Yarbro Christian

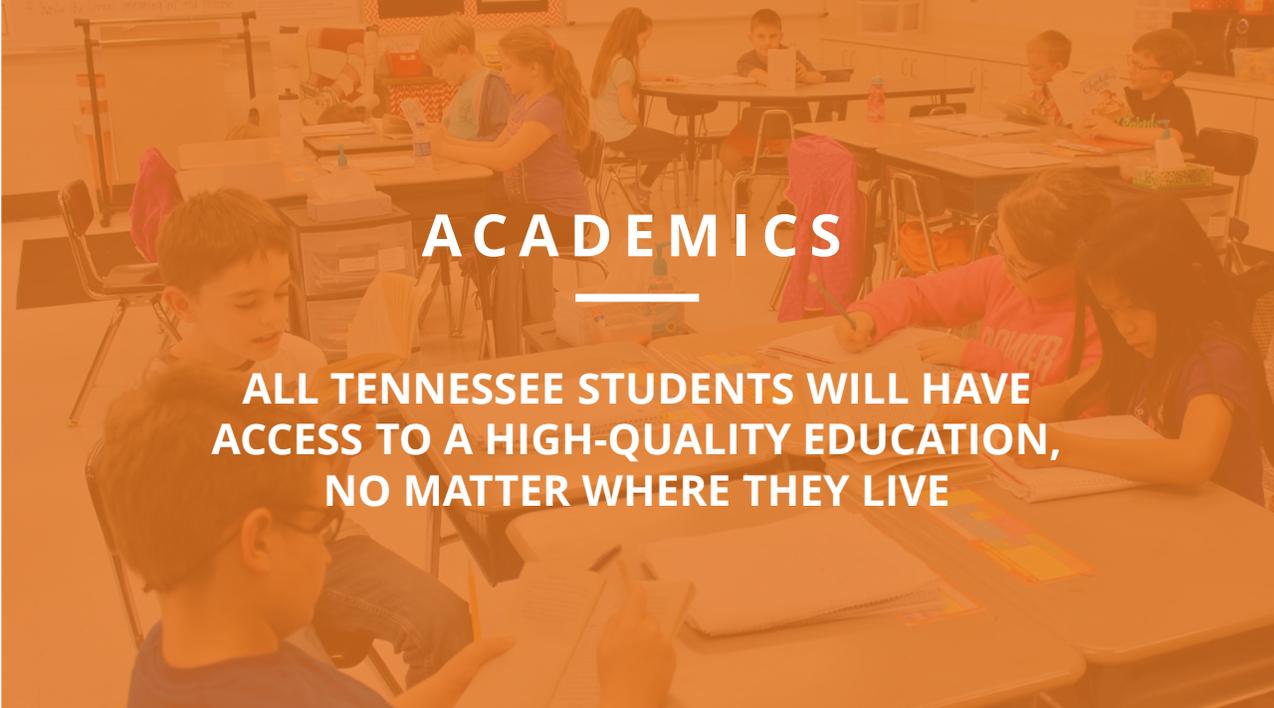
*Non-Traditional Educational Programs Manager
| Federal Programs and Oversight*





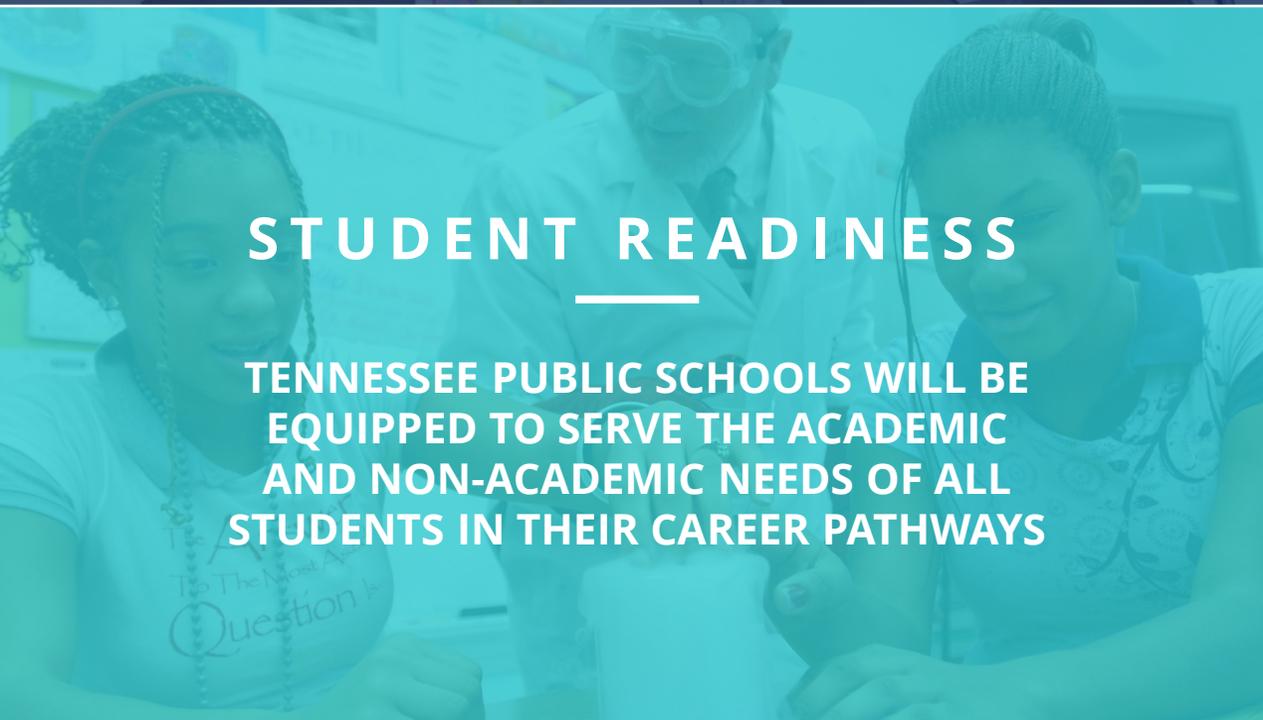
BEST FOR ALL

We will set all students on a path to success.



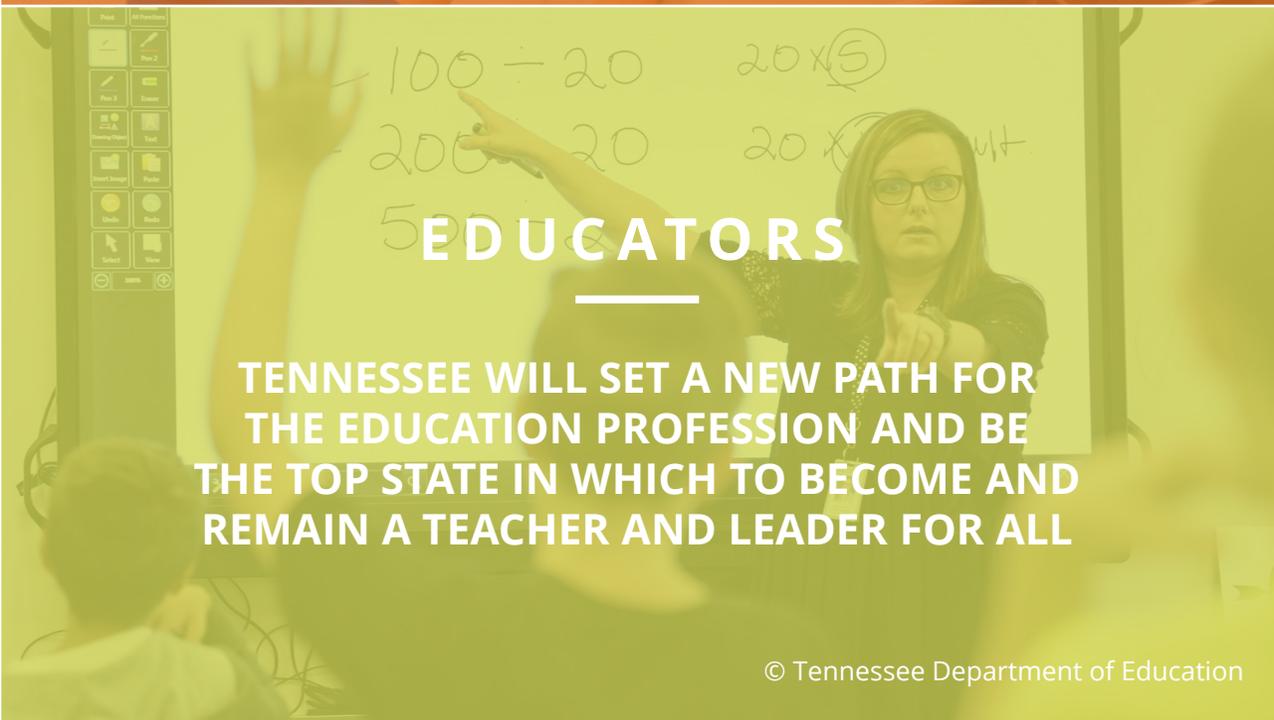
ACADEMICS

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

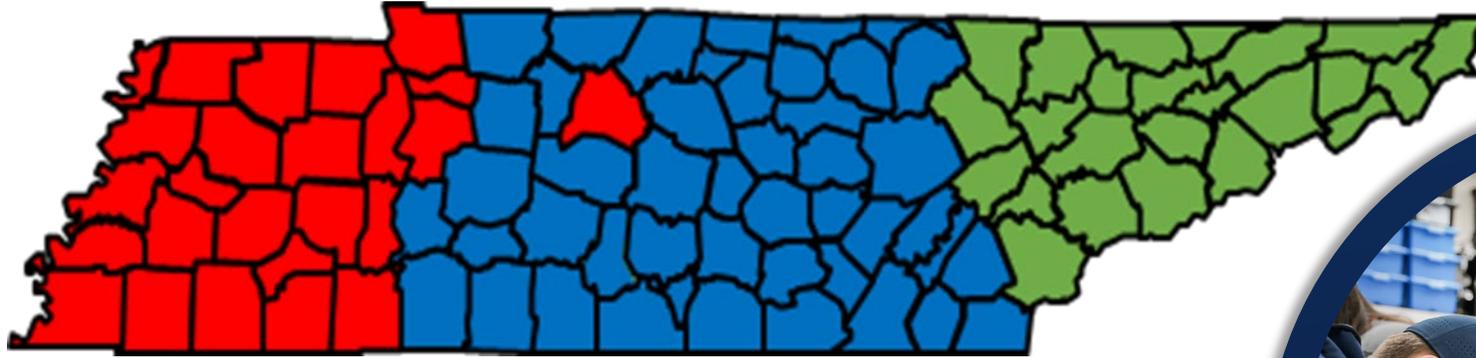
- Juvenile Detention Centers (JDCs) in TN by Region
- Changes to TN State Board of Education (SBE) Rule 0520-01-12
- Break
- Special Education Requirements in JDCs
- Coding
- Monitoring
- Attendance
- Resources



