

Justice-Involved Youth Fall Training 2026

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Agenda

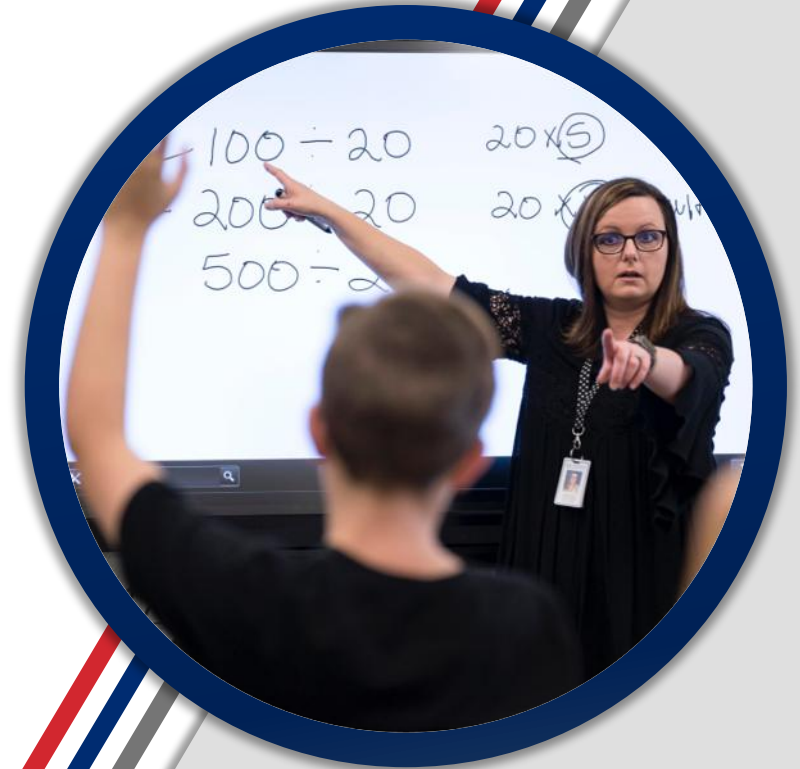
- Juvenile Detention Centers (JDCs) in TN
- Educational Requirements- TN State Board of Education (SBE) Rule 0520-01-12
- Special Education Requirements in JDCs
- Monitoring
- Attendance
- Resources



Juvenile Detention Centers (JDCs) in TN

JDCs in TN

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
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
JDC 18	Out-of-State JDC Placement



JDCs outside of TN

All JDCs outside of the state of TN must be coded as **JDC18** to track students receiving educational services in other states.



JDCs

- 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



JDCs, Part 2

- 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 the Department of Children's Services (DCS)
- DCS licenses the JDCs and will monitor them according to their facility protocol



Education requirements under SBE Rule 0520-01-12

SBE Rule 0520-01-12

Chapter Title

Education of Justice-Involved Students

This language aligns with the federal language.

Revisions to the rule were implemented in February 2024, along with virtual training opportunities offered that month. In-person trainings across the state were conducted in September 2024.

The following slides will address highlights from each section of the rule and are not comprehensive of all requirements. Please reference the entire [SBE Rule 0520-01-12](#) for all requirements.



SBE Rule 0520-01-12-.01

Scope of Rules

- (1) Each local education agency (LEA) shall be responsible for providing educational services to all students detained for longer than seventy-two (72) hours.
- (2) A Center shall be considered within an LEA’s jurisdiction when the Center is within the geographic boundaries of the LEA, and the LEA can serve the educational needs for the grade level of the student located at the Center. In the event the Center is located within the geographic boundaries of an 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.
- (3) Educational services may be provided directly by the LEA, through contract, or through other methods deemed appropriate by the LEA and approved by the Tennessee Department of Education (department).



SBE Rule 0520-01-12-.02

New Definitions with the 2024 Revision

- **“Center”** means a detention center as defined in *T.C.A. § 37-5-501* and licensed by the 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.

