

EDUCATING JUVENILES IN ADULT JAILS: A PROGRAM GUIDE

Written and Prepared for
Office of Superintendent of Public Instruction
by
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Michelle M. Maïke, MA, Director
July 2010



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FOREWARD

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

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

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

PART I

Background/Significance



INTRODUCTION

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

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

CHAPTER 1:

BACKGROUND/CONTEXT

Use of Adult Jails to Hold Juveniles

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

These statutory changes have led to an overall increase in the number of juveniles transferred to adult criminal courts. Under Washington law, juveniles charged as adults and awaiting adjudication in criminal court may be held either in a juvenile detention facility or in an adult jail. The decision on housing prior to sentencing is a local one. State law requires juveniles who are held in an adult jail or prison as juvenile offenders to be housed separately from adults in the same facility. This "sight and sound separation" adheres to federal mandates and typically is a temporary situation prior to transfer to a juvenile facility or some other resolution. There is no such separation requirement for juveniles who are charged as adults. If the juvenile is confined to an adult jail, state and federal law is silent on where and how they are housed in relation to other prisoners (RCW13.04.030(4)).

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

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

Such decisions about where to house juveniles charged as adults are a reflection of local capacity, leadership, and community culture, and may be amended with shifts in personnel and public sentiment. The result for Washington's juveniles charged as adults is that their conditions of confinement pending adjudication are a matter of geography, not a product of their offense. This is a national situation as well. Bishop and Frazier (2000) find extreme variability among states, within states, and within counties, in the selection, adjudication, and sentencing of transferred youth.

Adult Jails and Juvenile Detention Centers

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

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

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

Juvenile Detention Centers: County or regional detention centers house juveniles under age 18 while they are awaiting court processes as well as juveniles who are serving short-term sentences. Detention sentences are a maximum of 30 days (although concurrent 30-day sentences are possible). Education provided by a local school district or an Education Services District is a central part of a day in a detention facility with attendance mandatory and non-participation sanctioned. Other services such as anger management and functional family therapy are also typically available as are referrals to community-based services for the youth and family. These are intended to support rehabilitation and transition either to school and the community or to another institution established for lengthier stays.

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

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

Juveniles held in adult jails are likely to be permitted to participate in educational offerings available to adult inmates, if requested. However, they are seldom advised of their rights to education and rarely have access to a program specifically targeted at their educational needs. It must be noted that there appears to be no particular intention to deny educational access for youth. Jail administrators express a willingness to distribute homework or self-study materials upon request, as well as to allow an interested juvenile to participate in the facility's educational programming for adults. These offerings might include adult basic education and General Equivalency Diploma (GED) preparation and testing. There is, however, little sense that juvenile participation in these educational services is promoted or actively encouraged. And, as the recent legislation underscores, educational services for these juveniles are not the jail's but the local school district's responsibility.

Number and Characteristics of Youth Involved

There is no complete and accurate accounting of how many juveniles who are being charged as adults are held in Washington's jails due to the manner in which data are recorded. The information about the characteristics of this population are similarly incomplete due to data recording procedures, nor are there data about these juveniles' mental health status, family circumstances, or substance use.

Jail Population Records: One source of data is the record of youth age 17 or less housed in the state's city and county jails compiled by the Washington Association of Sheriffs and Police Chiefs (WASPC). WASPC provided information on individuals under age 18 who were currently held in the state's local or regional jails during a single day, March 6, 2010. These data indicated that 15 of the state's jails had juveniles in their adult facilities on that day, with a total of 69 youth. Two counties—Pierce and King—accounted for 45 such inmates. No other jail had more than six juveniles in their adult facility and nine of the 15 jails reported holding just a single youth. It must be noted

that some of these reported youth were likely to have been housed in adult jails only temporarily pending transfer, with stays less than five days, and were not charged as adults.

Sentencing Records: Another source of information on juveniles who were charged as adults comes from Washington State's Sentencing Guidelines Commission (SGC). This dataset is formed by the individual's age as being 17 or less at the time the charge was filed, and includes both this age and age at sentencing. There is no way to account for the age at which an arrest was made. Years may pass between the two events in the SGC record, a situation that would mean the offender comes before the court as an adult. Further confusing the issue, criminal court processes for transferred youth may take a year or more, with the accused offender being over 18 when sentenced (Bishop & Frazier, 2000).

Distribution of Juveniles: Overall, the above two sources of information indicate that the number of Washington juveniles eligible to receive education in adult jails is fairly small at any one time. These youth are overwhelmingly concentrated in the jails of the state's two most populous counties. Smaller jails in smaller counties typically have a juvenile population ranging from zero to one or two. Thus although any juvenile resident in an adult jail poses a similar educational need, the variability in the number of juveniles involved presents a much greater educational challenge in most of the state's adult jails.

Demographics: The data reveal that juveniles who were charged as adults were disproportionately male (93%) and more likely to be minorities than the juvenile population as a whole (48% non-Caucasian). Juveniles who were transferred to adult court in Washington were disproportionately youth of color, with this discrepancy most notable for African American or Native American males (Washington Coalition, 2009). This far exceeds the proportionate population distribution of juveniles for the state as a whole as well as that for individual counties. Racial and ethnic disproportionality is a consistent national pattern associated with juvenile transfer to adult courts (Bortner, Zatz, and Hawkins, 2000).

Relevant State and Federal Laws and Regulations

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

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

The following discussion is limited to those laws and regulations that are most significant for the purpose of educating juveniles in adult jails and includes a brief summary of the most salient state and federal laws. These laws and the administrative codes that result from them are subject to changes from year to year and thus can be considered current only for the date of this document's completion. The extent to which such changes can influence practice is evidenced by the 2010 law that specifically provides for education of juveniles in adult jails. Keep in mind that laws explained in this publication may have changed since it was written. Consult with an attorney who knows this area of the law to make certain they are current.

State Laws

Second Substitute Senate Bill 6702: Juveniles in Adult Jails – Education Programs

In March 2010, the Washington State Legislature adopted Second Substitute Senate Bill 6702 (2SSB 6702) Juveniles in Adult Jails – Education Programs. This legislation addressed a gap in the law related to the provision of educational programs for juveniles held in adult jails. Prior to the enactment, provisions were made in statute for educational programs for juveniles confined in state adult prisons, state institutions for juvenile rehabilitation, and county juvenile detention facilities. No specific statutory provision was made for educational programs for juveniles confined in adult jails. The legislation corrects this omission and adds a new chapter to RCW 28A – Common School Provisions.