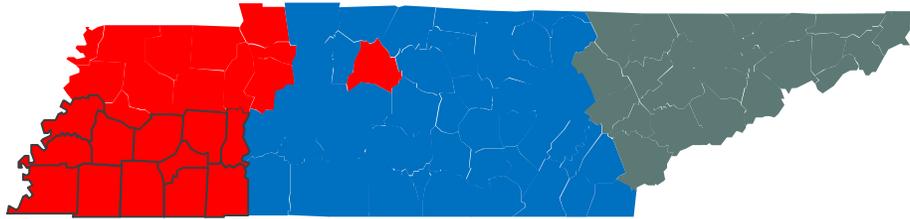
JDCs in TN by region



TN Counties with JDCs by Regions



Juvenile Detention Centers Listed by Responsible LEA (Attendance Code)

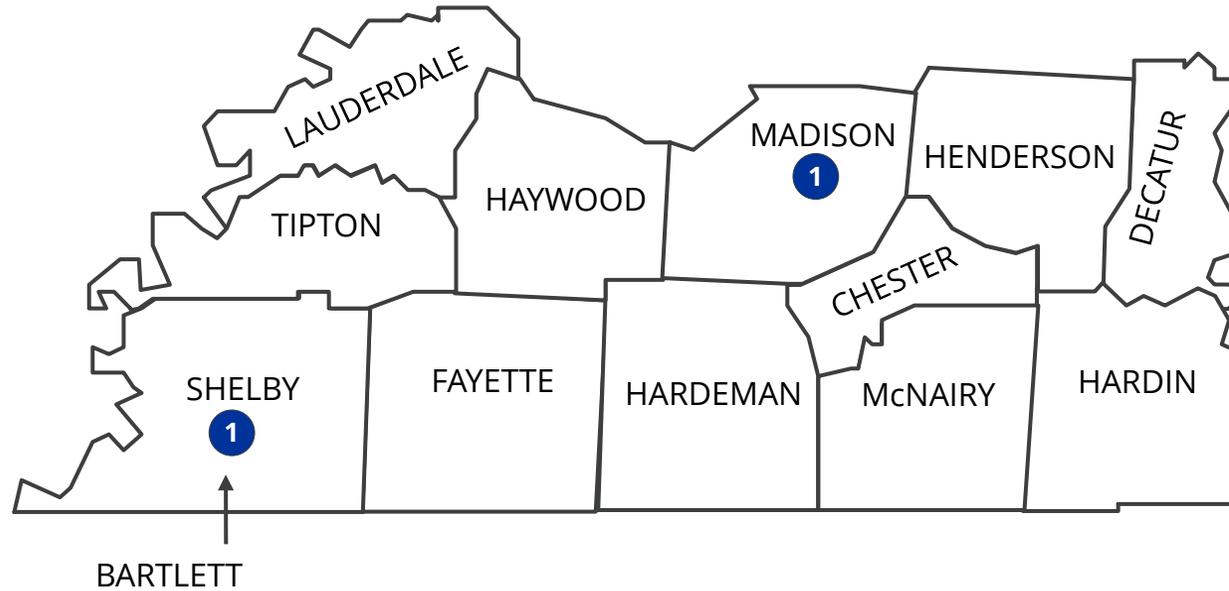


Madison

Madison County Juvenile Detention Center (JDC06)

Shelby

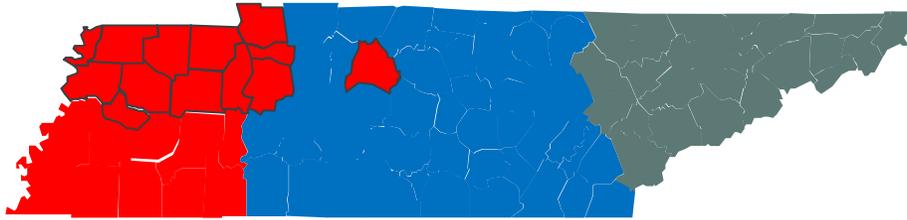
Shelby County Juvenile Detention Center (JDC14)



LEGEND:

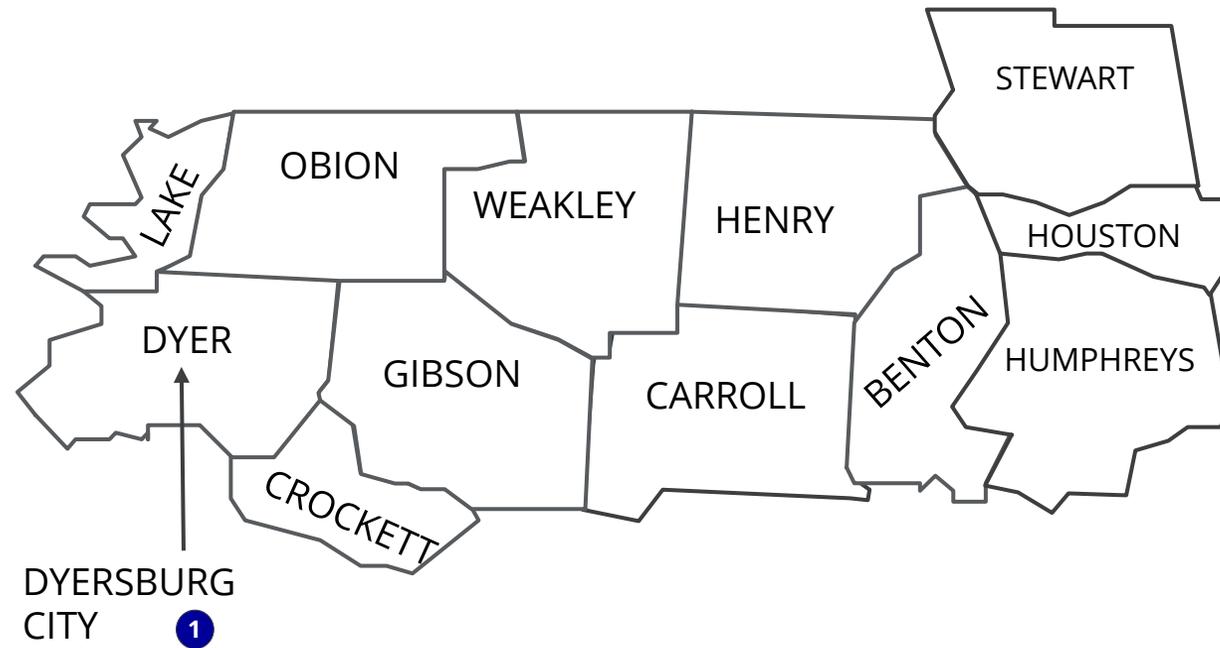


Juvenile Detention Centers Listed by Responsible LEA (Attendance Code)



Dyersburg

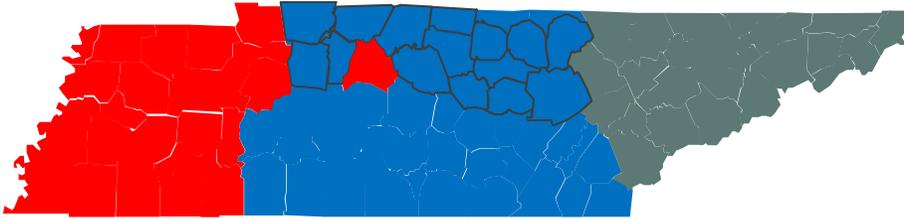
UHS/McDowell Juvenile Detention Center (JDC15)



LEGEND:



Juvenile Detention Centers Listed by Responsible LEA (Attendance Code)

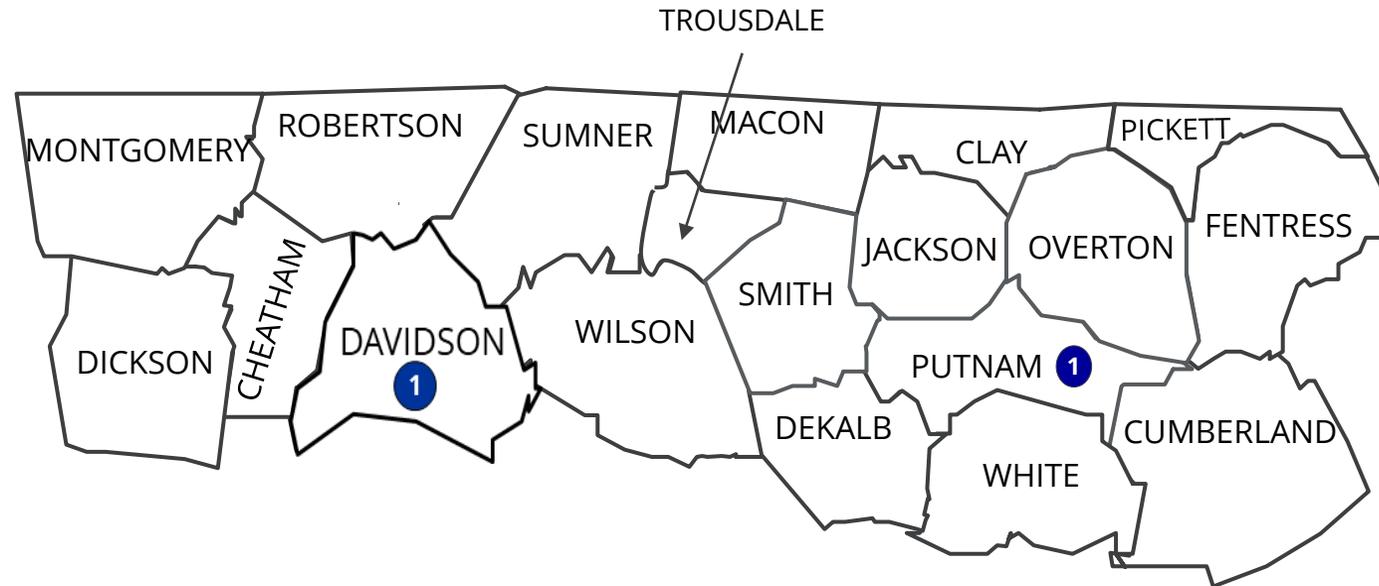


Davidson

Davidson County Juvenile Detention Center (JDC04)

Putnam

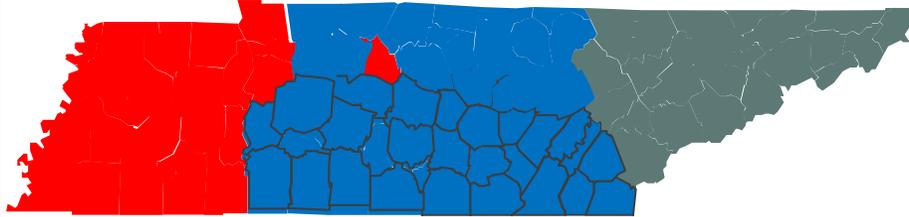
Putnam Co Juvenile Detention Center (JDC08)



LEGEND:



Juvenile Detention Centers Listed by Responsible LEA (Attendance Code)



Bedford

Bedford County Juvenile Detention Center (JDC01)

~~Maury~~

~~Middle TN Juvenile Detention Center (JDC07)~~

Rutherford

Rutherford County Juvenile Detention Center (JDC11)

Williamson

Williamson County Juvenile Detention Center (JDC17)