SBE Rule 0520-01-12-.03

Notifications and Transfer of Records

Process	Requirement
Notification of Student Placement in the Center	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.
Records Request	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.



SBE Rule 0520-01-12-.03

Specialized Support or Instruction

- 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.

SBE Rule 0520-01-12-.03

Notifications and Transfer of Records (cont.)

Process	Requirement
Development of the Educational Service Plan (ESP).	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.
Start of Educational Services	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.
Student Exits the Center	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. 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.

SBE Rule 0520-01-12-.03

Notifications and Transfer of Records (con't)

Process	Requirement
Enrollment	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.
Comparable Services	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.

SBE Rule 0520-01-12-.04

Basic Educational Services, Testing Requirements

Process	Requirement
Minimum Length of School Day	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.
Educational Services	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>
Testing Requirements	Pursuant to ESSA, each Receiving LEA shall ensure that Centers comply with the following testing requirements: 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.

SBE Rule 0520-01-12-.05

Calculation of Funds

Process	Requirements
General Education Students	<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: (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; (b) The per pupil state and local funding is then divided by the one hundred eighty (180) days to equal the total daily rate.
Special Education Students	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.

SBE Rule 0520-01-12-.06

Points of Contact

Process	Requirements
Point of Contact (POC) for Resolving Issues	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.
Point of Contact List	The department shall maintain a list of all the primary points of contact designated in paragraph (1) of this Rule.

SBE Rule 0520-01-12-.07

Security

Process	Requirements
Security	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> ❖ <i>If the Department receives notice that the Center is not providing a secure setting or access to educational services as outlined in paragraphs (1) through (3) of this Rule, the department shall provide notice to the Commissioner of the Department of Children’s Services.</i>

SBE Rule 0520-01-12-.08

Monitoring and Mediation

Process	Requirements
Monitoring	(1) The department shall annually monitor each Center to ensure the Receiving LEA's compliance with this Chapter. (1) The department shall monitor the Receiving LEA, Home LEA, and the Center to ensure that appropriate educational services are being offered at the Center.
Mediation	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.

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).

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 previous 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. Dept. 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 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, Part 1

- 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, Part 2

- 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.



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.

Monitoring

JDC Monitoring 2026-2027

- The NEP team will conduct on-site monitoring for each of the JDCs for compliance with Tenn. Code Ann. §49-6-3023 and State Board of Education Rule 0520-01-12, as well as special education requirements.
- LEAs and centers will complete monitoring pre-work and on-site questions.
- LEAs and centers must provide evidence of daily attendance data for individual students detained at the JDC.
- Within two weeks of the on-site visits, the NEP team will conduct a virtual monitoring results discussion.



Attendance

Attendance Tracking

- The LEA responsible for educational services must track attendance and educational service hours each student receives, ensuring a minimum of four general education hours and any additional services as required through specialized education.
- If services are missed, the LEA staff must track the reason(s) why the student did not receive the services. (i.e., medical appointment, court, security, etc.). LEA educational staff should be reviewing student attendance and notifying the LEA JJ POC if there are barriers to educational opportunity by the center staff. The LEA JJ POC must notify the state JJ POC if there are concerns.
- This information should be compiled in an encrypted or password-protected spreadsheet that can be uploaded into ePlan for monitoring preparation.



Resources

TDOE Resources



Non-Traditional Educational Programs (NEP)



2026 Non-Traditional and Alternative Education Summit



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 \(JIY\) Point of Contact List_2025-09-30](#)



[Educational Service Plan](#)



[Juvenile Justice FAQ 2024-08-26](#)



[One-pager for LEAs with a Facility 2024-08-26](#)



[One-pager for LEAs without Facility 2024-08-26](#)



[SPED Point of Contact List](#)



[JIY Fall Training_2025-10-20](#)



Other Sample Documents



TDOE Resources, continued

- One-pagers (in TDOE Resources)
- FAQ document
- Office of Juvenile Justice and Delinquency Prevention
 - <https://www.ojjdp.gov/>



Questions?



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