The 2010 legislation is based on the provisions of RCW 28A.190, concerning education for juveniles in residential facilities, including juvenile detention centers, and RCW 28A.193, dealing with education programs for juvenile inmates under the jurisdiction of the Department of Corrections. The following summary of the legislation dealing with education for juveniles in adult jails is adapted from the *Final Bill Report 2SSB 6702*. The full text of the legislation is in Appendix A and codified as RCW 28A.194. That text can be found at <http://apps.leg.wa.gov/RCW/default.aspx?cite=28A.194>. The law states that each school district within which there is an adult jail must make available a program of education for any juveniles under age 18 confined in that jail. Local districts may contract with educational service districts, community and technical colleges, four-year institutions, or other qualified entities to provide all or part of these services. The education provider and jail will negotiate a contract that defines each party's respective roles and responsibilities. ***In brief, these place the requirements for program services on the school district and make the jail responsible for securely hosting the program.***

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

The most immediately significant aspect of this legislation is its requirement for each school district with an adult jail within its boundaries to submit a plan to OSPI regarding how it will deliver instructional services in these facilities by September 30, 2010. As noted previously, although some counties have a formal or informal policy that juveniles charged as adults will be held pre-adjudication in juvenile detention facilities, such a policy does not excuse the need to submit a plan. Regardless of preferred policy, there are circumstances in which the detention center will not be suitable housing, thereby requiring that a juvenile be housed in the jail. Thus every school district in which an adult jail is located will need to have at least a rudimentary plan in place for how education will be provided.

Alternative Learning Methods

Definitions for providing educational activities in a general classroom setting inside juvenile institution schools (with multiple students) are outlined under "Educational Activity in WAC 392-122-212. School is offered five days per week, five hours per day. This method is currently used in all county detention center schools and state juvenile facilities in Washington state and could be used in adult jails where multiple students could be served together. However, circumstances in a jail could limit personal contact with a student to a few hours a week, well below the threshold of 5.0 hours of contact per day required for programs governed under the state's basic education standards. Therefore, laws regarding funding and accountability have made allowances for jail-based programs unable to provide classroom based services to multiple students, to offer education programming under the state's standards for alternative learning (WAC 392-121-182). Either method is allowable under the current rules, but the education provider must choose one or the other. These new standards (WAC 392-122-228) provide an alternative method for determining full-time equivalent enrollment and claiming state funding for public school learning experiences that are individualized, less than full-time, based on an alternative educational plan for each student, and provided in whole or part outside the regular classroom.

WASHINGTON ADMINISTRATIVE CODE (WAC) 392-122-228: Alternative learning experiences for juvenile students incarcerated in adult jail facilities

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

The regulations specify annual program monitoring and reporting to the school district's and other provider's board and adherence to state requirements for courses of study and graduation. Student performance must be supervised and assessed, and recorded by school staff, with monthly progress assessments. Direct, personal contact between the teacher and student can be as little as once a week, and as brief as 30 minutes. The school year for both program models is 220 days. These education services are funded through money appropriated by the legislature through OSPI for this purpose and allocated to the education provider. More detailed discussion of program requirements is provided in subsequent chapters of the guide.

Federal Laws

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

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

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

The shared purposes of the program under Title I, Part D, are to:

1. Improve educational services for children and youth who are “neglected,” “delinquent,” or “at risk” so that they have the opportunity to meet challenging state academic content and achievement standards;
2. Provide children and youth who are “neglected,” “delinquent,” or “at risk” with services so that they can successfully transition from institutionalization to further schooling or employment; and
3. Prevent youth from dropping out of school and provide youth who have dropped out and youth returning from correctional facilities with a support system to ensure their continued education.

In Washington state, these funds are utilized to provide transition services to juveniles leaving incarceration and to provide education advocates who can assist juveniles to remain in school after incarceration. Creation of this manual is one example of the use of these funds.

Individuals with Disabilities Act 2004 (IDEA)

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

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

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

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

CHAPTER 2:

THE SIGNIFICANCE OF EDUCATION FOR JAILED YOUTH

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

Public and Policy Supports

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

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

Improved Outcomes

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

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

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

Developmental Maturity

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

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

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

Multiple Problem Behaviors

Making the successful transition to adulthood is likely to be more difficult for juvenile offenders than for other adolescents. Multiple research studies have documented the conclusion that most juvenile offenders have “some combination of problems that are likely to compromise positive youth development” (Chung et al., 2005, p. 71). These interconnected problems are the core of the prevailing prevention approaches based on risk and protective factors (Arthur, Hawkins, Pollard, Catalano, & Baglioni Jr., 2002). This complex of associated problems includes mental health issues (a category that encompasses substance abuse), unstable and unsupportive family relationships, association with delinquent peers, lack of positive role models, and most significantly for education programs in jails, poor school performance and truancy. Another researcher (Redding, 2006) concludes that those juveniles who are most likely to become chronic offenders also can be identified by a variety of factors, including early involvement in criminal activities, family problems, runaway, and gang involvement.

Researchers Fondacaro and Fasig (2006) further note that repeated studies have related the severity of delinquent behaviors to poor school performance. They suggest this relationship is particularly likely for juveniles who are transferred to adult courts. Other factors identified as associated with juvenile offenses include low school commitment, low educational goals, and poor motivation. It comes as no surprise that juvenile offenders tend to be below grade level (JJEP, 2005). Youth in juvenile correctional and detention facilities are also more likely than their counterparts in public schools to be identified as eligible for special education services. As the previous associations would indicate, the predominant disability identified for juvenile offenders in one national study was emotional disturbance, reported for nearly half (47.7%) compared to just 8.2 percent among youth in public school settings (Morris & Thompson, 2008).

Confinement in adult jails can compound these identified problems. In addition to the boredom associated with an institution whose primary focus is security, juveniles report anxiety regarding separation from friends and family, anxiety over their unresolved cases, and anxiety posed by their placement with adult offenders and the consequent perception of risk (Bishop & Frazier, 2000). Bishop and Frazier (2000) also find that juveniles who are held in adult facilities have higher risks of suicide than do adult inmates, have more medical and social needs, and frequently need protection from harm from other inmates. The Campaign for Youth Justice reports that juveniles held in adult jails are 19 times more likely to commit suicide than youth in the general population and 36 times more likely to commit suicide than those held in juvenile detention (2007, p. 4).