Cleveland City

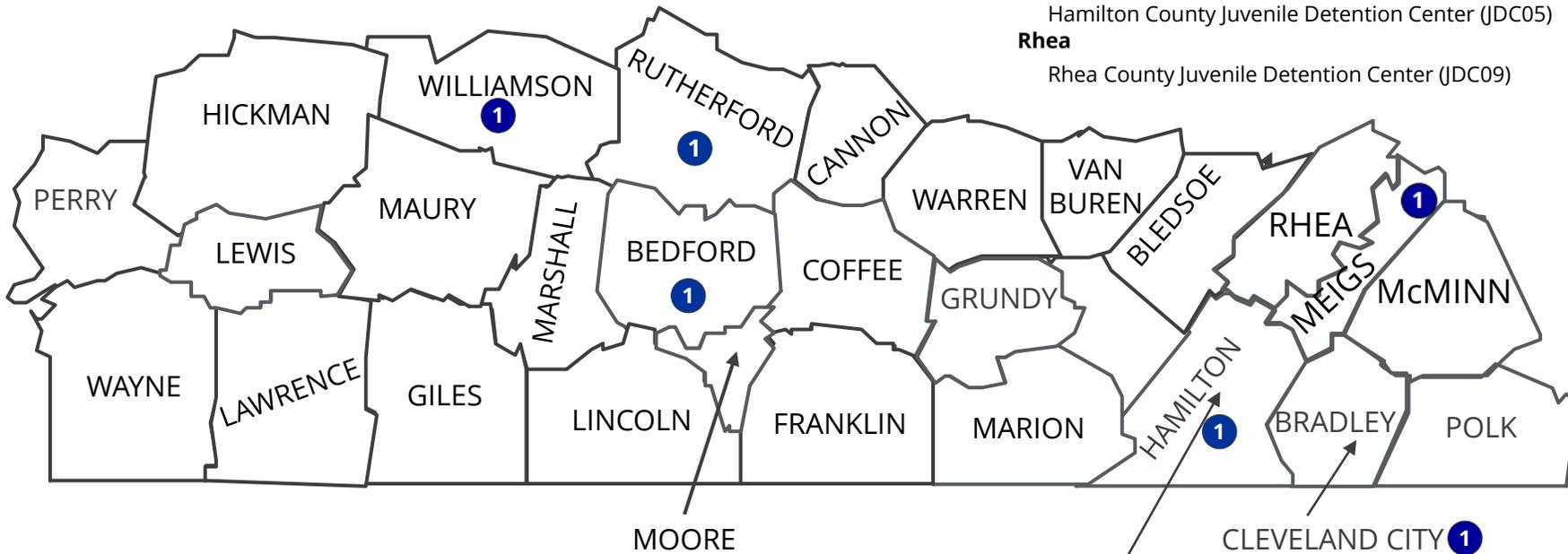
Bradley County Juvenile Detention Center (JDC03)

Hamilton

Hamilton County Juvenile Detention Center (JDC05)

Rhea

Rhea County Juvenile Detention Center (JDC09)

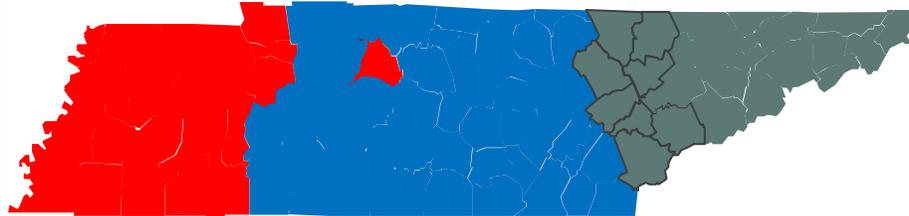


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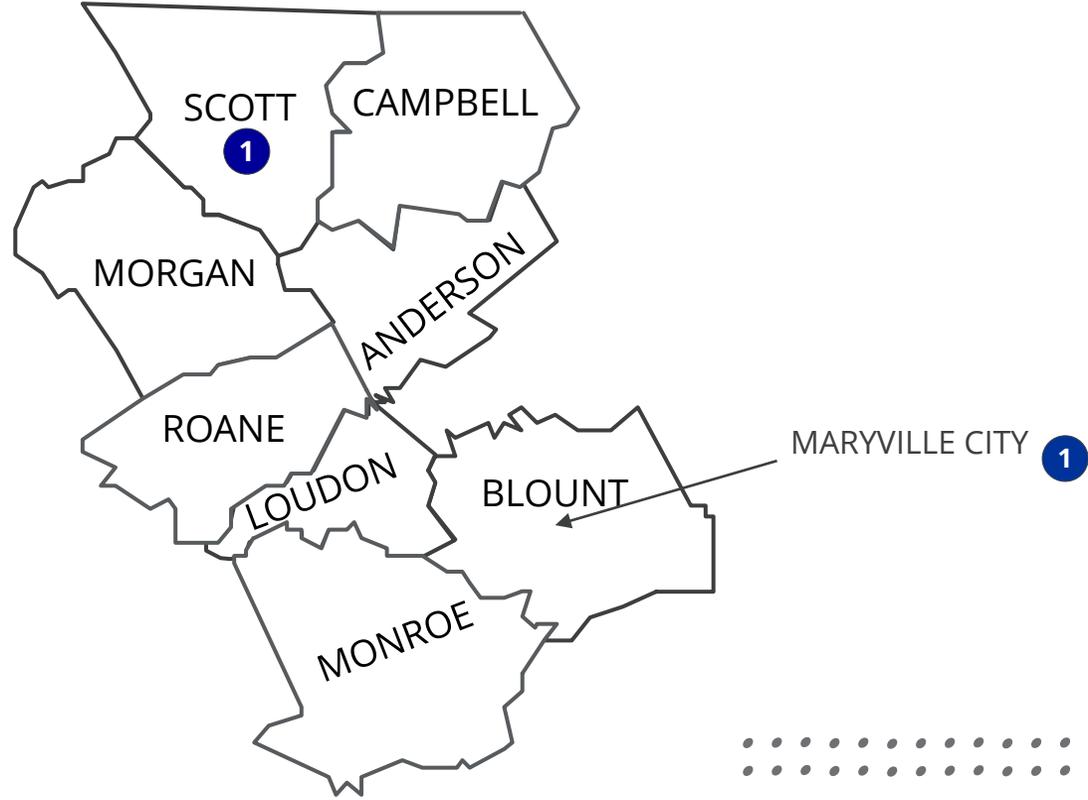
SEQUATCHIE

Juvenile Detention Centers Listed by Responsible LEA (Attendance Code)



Maryville City
Blount County Juvenile Detention Center (JDC02)

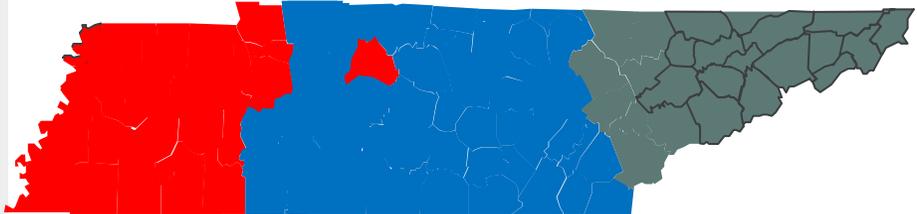
Scott
Scott County Juvenile Detention Center (JDC12)



LEGEND:



Juvenile Detention Centers Listed by Responsible LEA (Attendance Code)



Johnson City

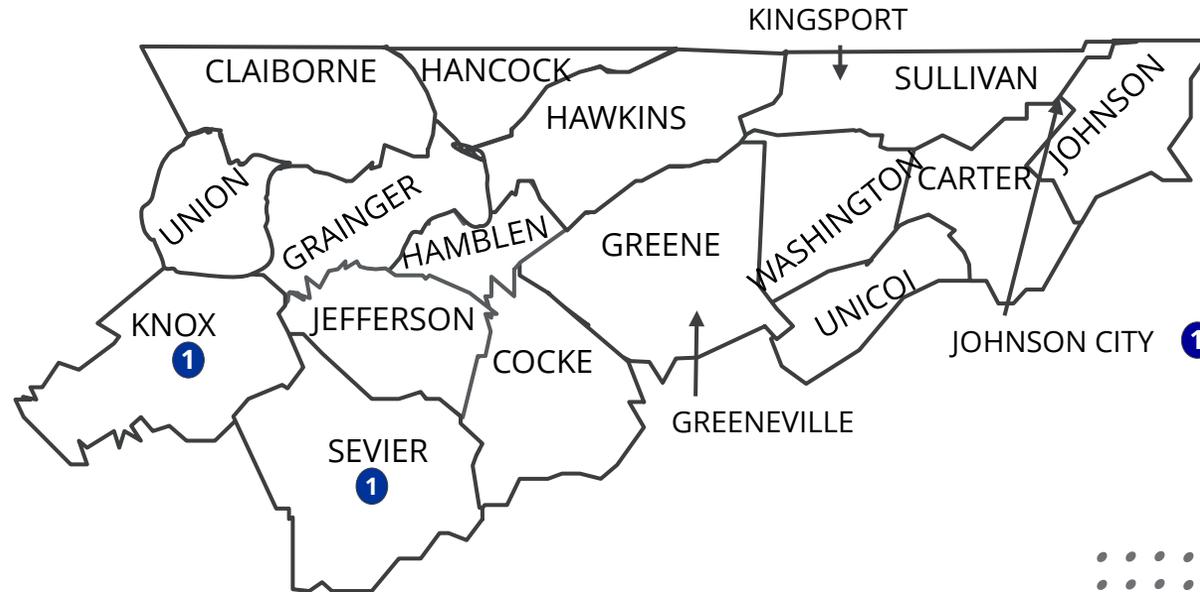
Upper East TN Regional Juvenile Detention Center (JDC16)

Knox

Richard L. Bean Service Center/ Knox County Juvenile Detention Center (JDC10)

Sevier

Sevier County Juvenile Detention Center (JDC13)

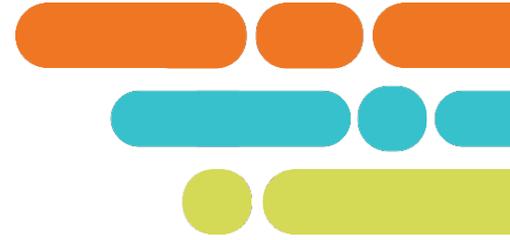


LEGEND:



Juvenile Detention Centers

- Short-term, hardware secure placement
- Awaiting trial or a less restrictive placement
- 16 JDCs in the state
- Most report less than one week in placement



Juvenile Detention Centers



- Operated by the local sheriff's department, by the courts, or by private (for-profit) providers
- Students placed by the court system
- Some JDCs contract with DCS
- DCS licenses the JDCs and will monitor them according to their facility protocol

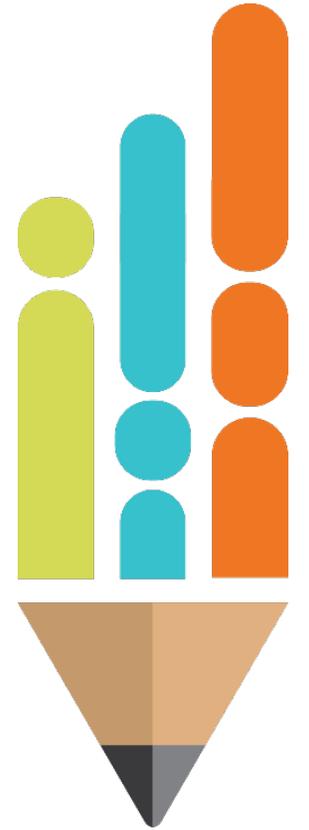
Changes to SBE Rule 0520-01-12

Chapter Title

Changes to SBE Rule 0520-01-12

Chapter Title

- “Education of Incarcerated Students” will now be titled **“Education of Justice-Involved Students.”**
- This new language aligns with the federal language.