The jail education program and the program’s teacher may have a significant role in countering the negative effects of this complex of problem behaviors. Kupchik (2007) reports that environments in which staff serves as mentors, such as those found in juvenile corrections facilities, are associated with more effective rehabilitation. Such mentoring roles are among the strategies identified as particularly appropriate for reducing recidivism. Bishop and Frazier (2000) emphasize that juvenile offenders need opportunities to “...form attachments to conventional others (especially staff), to be reinforced in conventional beliefs (by both staff and other inmates in programs), and to make commitments of conventional action (e.g. in educational and vocational programs)” (p. 263). Delinquent youth who have positive adult outcomes are those who have experienced “turning points” that help them move in a positive direction. The most important of these are development of supportive social bonds with peers or adults that get them involved and invested in healthy activities such as school or employment (Chung et al., 2005).

PART II

Guidelines for Effective Programs



CHAPTER 3:

GUIDELINES FOR IMPLEMENTING EDUCATION IN JAILS

Program Planning

A quality education program for incarcerated youth requires advance planning. The required timeline for notification and delivery (RCW 28A.194) allows at most ten school days from the time a juvenile enters the jail until an education program is in place. This timeline—and the further requirement for each district to submit a plan to OSPI by September 30, 2010—means that every district in which there is an adult jail needs to be planning such a program. The immediate first step in this process is for a district or designated school administrator to review their legal obligations under the legislation and the associated regulations (WAC 392-122-200 through 392-122-275).

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

KEY POINTS:

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

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

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

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

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

Roles and Responsibilities

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

KEY POINTS:

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

Requirements Under the Law: The legal foundation for the core roles and responsibilities of both parties is iterated in 2SSB 6702 and the codification of this legislation as RCW 28A.194. These are summarized in the following table.

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

Education Provider	Jail Administration
Personnel	
1. Employ and supervise teachers, administrators, and others necessary to conduct education programs	1. Conduct security clearance to approve education personnel
Environment and Supplies	
2. Provide textbooks, maps, materials, other supplies deemed necessary for education	2a. Provide access to an existing safe and secure space to conduct the education program as deemed necessary by the jail facility; provide equipment necessary for the program as deemed necessary by the jail facility; 2b. Maintain a clean and appropriate classroom environment that is sufficient to meet the program requirements and consistent with security conditions.
Program Delivery	
3a. Develop curricula, educational methods, and educational objectives subject to state and federal law; 3b. Conduct the program according to current OSPI standards; 3c. Provide such courses of instruction and school-related student activities as are provided by the school district for students outside the jail as appropriate and agreed upon by both parties	3a. Provide an inmate's medical and mental health records deemed necessary by the jail to conduct the education program; 3b. Provide appropriate supervision of inmates for safety and security of education provider and inmates during educational activities; 3c. Provide such other support services deemed necessary by the jail to conduct the education program
Timeline	
1. Provide educational services within five (5) school days of receiving notice that an individual under 18 has been incarcerated	1. Notify the local school district within five (5) school days that an eligible juvenile inmate has been incarcerated

The above summary of roles and responsibilities illustrates the cooperation that must occur between the education provider and the jail administration in regard to education programs for juveniles in adult jails. The primary responsibility for program design, delivery, and support

belongs to the education provider; the responsibility of the jail is to ensure that safety and security are maintained, and within this, to accommodate program delivery. Program design must be congruent with these distinctive roles. It is the specifics of how these functions are to be carried out that will require cooperative and advanced planning between these parties.

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

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

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

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

Teacher Characteristics

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

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

KEY POINTS:

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

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

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

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

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

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

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

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

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

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

Administrative Supports

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

KEY POINTS:

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

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

Recovering, keeping, and transmitting records is an administrative not a classroom function, and ideally is done under the direction of an education administrator even if secretarial staff manages the program's files. Records maintenance and management is sometimes the responsibility of the teacher him or herself, a situation found in Washington as well as in other states. Where this is the case, it is important that procedural guidelines for any tasks unique to the jail setting are in place in the education provider's administrative office. This will ensure continuity of program administration should a teacher leave or otherwise be unable to perform these functions.

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

The administrator will also be responsible for budgeting for other items, such as laptop computers for student use and software programs to expand learning modes and options. These are extensively utilized in jail education programs elsewhere and provide a real advantage for delivering the range of subjects and levels required by this population. These and other alternative instructional techniques are particularly important when the aim is to reach youth who have experienced previous educational problems. Any use of such technology must, understandably, be done in accord with the jail's security requirements.

Required Data Reporting: Each school district is required to annually report to OSPI the unique identifier for each assigned teacher and enrolled student in that district's courses (RCW 28A.320.175). Other data reporting on student progress and student and teacher characteristics (as identified in RCW 28A.300.500) may be included in the program evaluation, which is discussed later in this section. The state's new regulations for educating juveniles in adult jails (WAC 392-122-228) specifically include the requirement that the education provider report the enrollment count of defined full-time equivalent students (WAC 392-122-225). The determination of a full-time equivalent student is based on the number of juveniles who are completing the learning hours specified in their written student learning plan at the time of the state's enrollment count date (WAC 392-122-211).

State regulations (WAC 392-122-211) require all education providers to report the enrollment count of defined full-time equivalent students. The determination of a full-time equivalent student in adult jails under the new ALE model (WAC 392-122-228) is based on this enrollment count that will qualify the education provider for state reimbursement under State Institution Funding (See Appendix C for copy of reporting form). State Institution Funding will be allocated based on a staffing ratio of 1 full-time equivalent (FTE) certificated teacher to every 9.3 FTE students. Those facilities with enrollments greater than zero and less than 9.3 shall receive a minimum allocation for one (1) certificated teacher. The formula also provides for an allocation for certificated administrative and classified staff and is based upon a 220-day school year (WAC 392-122-228) (See Appendix C for State Institution Funding formula).

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

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

Professional Development for Jail Staff: Research findings associated with strategies to improve educational outcomes in jail settings indicate that there also is a need for specialized training of regular jail staff. At a minimum, line and administrative staff in jails housing juveniles should have some understanding of adolescent development and alternative management strategies for expressions of defiance, anger, and aggression that are likely to occur in this population. The Bureau of Justice Assistance calls for training adult security staff to respond to issues such as juveniles' high potential for victimization and the adverse emotional effects of incarceration (Austin et al., 1997). All of this and more is part of the required training provided staff in juvenile justice facilities and undoubtedly contributes to their effectiveness in rehabilitation.

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

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

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

CHAPTER 4:

WORKING WITHIN THE JAIL SETTING

Safety and Security

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

KEY POINTS:

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

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

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

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

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

Security Status: Jails classify inmates according to the security risks they are presumed to pose, and this classification system will affect education delivery. The teacher may not be able to provide any group instruction for juveniles considered maximum or high security risks. Under some conditions, teacher student contact could be restricted to that which can occur through the cell door. It is important to note that, while juvenile inmates who are in isolation or who have maximum-security status may have severe restrictions on their capacity to meet with a teacher, their rights of access to education remain in effect. This is well illustrated by the juveniles who are in the custody of the Department of Corrections and who are unable to be at the JRA facility due to some behavioral or security problem. These youth are housed in the Intensive Management Unit at the Washington Correctional Center in Shelton. They are escorted to meet with their teacher by two corrections officers, are shackled, and remain in individual confined units during instruction. Nonetheless, they are provided with their opportunity for education. Local jails will similarly be expected to find a way to achieve access to education for all their juvenile inmates, regardless of security status.

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

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

Environmental Considerations

The dominance of safety and security considerations also influences the means by which any education program will be delivered. Environmental considerations include where the teacher is able to meet with the student, what materials and resources are available for teaching and studying, and how the student and teacher can communicate with jail staff and administrators about program interests and needs. These factors will need to be clearly outlined in the formal agreement between the educational provider and the jail administration.

KEY POINTS:

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

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

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

Many common educational materials may breach jail security requirements while certain materials may be available for use in the classroom but may not be taken back to the inmate's cell. The types of materials and supplies used by the education program may vary considerably due to local rules and regulations and access to classroom space. It is imperative that education staff review desired educational materials and equipment with jail staff to ensure that selected materials do not violate security requirements. Furthermore, educators must put into place systems to account for approved equipment and materials prior to and after class. Educators must secure materials and equipment in accordance with jail procedures. All educational materials should be clearly labeled as belonging to the education provider and jail staff should be aware of procedures for returning any education materials to the program that may remain in an inmate's cell after his or her departure.

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

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

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

Special Considerations: Small Jails and Small Populations

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

Notwithstanding these equivalent rights of educational access and requirements for individualized student learning plans, small jails and small school districts are much less likely to be in a situation where a juvenile is charged as an adult and needs to be confined pending trial due to smaller populations and proportionately fewer crimes leading to adult charges. Only the counties with larger populations are likely to regularly have juveniles charged as adults and an ongoing jail education program. In most other counties, this situation will be a rare occurrence and even then, involve no more than a few juveniles. The following discussion identifies some of the key considerations that will affect education providers faced with implementing a program under these conditions.

KEY POINTS:

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

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

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

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

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

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

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

CHAPTER 5:

ELEMENTS OF EFFECTIVE PROGRAMS

Promotion and Dissemination of Program Information

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

KEY POINTS:

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

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

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

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

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

Intake Assessment and Education Planning

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

KEY POINTS:

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

Assessment: Juveniles who decide to participate in jail education services come with a variety of skills, abilities, and experiences. Development of an appropriate education plan for such a potential diversity of students begins with assessing each individual student's needs. Assessment tools, both standardized and based on interview information, help guide the teacher on the structure and content of the student's student learning plan.

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

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

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

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

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

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

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

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

Instructional Strategies

A 2002 Florida study on juvenile transfer to criminal court found that youth in adult systems need educational programming that is more structured, thorough, and intensive than that which is typically provided in adult institutions (Lanza-Kaduce, Frazier, Lane, & Bishop, 2002). Florida's Juvenile Justice Educational Enhancement Program (JJEPP) has a decade of targeted research and quality assurance efforts in the state's juvenile justice system. Their studies have found that a uniform approach is not appropriate for these youth. Rather, students need individualized student plans, curriculum focused on targeting reading and speech deficiencies, and credit-recovery programs (JJEPP, 2005).

KEY POINTS:

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

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

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

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

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

Instructional Content

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

KEY POINTS:

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

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

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

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

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

Assessment of Student Progress

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

KEY POINTS:

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

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

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

Annual Assessment: The educational progress of students enrolled full time in the jail education program is required to be assessed at least annually using the state assessment tool for the student's grade level and any other annual assessments required by the school district. This means the full-time students in the jail education program should take the state's current standardized assessment of student learning for their grade level. Assessment results for students assessed according to these provisions are to be included in the education provider's accountability measurements.

Other School-Related Activities

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

KEY POINTS:

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

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

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

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

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

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

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

Transition Planning

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

KEY POINTS:

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

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

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

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

Students who have reached the age of 18 while enrolled in the program and who will be transferring to an adult prison should be offered a chance to complete their GED before leaving the jail if they are able to do so. While basic education funding cannot be used for this testing, such individuals should be eligible for the jail's GED testing program for adult inmates if there is one in place. If the jail has no GED program, the education provider and jail administrator are encouraged to contact the local or regional community college to try to provide this service for inmates. Where GED testing is not an option while the inmate is still in the jail, records of pre-GED test scores and academic assessments should be sent to the DOC reception center to facilitate continued pursuit of this certificate.

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

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

Additional Resources



Checklist for Implementing an Education Program:

IMPLEMENTING AN EDUCATION PROGRAM FOR JUVENILES IN A LOCAL OR REGIONAL JAIL: A CHECKLIST¹

PROGRAM PLANNING	
<input type="checkbox"/>	Contact local/regional jail administrator
<input type="checkbox"/>	Determine if there is a formal or informal policy in place to hold juveniles charged as adults in local or regional detention centers rather than the jail
●	Proceed with education program checklist regardless of policy
<input type="checkbox"/>	Tour the jail facility
<input type="checkbox"/>	Identify level of need for services (<i>number and frequency of inmates under age 18</i>)
<input type="checkbox"/>	Determine education provider (Local school district assumes initial responsibility)
●	Review needs to decide if alternative education provider is more appropriate
●	Determine interest and availability of alternatives (<i>e.g. ESD Cooperative, other district, college</i>)
●	Select designated alternative, as applicable
<input type="checkbox"/>	Develop Interagency Agreement/Plan between education provider and jail (Annual Contract). Submit to OSPI.
<input type="checkbox"/>	Establish Roles and Responsibilities outlined in Interagency Agreement (see p. 34)
SAFETY AND SECURITY	
<input type="checkbox"/>	Review jail security procedures
<input type="checkbox"/>	Identify security requirements associated with educational equipment and materials
<input type="checkbox"/>	Complete jail security process (<i>e.g. background checks</i>)
<input type="checkbox"/>	Review jail communication policies
<input type="checkbox"/>	Identify jail policies on separation of inmates by age, gender, security level, or other factors
EDUCATION STAFFING REQUIREMENTS AND TRAINING	
<input type="checkbox"/>	Develop position description for administrator/principal for program and determine if from present staff or new hire, depending on program size and needs
<input type="checkbox"/>	Establish Jail Education Program Teacher job description (see pp. 28-30 for recommended characteristics)
<input type="checkbox"/>	Identify education provider resources (<i>e.g., educational materials and equipment</i>)
<input type="checkbox"/>	Identify supervisory responsibilities for staff and roles of the school and jail administrators (see p. 25)
<input type="checkbox"/>	Hire or assign staff and begin the process of completing background checks, as required
<input type="checkbox"/>	Conduct training needs assessment
<input type="checkbox"/>	Arrange appropriate training for administrator/instructor in jail security, other needs
<input type="checkbox"/>	Work with jail administrator to ensure jail staff receive training/information about the education program
<input type="checkbox"/>	Develop professional development plan for instructor based on specific needs and evaluations
PROGRAM IMPLEMENTATION	
<input type="checkbox"/>	Determine process for jail to notify education provider of eligible inmate(s) <i>e.g., juveniles under the age of 18, within five (5) school days of intake</i>
<input type="checkbox"/>	Establish process to inform inmates of their right to participate in the education program within five (5) school days of notification, or to access at any time during their jail stay prior to their 18 th birthday
<input type="checkbox"/>	Identify locations for education program delivery
<input type="checkbox"/>	Identify time of day inmates are most likely to be available for educational services – be cognizant of:
●	Predictable interruptions (<i>e.g., in cells, counts, meal times</i>)
●	Potential interruptions (<i>e.g. visiting hours, attorney visits, court appearances, lockdowns</i>)
<input type="checkbox"/>	Identify potential for use of instructional equipment (<i>e.g. computers, AV equip., etc.</i>)
<input type="checkbox"/>	Develop strategies for program promotion and provision of services
●	Brochures or other promotional materials, if needed
●	Educational materials and equipment needs

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

Checklist for Implementing an Education Program *cont.*

Checklist continued

INTAKE ASSESSMENT AND RECORDS MANAGEMENT	
<input type="checkbox"/>	Establish initial intake interview process to include the following:
<input type="checkbox"/>	● Program overview e.g., written materials, brochure
<input type="checkbox"/>	● Intake form (see sample Appendix D)
<input type="checkbox"/>	● Opt out procedures (see sample, to include subsequent return or delayed selection process, Appendix E)
<input type="checkbox"/>	● Assessment of educational and other needs including strengths and interests (see sample Appendix F)
<input type="checkbox"/>	● Verification/Identification of Individualized Education Program (IEP)
<input type="checkbox"/>	Establish procedures to ensure confidentiality of education records in accord with requirements of both the school district and jail
<input type="checkbox"/>	Establish procedures to obtain educational or other records from previous school(s) of origin
<input type="checkbox"/>	Establish procedures to maintain student records and respond to requests for transcripts
EDUCATIONAL PLANNING, INSTRUCTIONAL MODELS AND METHODS TO BE USED	
<input type="checkbox"/>	Develop written Student-Learning Plan for each student with measureable objectives and timelines (see sample Appendix G) if utilizing ALE model.
<input type="checkbox"/>	Develop/modify, as appropriate, IEP for Special Education students
<input type="checkbox"/>	Purchase or gather instructional materials and equipment (review list with jail staff to determine that all materials and equipment are in accordance with jail security requirements)
<input type="checkbox"/>	Determine instructional strategies. Consider if these are:
<input type="checkbox"/>	● Delivered one-on-one
<input type="checkbox"/>	● Suitable for learning styles e.g., visual, auditory, kinesthetic, etc.
<input type="checkbox"/>	● Culturally appropriate
<input type="checkbox"/>	Determine instructional content including:
<input type="checkbox"/>	● Course offerings aligned with district standards, as applicable
<input type="checkbox"/>	● Alternative support i.e., GED prep, career education, voc tech, Adult Basic Ed
<input type="checkbox"/>	● Supportive services
<input type="checkbox"/>	Determine need for other school-related services such as:
<input type="checkbox"/>	● Adult education and other jail programs
<input type="checkbox"/>	● Gender-specific services
<input type="checkbox"/>	Establish procedures for parental involvement
ASSESSMENT OF STUDENT PROGRESS	
<input type="checkbox"/>	Establish procedures to assess student progress toward learning goals monthly
<input type="checkbox"/>	Develop intervention plan process for students who do not make satisfactory progress
<input type="checkbox"/>	Revise intervention plan if progress not satisfactory for three months
<input type="checkbox"/>	Establish procedures to conduct annual standardized assessment of student learning
TRANSITION PLANNING	
<input type="checkbox"/>	Establish procedures to receive advance notification from jail staff of inmate release or transfer
<input type="checkbox"/>	Develop transition plan in collaboration with student and others, as appropriate
<input type="checkbox"/>	Review student's educational goals, incorporate estimated release date into Student-Learning Plan
<input type="checkbox"/>	Identify linkages that need to be made in future inmate placements or the community
<input type="checkbox"/>	Establish procedures to forward educational records

HISTORICAL SUMMARY: TRANSFER OF JUVENILES TO ADULT COURT

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

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

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

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

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

USEFUL WEBSITES

Academic Software and Assessment Programs

The Quarter Mile Math – Math Practice Software

www.barnumsoftware.com

Ultimate Phonics Reading Program

www.spencerlearning.com

GED Practice 1120

www.newreaderpress.com

Aztec Learning Systems: Adult Basic Education Series

www.multilingualbooks.com/aztec.html

Tests of Adult Basic Education (TABE), CBT McGraw-Hill

www.ctb.com

Student Learning Preferences Assessment

www.aboutlearning.com/student-learning-preferences.html

Resource Sites

NDTAC: Technical Assistance Center for the Education of Youth Who Are Neglected or Delinquent

<http://www.neglected-delinquent.org/>

Office of the Superintendent of Public Instruction, Institutional Education

<http://www.k12.wa.us/InstitutionalEd/Resources.aspx>

Office of the Superintendent of Public Instruction, Special Education

<http://www.k12.wa.us/specialed/>

Revised Code of Washington

<http://apps.leg.wa.gov/RCW/default.aspx?cite=28A.194>

Washington Administrative Code

<http://apps.leg.wa.gov/wac/default.aspx?cite=180>

WorkSource Washington State

<http://www.gotoworksource.com>

WorkSource Washington State

<http://www.gotoworksource.com>

GLOSSARY OF TERMS

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

ADA: Americans with Disabilities Act.