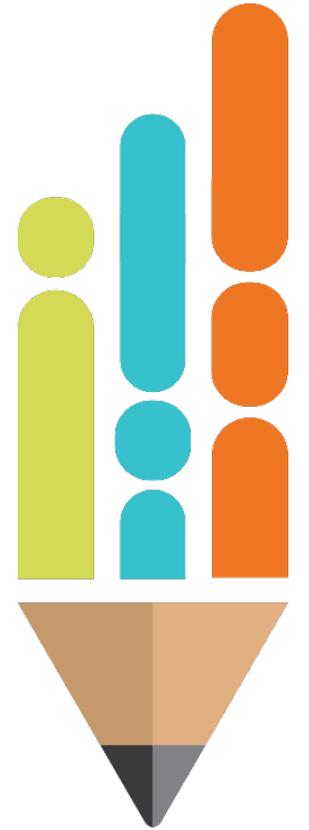


Changes to SBE Rule 0520-01-12-.01

Scope of Rules

Changes to SBE Rule 0520-01-12-.01: Scope of Rules

- **“These rules shall apply to general education students only. Students eligible for services under the Individuals with Disabilities Education Act (IDEA) will continue to be served through the IDEA Amended and Restated Interagency Agreement.”**
 - This language was **removed**, as the revised rules now include requirements for students with a disability.
- “In the event the Center is located within the geographic boundaries of a Local Education Agency (LEA) that cannot serve the educational needs for the grade level of the students incarcerated, the Center shall be within the jurisdiction of the LEA serving the county in which the Center is located, **unless an agreement between LEAs states otherwise.**”
 - This language was **added**.

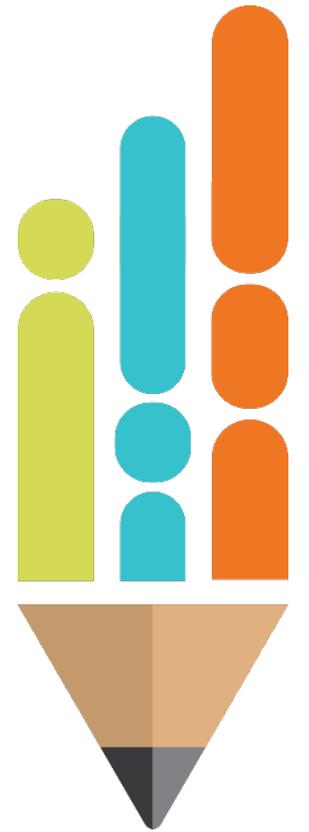


Changes to SBE Rule 0520-01-12-.02

Definitions

Changes to SBE Rule 0520-01-12-.02: New Definitions

- **“Center”** means a detention center as defined in *T.C.A. § 37-5-501* and licensed by the Department of Children’s Services (DCS) under *T.C.A. § 37-5-502*.
- **“Comparable Services”** means special education and related services that are equivalent or similar to those included on the student's last effective individualized education program (IEP) prior to incarceration.
- **“State Board”** means the Tennessee State Board of Education.



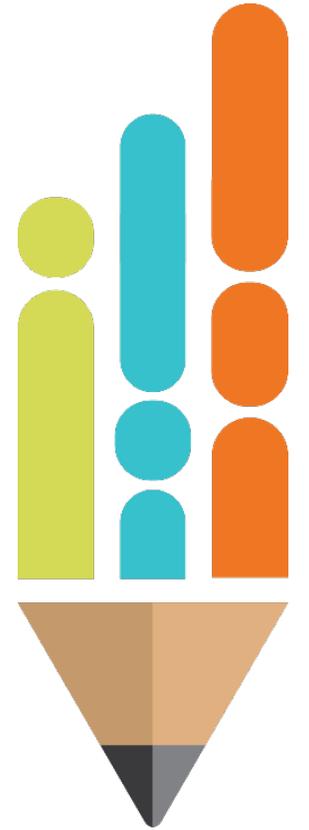
Changes to SBE Rule 0520-01-12-.03 Notifications and Transfer of Records

Changes to SBE Rule 0520-01-12-.03: Notifications and Transfer of Records

Process	Old Rules	New Rules
<p>Notification of Student Placement in the Center</p>	<p>Once a student has been held in a Center outside of their home LEA for seventy-two (72) hours, the Center shall notify in writing the home LEA, the receiving LEA, and the department.</p>	<p>Once a student has been held in a Center outside of the geographic boundaries of the student's Home LEA for seventy-two (72) consecutive hours, the Center shall send written notification to the Receiving LEA.</p>
<p>Records Request</p>	<p>Once a student has been held in a Center outside of his or her home LEA for five (5) instructional days, the receiving LEA shall request the student's transcripts from the home LEA.</p>	<p>The Receiving LEA shall request the student's education records from the Home LEA within five (5) business days of receiving the written notification from the Center. The Home LEA shall provide the student's education records to the Receiving LEA within five (5) business days after receipt of the request from the Receiving LEA, but shall provide, at a minimum, the student's transcript and any education records indicating a need for specialized support or instruction within two (2) business days of receiving the request from the Receiving LEA.</p>

Changes to SBE Rule 0520-01-12-.03: Specialized Support or Instruction (*Added*)

- a) A Section 504 plan;
- b) An IEP as defined in SBE Rule 0520-01-09, including any supporting documents or plans necessary for the student to receive a free appropriate public education (FAPE), such as a behavior intervention plan (BIP) or a safety plan;
- c) An Individualized Learning Plan (ILP) as defined in SBE Rule 0520-01-19; or
- d) An Individualized Learning Plan–Dyslexia (ILP-D) as defined in SBE Rule 0520-01-22.



Changes to SBE Rule 0520-01-12-.03: Notifications and Transfer of Records

Process	Old Rules	New Rules
<p>Development of the Educational Service Plan (ESP).</p>	<p>No later than the student’s fifteenth (15th) instructional day in the Center, the receiving LEA shall work with the home LEA to develop an ESP for the student.</p>	<p>No later than the student’s eighth (8th) Instructional Day in the Center, the Receiving LEA shall work with the Home LEA to develop an ESP for the student.</p>
<p>Start of Educational Services</p>	<p>No later than the student’s twentieth (20th) instructional day in the Center, the receiving LEA shall ensure that the student begins receiving educational services in accordance with the ESP.</p>	<p>No later than the student’s tenth (10th) instructional day in the Center, the receiving LEA shall ensure that the student begins receiving educational services in accordance with the ESP.</p>

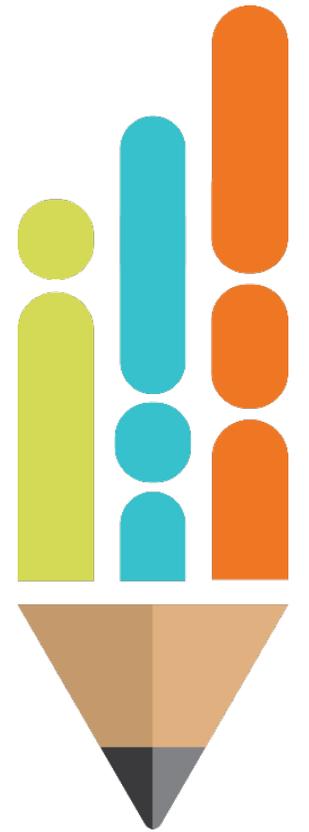
Changes to SBE Rule 0520-01-12-.03: Notifications and Transfer of Records

Process	Old Rules	New Rules
Student Exits the Center	When a student receiving general educational services is transferred out of the Center, the Center shall notify the Department and provide the number of instructional days the student was held.	<p>When a student receiving general education services exits the Center, the Receiving LEA shall notify the Department within five (5) business days and shall provide the number of Instructional Days the student was held in accordance with Department guidance.</p> <p>When a student exits the Center, the Receiving LEA shall forward all education records to the student's Home LEA within ten (10) business days if the student returns to the Home LEA or to the student's LEA of next placement if the student enrolls in a new LEA.</p>

Changes to SBE Rule 0520-01-12-.03: Notifications and Transfer of Records

Students Receiving Special Education Services: (*New Language*)

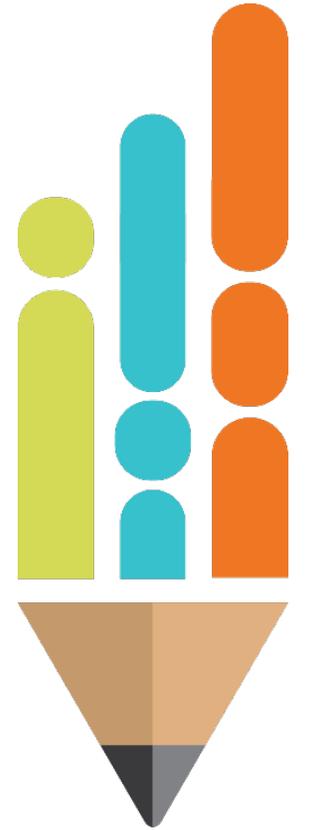
- When a student receiving special education services through an IEP is held in a Center outside of the geographic boundaries of the student's Home LEA, the student shall be unenrolled from the Home LEA and fully enrolled in the Receiving LEA no later than the **tenth (10th) Instructional Day** in the Center. The Receiving LEA shall receive the per pupil state and local funds for the student under the state's K-12 education funding formula.
- The Receiving LEA shall provide Comparable Services to the student until the Receiving LEA adopts the IEP developed by the Home LEA or develops, adopts, and implements a new IEP. Comparable Services shall be determined based on the individualized needs of the student, not the resources available at the Center.