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

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

At-risk: The term "at-risk," when used with respect to a child, youth, or student, means a school-age individual who is at risk of academic failure, has a drug or alcohol problem, is pregnant or is a parent, has come into contact with the juvenile justice system in the past, is at least one year behind the expected grade level for the age of the individual, has limited English proficiency, is a gang member, has dropped out of school in the past, or has a high absenteeism rate at school.

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

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

Delinquent: The term "delinquent," when used with respect to a child, youth, or student, means an individual who resides in a public or private residential facility other than a foster home that is operated for the care of children and youth who have been adjudicated delinquent or in need of supervision.

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

DOC: Department of Corrections.

GED: General Equivalency Diploma.

IDEA: Individuals with Disabilities Act.

IEP: Individualized Education Plan

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

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

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

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

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

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

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

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

Neglected: The term "neglected," when used with respect to a child, youth, or student, means an individual who has been committed to an institution (other than a foster home) or voluntarily placed under applicable State law due to abandonment, neglect, or death of his or her parents or guardians.

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

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

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

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

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

SLP: Student Learning Plan

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

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

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

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Appendices



Appendix A:

Final Bill Report 2SSB 6702

FINAL BILL REPORT 2SSB 6702

C 226 L 10

Synopsis as Enacted

Brief Description: Providing education programs for juveniles in adult jails.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Kline, McAuliffe, Gordon, McDermott, Fraser, Shin and Kohl-Welles; by request of Superintendent of Public Instruction).

Senate Committee on Early Learning & K-12 Education

Senate Committee on Ways & Means

House Committee on Education

House Committee on Ways & Means

Background: Under current law, provisions are made in statute for educational programs for juveniles confined in state adult prisons, state institutions for juvenile rehabilitation, and county juvenile detention facilities. No specific statutory provision is made for educational programs for juveniles confined in adult jails.

Summary: Educational programs are available for juveniles confined in adult jails. Each school district, within which there exists an adult jail, must provide a program of education for juveniles confined therein. Districts may contract with educational service districts, community and technical colleges, four-year institutions, or other qualified entities to provide all or part of these services. A contract must be negotiated for each school year, or for a longer period if agreed to, that defines the respective duties and authority of each party, as well as the manner in which disputes or grievances are resolved. A district or other provider must: (1) employ, supervise, and control administrators, teachers, and other necessary personnel; (2) purchase, lease, rent, or provide textbooks, and other educational materials and supplies necessary for the program; (3) conduct programs for inmates under the age of 18 in accordance with program standards; (4) expend funds for the direct and indirect costs of maintaining and operating the program allocated for this exclusive purpose; and (5) provide educational services to juvenile inmates within five days of receiving notification from an adult jail that a juvenile has been incarcerated within the district's boundaries. The district or other provider must develop the curricula, instruction methods, and educational objectives of the program.

School districts that provide an education program may: (1) award appropriate diplomas or certificates; (2) allow students who are under the age of 18 when they commence the

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Appendix A: Final Bill Report 2SSB 6702 *cont.*

program, to continue in the program; and (3) spend only funds appropriated by the Legislature allocated for these programs. Excess tax levy proceeds may not be used to pay for costs incurred in this program.

To support the education program, the adult jail facility and each superintendent or chief administrator of an adult jail facility must: (1) provide access to existing instructional and exercise space that is safe and secure; (2) provide necessary equipment to conduct the education program; (3) maintain a clean and appropriate classroom environment that is consistent with security conditions; (4) provide appropriate supervision of juvenile inmates and education providers while engaged in educational related activities; (5) provide support services and facilities necessary to conduct the education program; (6) provide available medical and mental health records necessary for the educational needs of the juvenile inmate; (7) notify the district within five school days that an eligible juvenile inmate has been incarcerated in the adult jail facility.

By September 30, 2010, each school district with an adult jail facility within its boundaries must submit an instructional service plan to the Office of the Superintendent of Public Instruction (OSPI).

OSPI must: (1) allocate money appropriated by the Legislature to administer and provide education programs in adult jail facilities; and (2) adopt rules that apply to school districts and educational providers that establish reporting, program compliance, audit, and other accountability requirements.

OSPI rules must not govern requirements regarding security within the jail facility nor the physical facility of the jail. Any excess costs to the jail facilities must be negotiated between OSPI and the jail facility. OSPI must collaborate with representatives of jail facilities in development of rules for implementation of the educational program.

Votes on Final Passage:

Senate	38	8	
House	72	26	(House amended)
Senate	35	12	(Senate concurred)

Effective: June 10, 2010

Appendix B:

Sample Interagency Agreement

INTERAGENCY AGREEMENT

between

LEWIS COUNTY JUVENILE COURT

and

CHEHALIS SCHOOL DISTRICT NO. 302

This interlocal agreement is made and entered into pursuant to the provisions of RCW 39.34 by and between the County of Lewis, Juvenile Division of the Lewis County Superior Court, and Chehalis School District No. 302.

PHILOSOPHY OF AGREEMENT

The philosophy of this agreement is that both agencies will work as a team to optimize their resources pursuant to RCW 13.04.145 and RCWs 28A.190.010 through 28A.190.060, in order to make the most positive impact on youth who are under the jurisdiction of the Juvenile Division of the Lewis County Superior Court. This effort will be made during the youth's stay at the Detention Center.

PURPOSE OF AGREEMENT

The purpose of the agreement is to describe the responsibilities of the Chehalis School District ("School") and the Lewis County Juvenile Detention Center ("Detention") relative to the education program.

The School will administer the education program pursuant to RCW 28A.190.030 by:

1. complying with all security requirements specified by Detention,
1. selecting educational staff while being sensitive to Detention requirements or restrictions,
3. supervising and evaluating all educational staff,
4. providing all necessary school supplies,
5. providing all necessary instructional equipment except for the basic classroom furniture (RCW 13.04.145) which is used by Detention beyond the school day (at the School's discretion and with the agreement of Detention, the School may purchase additional classroom furniture to enhance educational program),
6. operating the school program for the funded period,
7. operating the school program in compliance with all relevant educational regulations and policies,
8. establishing the program content,
9. cooperating with Detention regarding social service needs,
10. addressing needs beyond the traditional school program to the extent of the School's fiscal and/or technical capability,
11. promoting and maintaining relations and communications with local school districts, as needed, for the educational interest of the youth,
12. budgeting and managing all School revenues (inclusive of applications and contracts) and expenditures, related to education programs operated in Detention;
13. providing information to appropriate entities such as program monitors and OSPI, as needed.