Changes to SBE Rule 0520-01-12-.03: Notifications and Transfer of Records

Students Receiving Special Education Services: (Continued)

- When a student exits the Center, the Receiving LEA shall forward all education records to the student's Home LEA within **ten (10) business days** if the student returns to the Home LEA or to the student's LEA of next placement if the student enrolls in a new LEA.
- **The Receiving LEA shall ensure that the Center complies with the requirements of IDEA and state special education law.**



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Changes to SBE Rule 0520-01-12-.04 Basic Educational Services, Testing Requirements

Changes to SBE Rule 0520-01-12-.04: Basic Educational Services, Testing Requirements

Process	Old Rules	New Rules
Minimum Length of School Day	Four (4) hours	Four (4) hours
Teacher Licensure	Instruction shall be provided by a teacher holding a valid Tennessee teacher license as provided in T.C.A. Title 49, Chapter 5.	Instruction shall be provided by a teacher holding a valid Tennessee teacher license as provided in T.C.A. Title 49, Chapter 5.
Educational Services	For students held in a Center outside their home LEA, the receiving LEA shall consult with the Center on how the receiving LEA may best provide basic educational services in, at a minimum, English Language Arts and Mathematics for the student.	For students held in a Center outside their Home LEA, the Receiving LEA shall consult with the Home LEA on how the Receiving LEA may best provide basic educational services in, at a minimum, English Language Arts and Mathematics for the student. <i>The Receiving LEA shall set forth the general education services available to each student in an ESP.</i>

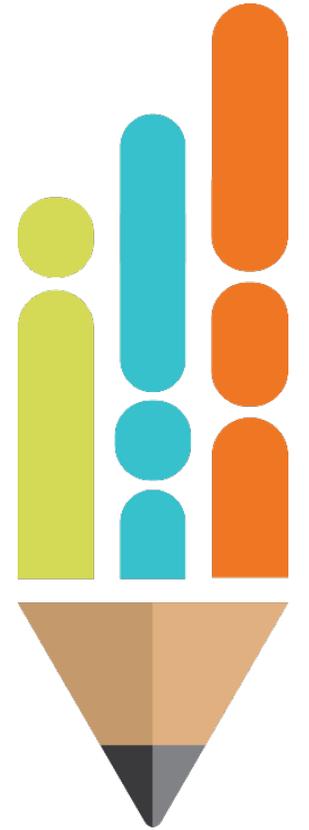
Changes to SBE Rule 0520-01-12-.04: Basic Educational Services, Testing Requirements

Process	Old Rules	New Rules
Testing Requirements	<p>Pursuant to Every Student Succeeds Act (ESSA), each Center shall comply with the following testing requirements:</p> <ul style="list-style-type: none"> a) Each student shall complete a nationally norm-referenced pre-test approved by the department, no later than the student's fifth (5th) instructional day at the Center. b) Each student shall complete a benchmark assessment at least every four (4) weeks the student remains incarcerated in the Center. c) The receiving LEA shall be responsible for ensuring the required tests are administered. 	<p>Pursuant to ESSA, each Receiving LEA shall ensure that Centers comply with the following testing requirements:</p> <ul style="list-style-type: none"> a) Each student shall complete a nationally norm-referenced pre-test approved by the department, no later than the student's fifth (5th) instructional day at the Center. b) Each student shall complete a benchmark assessment at least every four (4) weeks the student remains incarcerated in the Center.

Changes to SBE Rule 0520-01-12-.04: Basic Educational Services, Testing Requirements

Added Language:

- The Receiving LEA shall be responsible for ensuring that students receive all services, supports, and accommodations required by federal and state law, including, but not limited to, services, supports, and accommodations required under Section 504 of the Rehabilitation Act of 1973 and Title VI of the Civil Rights Act of 1964.



Changes to SBE Rule 0520-01-12-.05

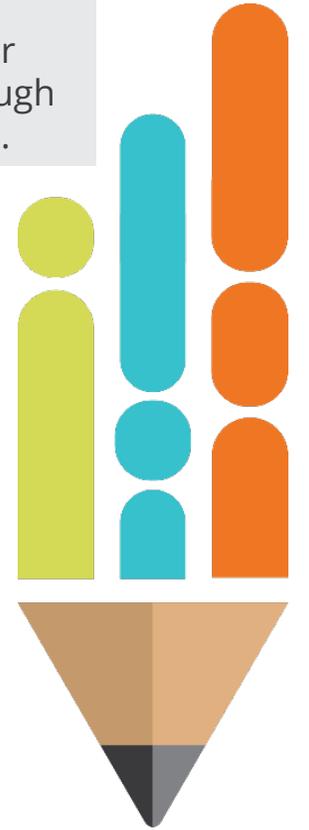
Calculation of Funds

Changes to SBE Rule 0520-01-12-.05: Calculation of Funds

Process	Old Rules	New Rules
<p>General Education Students</p>	<p>The Department shall calculate the daily rate of funds to be transferred from the home LEA to the receiving LEA to be used for the student’s education. The funds shall be allocated on a prorated daily basis for the length of the student’s incarceration. The funds shall be calculated as follows:</p> <p>(a) Per pupil state and local funds generated through the state’s K-12 education funding formula and additional local funds received by the LEA in the prior fiscal year divided by the average daily membership (ADM) from the prior fiscal year to equal the per pupil state and local funding.</p> <p>(b) The per pupil state and local funding is then divided by the one hundred eighty (180) days to equal the total daily rate.</p>	<p><i>For general education students</i>, the Department shall calculate the daily rate of funds to be transferred from the Home LEA to the Receiving LEA to be used for the student’s education. The funds shall be allocated on a prorated daily basis for the length of the student’s incarceration. The funds shall be calculated as follows:</p> <p>(a) Per pupil state and local funds generated through the state’s K-12 education funding formula and additional local funds received by the LEA in the prior fiscal year divided by the average daily membership (ADM) from the prior fiscal year to equal the per pupil state and local funding;</p> <p>(b) (b) The per pupil state and local funding is then divided by the one hundred eighty (180) days to equal the total daily rate.</p>

Changes to SBE Rule 0520-01-12-.05: Calculation of Funds

Process	Old Rules	New Rules
Special Education Students	Special education students were not included in the old rules.	For students receiving special education services, the Receiving LEA shall receive per pupil state and local funds generated through the state's K-12 education funding formula.

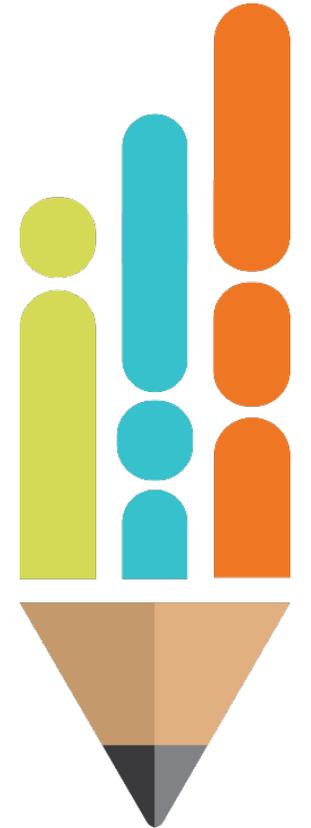


Changes to SBE Rule 0520-01-12-.06

Points of Contact

Changes to SBE Rule 0520-01-12-.06: Points of Contact

Process	Old Rules	New Rules
<p>Point of Contact for Resolving Issues</p>	<p>The Department, the Department of Children’s Services, the receiving LEA, and the home LEA shall each establish a primary point of contact to resolve issues arising under these rules. The receiving LEA’s and home LEA’s primary point of contact shall be the person currently filling the Attendance Officer position unless the LEA designates another position. Any designation shall be done in writing and sent to the Commissioner for approval.</p>	<p>The Department, the Tennessee Department of Children’s Services, the Receiving LEA, and the Home LEA shall each establish a primary point of contact to resolve issues arising under these Rules. The Receiving LEA’s and Home LEA’s primary point of contact shall be the person currently filling the Attendance Officer position unless the LEA designates another position. Any designation shall be done in writing and sent to the Department for approval.</p>
<p>Point of Contact List</p>	<p>The Commissioner or Commissioner’s designee shall maintain a list of all the primary points of contact designated in paragraph (1) of this Rule.</p>	<p>The Department shall maintain a list of all the primary points of contact designated in paragraph (1) of this Rule.</p>



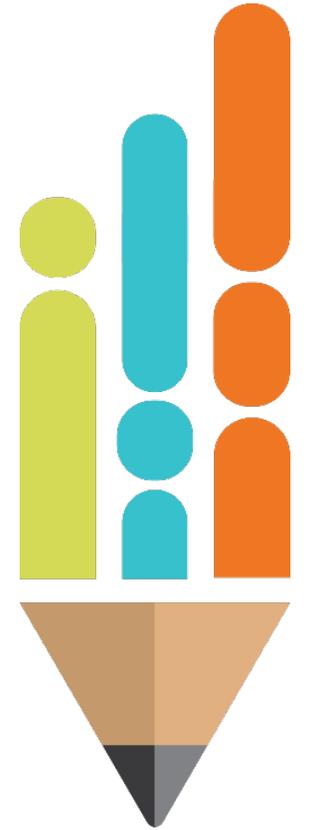
Changes to SBE Rule 0520-01-12-.07 Security

Changes to SBE Rule 0520-01-12-.07: Security

Process	Old Rules	New Rules
Security	<ul style="list-style-type: none"> (1) The Center shall be responsible for providing a secure setting for the education of students. This space shall be adequate in size and conducive to instruction for the number of students required to be educated at the Center. (2) The Center shall supply appropriate staff to ensure the safety of students and receiving LEA staff in the Center. (3) Any security decision with respect to student or staff safety shall be within the purview of the Center's director or their designee 	<ul style="list-style-type: none"> (1) The Center shall be responsible for providing a secure setting for the education of students. This space shall be adequate in size and conducive to instruction for the number of students required to be educated at the Center. (2) The Center shall supply appropriate staff to ensure the safety of students and Receiving LEA staff in the Center. <i>The Center shall also ensure students are able to access educational services provided by the Receiving LEA.</i> (3) Any security decision with respect to student or staff safety shall be within the purview of the Center's director or their designee. <i>A Center's lack of staff or other necessary resources shall not absolve the Receiving LEA of its responsibility to provide appropriate educational services to incarcerated students.</i>

Changes to SBE Rule 0520-01-12-.07 Security

Process	Old Rules	New Rules
Security		<i>If the Department receives notice that the Center is not providing a secure setting or access to educational services as set forth in paragraphs (1) through (3) of this Rule, the Department shall provide notice to the Commissioner of the Department of Children's Services.</i>



Changes to SBE Rule 0520-01-12-.08 Monitoring and Mediation

Changes to SBE Rule 0520-01-12-.08

Monitoring and Mediation

Process	Old Rules	New Rules
<p>Monitoring</p>	<p>(1) The Department of Children’s Services, along with the Department, will regularly monitor the Center to ensure the Center’s compliance with the terms of these rules.</p> <p>(2) The Department shall monitor the receiving LEA, home LEA, and the Center in order to ensure that there are appropriate educational services being offered at the Center.</p> <p>(3) The receiving LEA, home LEA, and the Center shall make any documentation or records available to the Department upon request.</p>	<p>(1) The Department shall annually monitor each Center to ensure the Receiving LEA’s compliance with this Chapter.</p> <p>(2) The Department shall monitor the Receiving LEA, Home LEA, and the Center in order to ensure that there are appropriate educational services being offered at the Center</p>
<p>Mediation</p>	<p>If a dispute arises under these Rules, the dispute shall be mediated by the Commissioner or Commissioner’s designee. The Commissioner’s or Commissioner’s designee’s decision with regard to any mediation shall be considered a final and binding decision.</p>	<p>If a dispute arises under this Chapter, the dispute shall be mediated by the Commissioner or Commissioner’s designee. The Commissioner’s or Commissioner’s designee’s decision with regard to any mediation shall be considered a final and binding decision</p>

Activity



Activity

1. Introduction: Name, Role, and LEA
2. Provide details about the Center in your LEA:
Size, contracts, LEA staff, and agency affiliation.
3. What struggles or barriers does the LEA have to educate students placed in the Center?
4. What have been some successes the LEA has had when serving the students placed in the Center?



Break-15 minutes



Overview of Special Education Requirements in Juvenile Detention Centers



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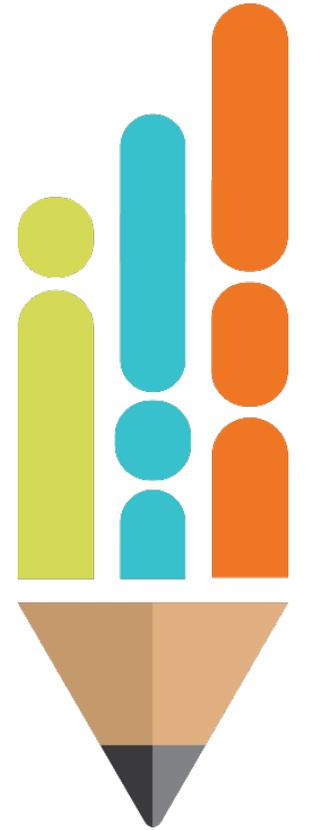
“Ensuring that students in correctional facilities are receiving a high-quality education will have a clear, positive effect in reducing recidivism and increasing post-release success in higher education, employment, and other life endeavors.”

See U.S. Dep't. of Educ., [Dear Colleague Letter](#) (Dec. 5, 2014).

Special Education in JDCs

- Absent a specific exception, **all protections listed in the Individuals with Disabilities Education Act (IDEA) and state special education law apply** to students with disabilities in JDCs, including:
 - Child find
 - Comparable services for transfer students
 - Individualized Education Program (IEP) development, revision, and implementation
 - FAPE
 - Least restrictive environment (LRE)
 - Disciplinary protections
 - Teacher qualifications

See U.S. Dep't of Educ., [Dear Colleague Letter](#) (Dec. 5, 2014)



Special Education Requirements: Federal

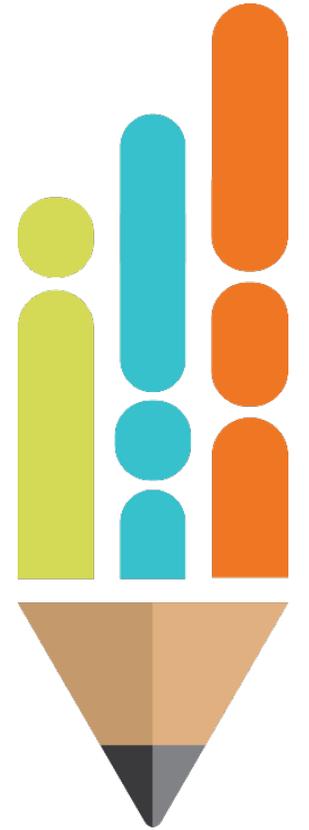
Child Find

- LEAs have an **affirmative, ongoing obligation to identify, locate, and evaluate** all students with disabilities residing within the jurisdiction who are in need of special education and related services. See 34 C.F.R. § 300.111(a)(1).
- Students suspected of having a disability must be evaluated in a timely manner, **even if the student will not be in the facility long enough to complete the evaluation**. See U.S. Dep't of Educ., [*Dear Colleague Letter*](#) (Dec. 5, 2014).
- The Home LEA and Receiving LEA **may need to collaborate** to ensure that evaluations and reevaluations are conducted in a comprehensive and timely manner.



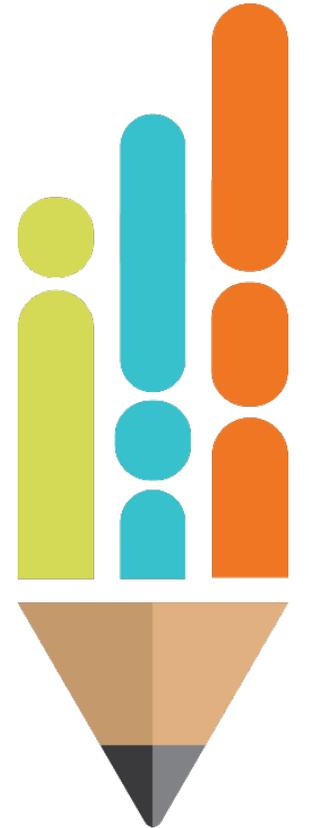
Comparable Services

- If a student with an IEP moves to a new LEA in the same state within the same school year, the new LEA **must provide comparable services to those the student received in the old LEA** until the new LEA adopts the existing IEP or develops a new IEP. *See 34 C.F.R. § 300.323(e).*
- Comparable services do not need to be identical, but they **must be similar.**
- LEAs cannot avoid the obligation to provide comparable services by agreeing to a temporarily “reduced” IEP. *See Tenn. Dep’t of Educ., Williamson Cnty. Schs. (Oct. 20, 2010).*
- If you cannot provide comparable services, **document** the services missed and **plan** for how you will provide **compensatory education and services.**



IEP Development and Revision

- **IEPs must be developed in accordance with the IDEA regulations and state special education law.** All IEP content requirements apply to students with disabilities in JDCs, including statements on:
 - The student’s present levels of academic achievement and functional performance.
 - The measurable annual academic and functional goals.
 - The special the special education, related services, and supplementary aids and services that will be provided to the student to enable the student to advance appropriately toward attaining IEP goals and to be involved in and make progress in the general education curriculum.
- The services included in the student’s IEP **must not be solely based on the services available at the JDC.**
- Again, if you cannot provide appropriate services, **document** the services missed and **plan** for how you will provide **compensatory education and services.**





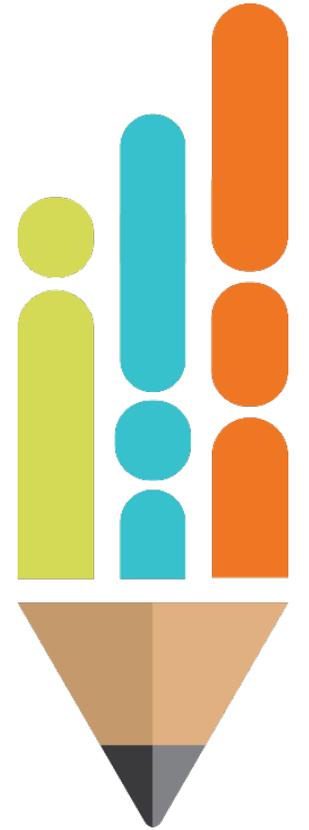
FAPE and IEP Implementation

- Students with disabilities are still entitled to an educational program that “is reasonably calculated to enable [the] child to make **progress appropriate in light of the child’s circumstances.**” *Endrew F. v. Douglas Cnty. Sch. Dist. Re-1*, 137 S. Ct. 988 (2017).
- An **appropriate education** for a student with a disability **should generally be the same** regardless of whether the student is in a public school or a JDC.



Least Restrictive Environment

- LEAs must ensure that students with disabilities are educated with students who are nondisabled to the maximum extent appropriate. *See* 34 C.F.R. § 300.114(a)(2).
- **“The IDEA requirements related to LRE apply to the education of students with disabilities in correctional facilities.** IEP teams or placement teams must make individualized placement decisions and may not routinely place all students with disabilities in correctional facilities in classes that include only students with disabilities, even if this means creating placement options or using other arrangements, to the maximum extent appropriate to the student’s needs.” *See* U.S. Dep’t of Educ., [*Dear Colleague Letter*](#) (Dec. 5, 2014).



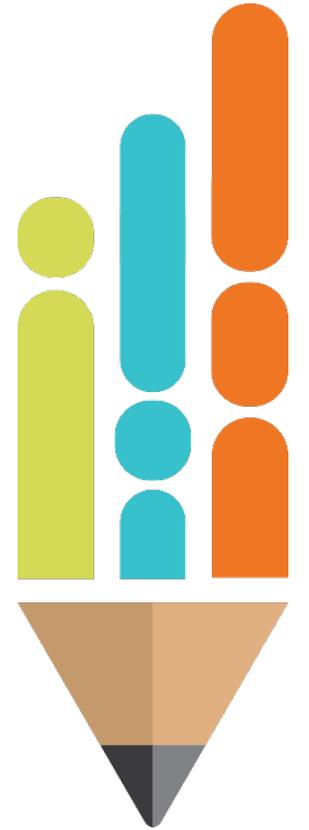
Disciplinary Protections

- LEAs must conduct a **manifestation determination review (MDR)** within 10 school days of “any decision to change the placement of a child with a disability because of a violation of a code of student conduct.” 34 C.F.R. § 300.530(e).
- A change of placement occurs when the (1) the removal is for more than 10 consecutive school days, or (2) the student has been subjected to a series of removals that constitute a pattern because the removals total more than 10 school days in a school year and because the behavior is substantially similar in previous incidents. *See* 34 C.F.R. § 300.536.
- Students with disabilities **are still entitled to the disciplinary protections** available under IDEA, including the right to a manifestation determination review.



Disciplinary Protections

- If the behavior is NOT a manifestation of the student's disability, then the student may be disciplined, but **must be given the opportunity to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the student's IEP**, albeit in a different setting. *See* 34 C.F.R. § 300.530(d)(1).
- For example, the student may be provided educational services in the student's cell or in a "lockdown" unit.
- When the student engages in behavior that results in a "change of educational placement," the student's IEP team should also **consider the need to conduct a functional behavior assessment (FBA) and implement a behavior intervention plan (BIP)**. *See* SBE Rule 0520-01-09-.24.





Qualifications for Special Education Teachers and Service Providers

- FAPE includes “ensuring that special education teachers and related services providers are **appropriately and adequately prepared and trained.**”
- Teachers providing special education **must have obtained State certification** as a special education teacher.
- Related services providers **must meet the State-approved licensing and registration requirements** that apply to their professional discipline.
- Paraprofessionals and assistants may be used to assist in the provision of special education and related services **if they are appropriately trained and supervised** and work **under the supervision of** a certified teacher.
- Special education teachers and related services personnel **may not have certification or licensure requirements waived** on an emergency, temporary, or provisional basis.