The Detention Center will support the education program pursuant to RCW 28A. 190.040 by:

1. providing class and office space,
2. providing basic classroom furniture,
3. providing facility maintenance assistance and janitorial services,
4. making youth available for a minimum of 5 hours of educational instruction between the hours of 7am and 3pm,
5. determining who is eligible to participate in school or needs to receive instructional materials in their cells as may be established by health, safety, and/or security restrictions,
6. providing youth to the classroom at the start of class,
7. removing youth from class at the request of the educational staff,

Appendix B: Sample Interagency Agreement *cont.*

8. providing information to the educational staff relevant to their safety,
9. providing as much information as possible relative to how long individual youth will be participating in the school program,
10. providing such other material and/or support services as may be required by statute.

RESOLUTION OF ISSUES

Should concerns develop, the immediate managers of the relevant departments (**Detention Manager and Head Instructor**) will work to solve the problem. In the event they are not able to solve the problem, it will be referred to the School Superintendent or his/her designee. In the event that no resolution is achieved at this level, the Detention Manager or School Superintendent or Superintendent's designee may refer the matter to the Juvenile Court Administrator for further action. In the event that no resolution is achieved at this level, the CEOs or their designees of both agencies will jointly select a third party to act as mediator in an attempt to resolve the dispute. If this does not resolve the dispute, both parties may exercise their available legal rights and remedies.

REVIEW AND AFFIRMATION OF AGREEMENT

The Superintendent or his/her designee and the Juvenile Court Administrator shall review the contents of the Agreement each year, or more frequently should it appear desirable, and shall make such changes as may be deemed necessary.

SEVERABILITY

If any provision of this Agreement contravenes any state or federal statute or regulation, the statute or regulation shall control. If any item or condition of this Agreement or application thereof to any person or circumstance is held invalid, such invalidity shall not affect the terms, conditions, or applications of the Agreement which can be given effect without the invalid term, condition, or application; to this end, the terms and conditions of this Agreement are severable.

INTEGRATION

This Agreement contains the entire understanding between the parties and shall not be modified in any manner except by written agreement executed by all parties.

TERMS OF THE AGREEMENT

This agreement shall be effective on September 1, 2009 and will remain in effect until modified or terminated.

TERMINATION OF AGREEMENT

Because some of CSD #302 employees are certificated staff and under contract, CSD #302 needs to be notified in writing by April 15th of any year if Detention elects to terminate this agreement. The termination will be effective at the end of the funded school program year (August). All supplies, equipment, staff and records will be removed by the 30th day after the end of the school program year, unless other agreed upon arrangements have been made.


If CSD #302 elects to terminate this agreement, it will provide notice to Detention by April 15th. The termination date and removal conditions are the same as above.

DATED this of , 2009

Juvenile Court Administrator
Lewis County Juvenile Department

Superintendent
Chehalis School District No. 302

Appendix C1: Monthly Report of Institutional Education Enrollment (Form E-672)

	OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION School Apportionment, Financial Services, and Finance Reform Old Capitol Building PO Box 47200 OLYMPIA WA 98504-7200 (360) 725-6300 TTY (360) 664-3631	ESD	CO	DIST
	MONTHLY REPORT OF INSTITUTIONAL EDUCATION PROGRAM ENROLLMENT (See reverse side for instructions)			

1. SERVING DISTRICT NAME	2. COUNTY NAME	3. SERVING DISTRICT NO.	4. ESD NO.	5. REPORT MONTH
6. PROGRAM OR INSTITUTION NAME	7. NAME OF PERSON PREPARING THIS REPORT	8. TELEPHONE NUMBER	9. SCHOOL BUILDING NUMBER	
10. TYPE OF INSTITUTION (Check One) <input type="checkbox"/> Group Home <input type="checkbox"/> JRA Institution for Juveniles <input type="checkbox"/> Residential Habilitation Center <input type="checkbox"/> Detention Center <input type="checkbox"/> Department of Corrections Facility <input type="checkbox"/> County or City Jail		11. ANNUAL NUMBER OF PROGRAM DAYS		SCHOOL YEAR 2010-11

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

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

Appendix C1: Monthly Report of Institutional Education Enrollment *cont.*

INSTRUCTIONS FOR COMPLETING FORM SPI E-672

GENERAL INSTRUCTIONS

Count Dates

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

Due Dates and Routing of Form SPI E-672 (Form E-672)

Reports are due at the Office of Superintendent of Public Instruction (OSPI), School Apportionment, Financial Services, and Finance Reform on September 16 and the 10th calendar day of each month, October through July.

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

Purpose

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

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

Enrollment Definitions

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

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

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

- Instruction, testing, counseling, supervision, advising, and other services provided directly by certificated staff or by classified staff who are supervised by certificated staff.
- Up to one hour per day of scheduled study time if the study is in conjunction with other educational activity and if the study is monitored by educational staff who are present during the study.
- Up to two hours per day of individual study conducted by a student when educational staff are not present if all of the following conditions are met:
 - The study is in pursuit of high school graduation credit, or the study is in a Department of Corrections facility and is in pursuit of a certificate of educational competence pursuant to RCW 28B.50.536 and chapter 131-48 WAC.
 - The study is part of a program of instruction defined by a certificated employee who evaluates the student's progress in that program.
 - The student is making progress in the program.
 - The study is not counted as work training experience pursuant to No. 4. below.
 - Combined individual study time and scheduled study time pursuant to No. 2. above claimed in determining the student's full-time equivalent pursuant to WAC 392-122-225 do not exceed two hours per day.
- Work based learning meeting the requirements of WAC 392-410-315; shall be reported in a student's full-time equivalent enrollment pursuant to WAC 392-121-124.

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

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

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

Limitations on Enrollment Counts

Enrollment FTE reported on Form E-672 are not reported on Form P-223, Monthly Report of School District Enrollment Eligible for Basic Support. Students reported on Form E-672 are not reported on Form P-223H, Monthly Report of School District Special Education Enrollment.

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

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

References

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

DETAILED INSTRUCTIONS

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

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

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

Columns A–D: All counts are as of the monthly count date and are included in the respective Total box.

Columns A and B

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

Columns C and D

Using the definition of "Residential Students" and "Day Reporting Students" above, enter the headcount and FTE of enrolled education students **whose education site is other than the institution facility named in item 6.** in the respective boxes. Day reporting educational programs may only be conducted on-site at the institution facility.