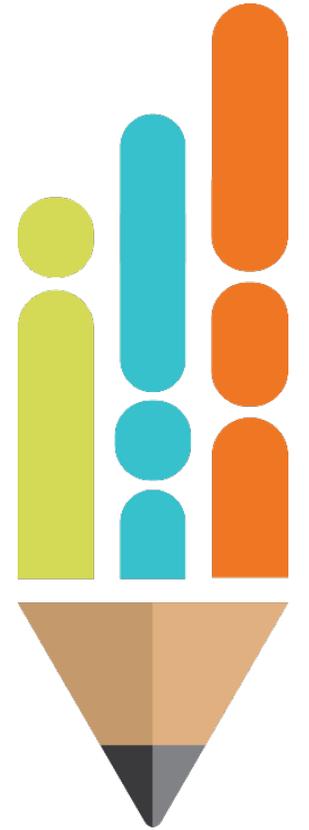
U.S. Dep’t. of Educ, [Memorandum to State Directors of Special Education](#) (Oct. 4, 2022)



Parental Rights

Until the student turns 18-years-old, parents of a student with a disability maintain all rights identified under IDEA, including the right to:

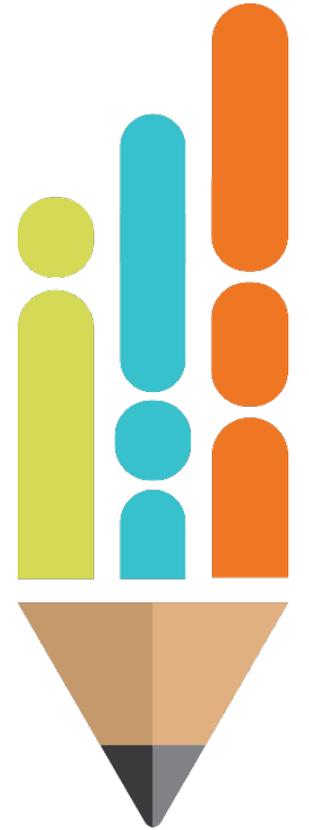
- Participate in and provide input during IEP meetings.
- Provide consent prior to evaluations and the initial provision of special education services.
- Receive invitations and prior written notices.
- Seek one of the special education dispute resolution options.



Special Education Requirements: State

Rules of the State Board of Education

- [Chapter 0520-01-09 of the SBE Rules](#), “Special Education Programs and Services”
- Absent a specific exception, **all requirements listed in the state special education law apply** to students with disabilities in JDCs.
- The following review of SBE Rules and timelines contains highlights and is not exhaustive to all state requirements.





SBE Rule 0520-01-09-.15(4)

When must an LEA send a **parent prior written notice (PWN)**?

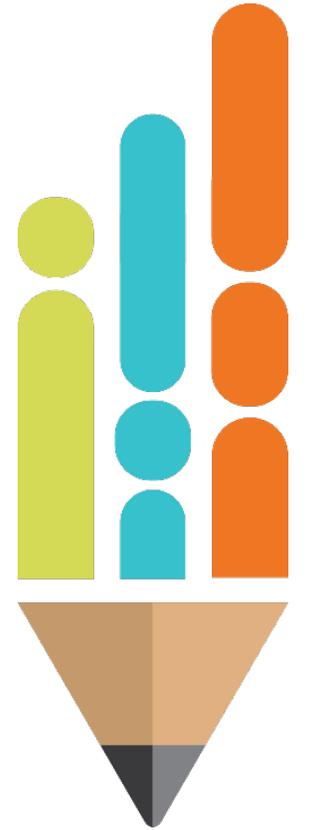
JDC staff from the LEA must send a parent PWN **at least 10 school days** before the LEA proposes or refuses to initiate or change the identification, evaluation, educational placement, or provision of a free appropriate public education (FAPE).



SBE Rule 0520-01-09-.15(1)

How much notice must an LEA provide to a student's parent prior to holding the IEP meeting?

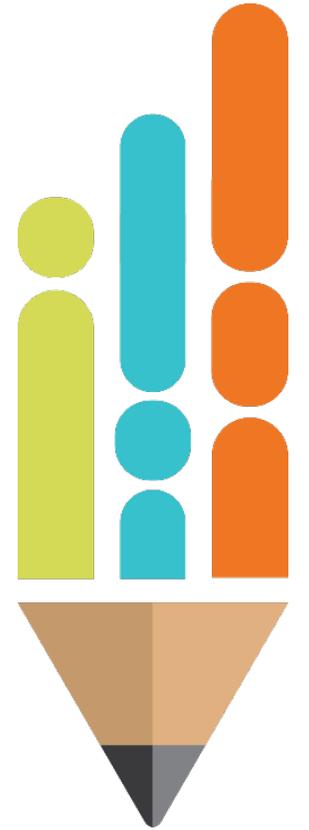
JDC staff from the LEA must notify the student's parent **at least 10 calendar days** before an IEP meeting to ensure that the parent has an opportunity to attend, unless the parent agrees to attend earlier.



SBE Rule 0520-01-09-.15(3)

How much notice must an LEA provide to a student's parent prior to holding a manifestation determination review (MDR)?

The JDC staff from the LEA must notify the student's parent **at least 24 hours prior** to an MDR meeting.





SBE Rule 0520-01-09-.15(2)

When must an LEA provide a copy of a **draft IEP** to a parent?

- If an LEA creates a draft IEP prior to an IEP meeting, the JDC staff from the LEA must provide a copy of the draft IEP to a parent **at least 48 hours** prior to the scheduled meeting time.
- If a draft IEP is provided it shall become the property of the parent. The JDC staff from the LEA shall not have the final IEP completed before an IEP meeting and the staff shall make it clear to the Parent at the outset of the meeting that the services proposed are preliminary recommendations for review and discussion with the Parent.

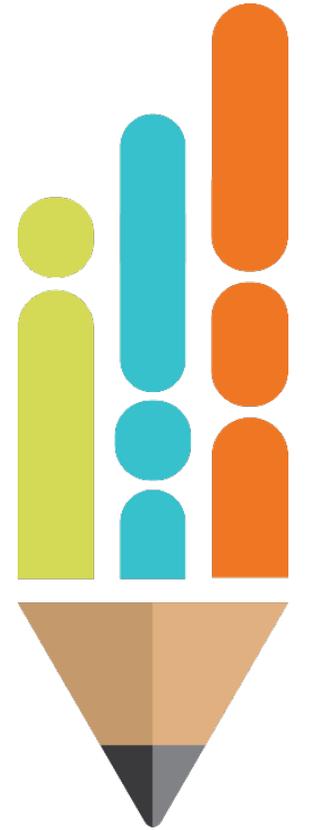


Coding



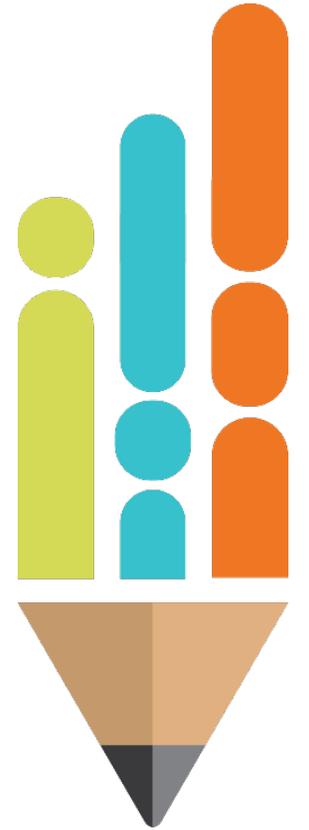
General Education Students

- **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 student in the student information system (SIS) and uploads it to the education information system (EIS).
 - The juvenile justice POC arranges the student’s educational services with the JDC and the other LEA, if the JDC is located in another LEA.
 - If the student is placed in a JDC in another LEA, 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 SIS.



Special Education Students

- **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 located in another LEA.
 - This process assures that the receiving LEA, which is responsible for compliance with IDEA, has access to the IEP in TN PULSE.
 - 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.





Withdrawal Codes 02 and 11

- ***Withdrawal Code 02: Withdrawn to DCS Educational Placement***
 - Withdrawn from the local education agency (LEA) and placed in the custody of the Department of Children’s Services (DCS) to be educated in a youth development center or DCS-affiliated school
- ***Withdrawal Code 11: Court Order***
 - Court order to placement with the Department of Corrections, county jail, or city jail (Student was tried and convicted as an adult.)
- **For additional information, see the *EIS Data Dictionary*, Appendix H, Withdrawal Codes ([here](#)).**



Attendance, Membership, Course Schedules, and Assessments

- Students coded with the juvenile detention center student classifications
 - are considered present and are not coded as absent,
 - are included in average daily membership (ADM) and average daily attendance (ADA), and
 - retain the course schedules/codes that existed prior to their placements in the juvenile detention center.
- For information related to statewide assessments for students coded with juvenile detention center student classifications, please see the Accountability Protocol ([here](#)).



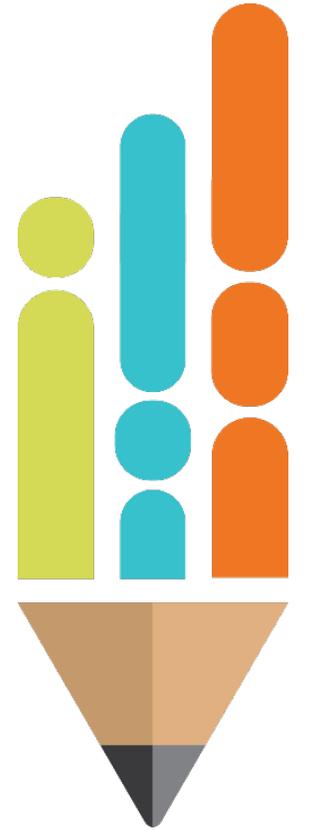
Expulsion

- For students who have been expelled prior to entering a JDC, the home LEA shall end the expulsion and list the disciplinary action end date as the date the student is placed in the JDC.
- When the student is released from the JDC, the LEA should reactivate the expulsion if there is time remaining in the student's expulsion.
 - List the disciplinary action begin date as the first school day after the student is withdrawn from the JDC.
 - Use the original disciplinary offense date to ensure that the incident is not coded as a new incident.



JDC Student Classifications

- As shown on the next slide, each of the state's 16 juvenile detention centers has a separate student classification.
 - The first three digits are the letters **JDC**.
 - The final two digits are a number between **01** and **17**.
- The date the student enters the JDC is the student classification begin date.
- The date the student leaves the JDC is the student classification end date.
- Do not auto-populate the JDC student classification end date as last day of the school year or any other date.



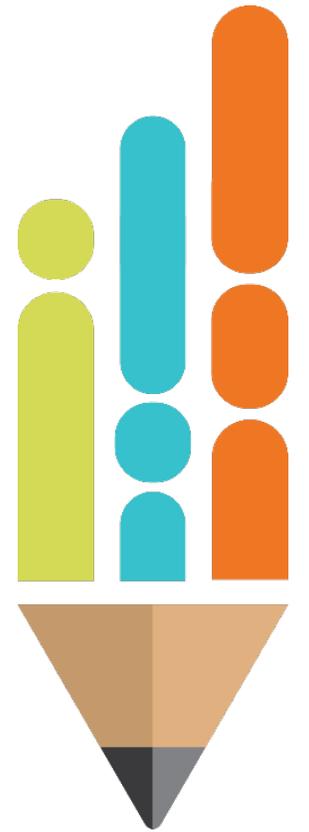
JDC01–JDC17 Student Classifications

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



Educational Funds Transfer

- The JDC codes indicate where students are placed during incarceration in juvenile detention centers and facilitate the transfer of funds between home and receiving LEAs that provide educational services.
- Funding is based on instructional days.
- Funding applies to students enrolled in public schools in Tennessee.
- Funding is transferred annually at the close of the school year via TISA funding for the next school year.
- For fund transfer and other fiscal questions, please contact Maryanne.Durski@tn.gov.





Suggestions to Improve Data Quality

- Regularly collaborate with attendance, EIS, federal programs, and other colleagues to ensure that your data are coded properly.
- Frequently check data in SIS and EIS and upload revisions as needed.
- For additional information, please refer to the [FPO Data Manual](#).



Coding Scenario Activity

JDC Scenario 1

We have a general education student in Volunteer County, who committed a crime and is detained at the Madison County JDC. We removed him from our roll. Is this okay?

- A. Yes, remove the student from your roll. The student will be absent for more than 10 consecutive days, so this is an acceptable practice.
- B. No, the LEA should keep the student enrolled in Volunteer County and enter the **JDC06-Madison County Juvenile Detention Center** student classification code in SIS/EIS.

Student and LEA names are being used only as examples. These example scenarios are hypothetical and do not contain specific or identifiable information.

JDC Scenario 1 Answer

B: No, the LEA should keep the student enrolled in Volunteer County and enter the *JDC06-Madison County Juvenile Detention Center* student classification code in SIS/EIS.

Explanation:

- Since the student is a general education student, he should remain enrolled in Volunteer County and be coded as **JDC06**. Madison County must provide educational services for the student during his/her time at Madison County JDC. The **JDC06** student classification code will be used to transfer funds from Volunteer County to Madison County at the end of the school year for instructional days during the incarceration.

Student and LEA names are being used only as examples. These example scenarios are hypothetical and do not contain specific or identifiable information.

JDC Scenario 2

We have a student, Matthew, who is enrolled in Simpson County and receives special education services for emotional disturbance. He is now detained at Rutherford County JDC for a crime he committed. Do I keep him on our roll?

- A. Yes, code Matthew as **JDC09** and keep him on your roll.
- B. No, withdraw Matthew. Rutherford County should enroll Matthew and enter the **JDC09-Rutherford County Juvenile Detention Center** student classification in SIS/EIS.

Student and LEA names are being used only as examples. These example scenarios are hypothetical and do not contain specific or identifiable information.

JDC Scenario 2 Answer

B: No, withdraw Matthew. Rutherford County should enroll Matthew and enter the *JDC09-Rutherford County Juvenile Detention Center* student classification in SIS/EIS.

Explanation:

- Because Matthew is receiving special education services, he must be withdrawn from the home LEA and be enrolled in the LEA in which the JDC is located.

Student and LEA names are being used only as examples. These example scenarios are hypothetical and do not contain specific or identifiable information.



Research Queries: LEAs that Operate JDCs

- To check your data in EIS, select **Data Reports / Research Queries / Juvenile Detention Center Statewide Report** and the code for the JDC that the LEA operates.
- For example, if your LEA operates the Bedford County Juvenile Detention Center, select **JDC Bedford County (JDC01)**.
- Query results include a record for all students enrolled in Tennessee public schools with a placement in the JDC.
 - Complete data are provided for students enrolled in the LEA that operates the JDC.
 - Partial data are provided for students enrolled in other districts.





Research Query: LEAs that Do Not Operate JDCs

- To check your data in EIS, select ***Data Reports / Research Queries / Student Classifications*** research query and the code for the facility of interest.
- For example, ***select JDC Bedford County (JDC01)*** for the Bedford County Juvenile Detention Center.
- Query results include a record for each student enrolled in your district with a placement in the JDC.



Quarterly JDC Data Review

- FPO provides JDC placement and instructional day data to sending and receiving LEAs to review quarterly.
- LEAs review the data, identify discrepancies, submit revisions to SIS/EIS, and contact the NEP team for assistance if needed.



Monitoring



JDC Monitoring 2024-2025

- The NEP team will visit each of the JDCs for on-site results-based monitoring for compliance with Tenn. Code Ann. §49-6-3023 and State Board of Education Rule 0520-01-12, as well as IDEA.
- Monitoring pre-work and on-site questions will be more robust this year.
- LEAs and facilities must now provide daily attendance data for individual students detained at the JDC.



Attendance



Attendance Tracking

- The facility staff must track the number of educational service hours each student receives.
- If services are missed, please indicate a reason why the student did not receive the services. (i.e. dentist, doctor, court, security, etc.)
- This information should be compiled in an encrypted or password protected spreadsheet that can be uploaded into ePlan for monitoring preparation.



Resources

Resources

- TDOE Resources

- Non-Traditional Educational Programs (NEP)**
 - + 2023 Non-Traditional and Alternative Education Summit**
 - + Title I, Part D: Neglected, Delinquent, and At-Risk Youth**
 - + Title I, Educational Stability for Children in Foster Care**
- Justice Involved Youth (Juvenile Justice)**
 - + Guidance for Incarcerated Youth in City and County Jails**
 - Guidance for Incarcerated Youth in Juvenile Detention Centers**
 - [Education of Justice-Involved Youth Training_2024-02-13](#)
 - [Juvenile-Involved Youth Point of Contact List 2024-03-07](#)
 - [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**
- [EPO Non-Traditional Educational Programs Contacts](#)
- [Coding for Residential Mental Health Placements, Juvenile Justice, and Foster Care](#)
- [NEP Monitoring Guide for Title I, Part A-Neglected; Title I, Part D, Subpart 2; and JDCs_2023-09-28](#)
- [NEP Monitoring Guide for Title I, Part D, Subpart 1_2023-09-28](#)



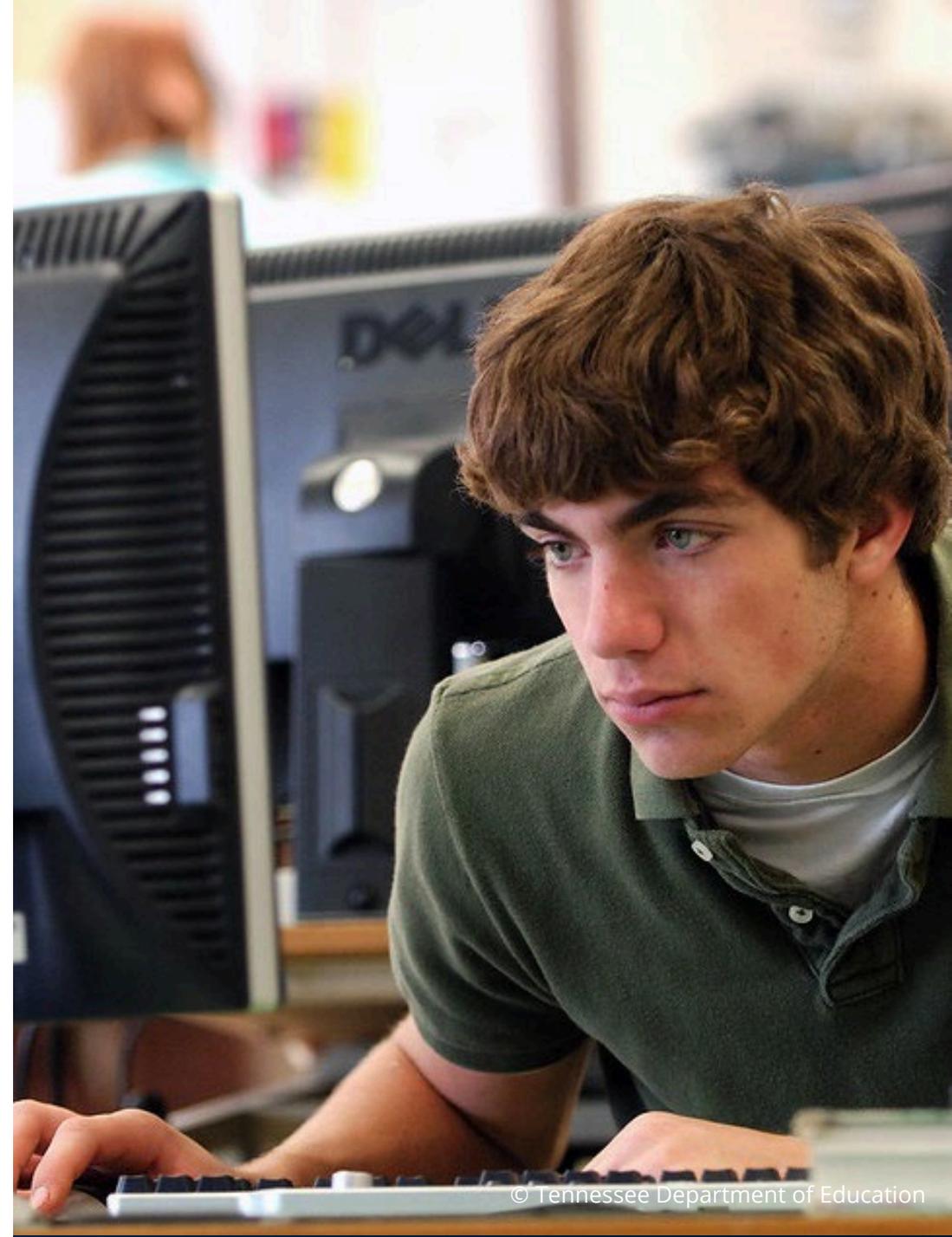


Resources

- One-pagers (in TDOE Resources)
- FAQ document
- FPO Data Manual
 - <https://eplan.tn.gov/DocumentLibrary/ViewDocument.aspx?DocumentKey=1392963&inline=true>
- U.S. Department of Education
 - <https://www2.ed.gov/policy/elsec/leg/esea02/pg9.html>
- Office of Juvenile Justice and Delinquency Prevention
 - <https://www.ojjdp.gov/>



Questions?



Contact Information

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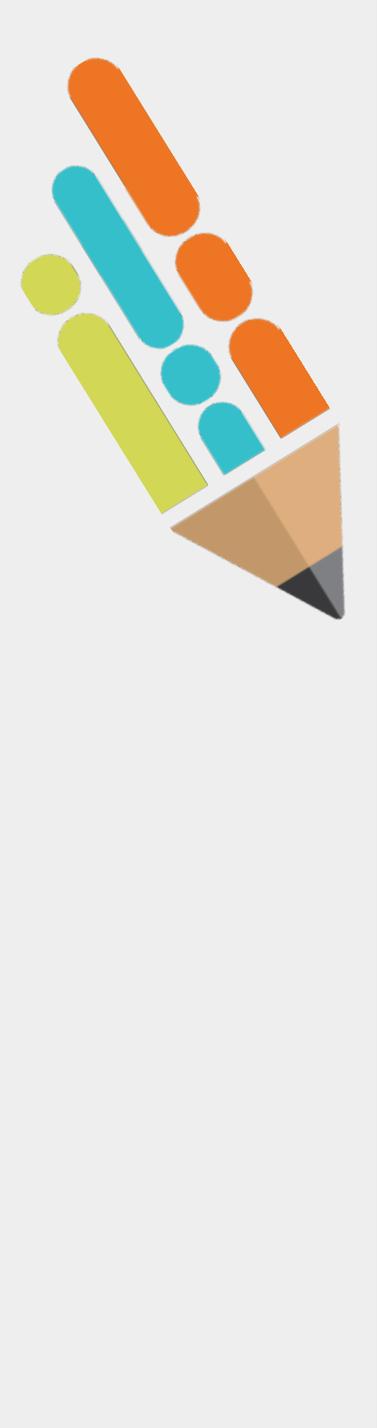
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Thank You!

Contact Info or Questions?

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