Certification

Sign and date the completed Form E-672

Appendix C2:

Basis of State Institution Funding

Basis of State Institution Funding

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

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

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

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

A.	Full Time Equivalent (FTE) enrollment \div staffing ratio =	Funded staff positions
B.	Line A * staff mix * base salary =	Funded salaries for 180 days
C.	Line B * 220 \div 180 =	Funded institutional salaries
D.	Line A * \$768 * 12 =	Health benefits
E.	Line A Certificated positions * 14.43% + Line A Classified positions * 16.58% =	Payroll taxes & retirement
F.	FTE enrollment * \$311 =	Supplies & materials (NERC)
G.	Sum of C, D, E & F =	Total institutional funding
H.	4.7% * total institutional funding =	Indirect cost allocation

Enrollment is reported on SPI Form E-672. This form is due monthly to OSPI and reports the number of students in the institution education program on a single count day, which is the fourth school day of September and the first school day of October through July. Funding is adjusted to actual year-to-date enrollment in January and thereafter uses actual year-to-date annual average full-time equivalent students (AAFTE) through August.

Appendix C2: Basis of State Institution Funding *cont.*

Month	Paid On	% Paid	Cumulative % to Date
September	Budget	7.364%	7.364%
October	Budget	7.364%	14.728%
November	Budget	4.500%	19.228%
December	Budget	7.364%	26.592%
January	Actual & Recovery for prior year	7.364%	33.956%
February	Actual	7.364%	41.320%
March	Actual	7.364%	48.684%
April	Actual	7.364%	56.048%
May	Actual	4.500%	60.548%
June	Actual	4.909%	65.457%
July	Actual	17.273%	82.730%
August	Actual	17.273%	100.00%

WAC 392-122-270 provides that “institutional education program allocations shall be based on a two hundred twenty-day school year. Allocations to a school district or other education provider offering less than two hundred twenty school days shall be reduced pro rata as provided in WAC 392-122-910.” If an institution cannot meet the 220-day requirement, they should notify OSPI as early as possible for a projection of the funding implications to the education provider.

Each month, based on the above funding rules, OSPI produces the institution report and posts it to the OSPI School Apportionment and Financial Services website (<http://www.k12.wa.us/safs/stin.asp>) by the 25th of each month so the education provider can print out the reports for their records.

OSPI distributes a memorandum annually with instructions on reporting institutional enrollment. The memorandum also includes the enrollment form and enrollment reporting due dates. The current year’s memorandum may be found at the following link: <http://www.k12.wa.us/BulletinsMemos/memos2009/M050-09.doc>.

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

Appendix D: Sample Intake Forms

TODAY'S DATE 06/25/2010		INITIAL INTERVIEW INFORMATION		<small>GHAS Feb 2008</small>	
NAME _____		BIRTH DATE _____		AGE _____	
AKA _____		JRA# _____		ETH 	
SCHOOL YEAR <input type="checkbox"/> 06-07 <input type="checkbox"/> 07-08 <input type="checkbox"/> 08-09 <input type="checkbox"/> 09-10		STUDENT'S 1st LANG _____		HOME LANG <input type="checkbox"/> ENGLISH <input type="checkbox"/> ETHIOPIAN <input type="checkbox"/> SPANISH <input type="checkbox"/> RUSSIAN <input type="checkbox"/> GERMAN <input type="checkbox"/> SAMOAN <input type="checkbox"/> FRENCH <input type="checkbox"/> UKRAINIAN <input type="checkbox"/> VIETNAMESE <input type="checkbox"/> Other... <input type="checkbox"/> CAMBODIAN	
CURRENTLY IN IEP PROGRAM		PROJECTED RELEASE CURRENT IEP		LIVING UNIT _____	
ENTRY DATE _____		MIN RELEASE _____		MAX RELEASE _____	
STATUS _____		STAFFING DATE _____		RELEASE DATE _____	
MEDICAL HIST <input type="checkbox"/> GOOD HEALTH <input type="checkbox"/> POOR VISION <input type="checkbox"/> ASTHMA <input type="checkbox"/> ALLERGIES <input type="checkbox"/> CIRCULATORY PROBLEMS <input type="checkbox"/> HEARING PROBLEM					
Parent/Guardian _____		Home phone _____			
Address _____		City _____		State _____ Zip _____	
HIGH SCHOOL AND BEYOND PLANS					
WORK EXPERIENCE <input type="checkbox"/> FOOD SERVICES <input type="checkbox"/> LANDSCAPING <input type="checkbox"/> Other... <input type="checkbox"/> CONSTRUCTION <input type="checkbox"/> OFFICE WORK <input type="checkbox"/> RETAIL SALES <input type="checkbox"/> NONE		INTERESTS _____ HOBBIES _____ <div style="border: 1px solid black; padding: 5px;"> <div style="display: flex;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg); font-weight: bold; margin-right: 5px;">CAREER PLANS</div> <div> <input type="checkbox"/> UNDECIDED <input type="checkbox"/> SOCIAL WORKER <input type="checkbox"/> ELECTRICIAN <input type="checkbox"/> BUSINESS MANAGER <input type="checkbox"/> AUTO MECHANIC <input type="checkbox"/> BUSINESS OWNER <input type="checkbox"/> COMPUTER TECH <input type="checkbox"/> PROFESSIONAL ATHELETE <input type="checkbox"/> GRAPHIC ARTIST <input type="checkbox"/> MILITARY CAREER <input type="checkbox"/> WELDER <input type="checkbox"/> TEACHER <input type="checkbox"/> CARPENTER <input type="checkbox"/> ARTIST <input type="checkbox"/> PLUMBER <input type="checkbox"/> ACTOR <input type="checkbox"/> LAW ENFORCEMENT <input type="checkbox"/> Other... <input type="checkbox"/> FACTORY WORKER <input type="checkbox"/> SALESMAN </div> </div> </div>			
VALUES _____		ABILITIES _____			
EDUCATIONAL PLANS <input type="checkbox"/> H.S. DIPLOMA <input type="checkbox"/> GED <input type="checkbox"/> JOB CORPS					
POST H.S. EDUCATION PLANS <input type="checkbox"/> UNDECIDED <input type="checkbox"/> VOC TECH SCHOOL <input type="checkbox"/> MILITARY <input type="checkbox"/> 2 YEAR COLLEGE <input type="checkbox"/> ON THE JOB TRAINING <input type="checkbox"/> EMPLOYMENT <input type="checkbox"/> 4 YEAR COLLEGE <input type="checkbox"/> JOB CORPS <input type="checkbox"/> OTHER					
VOCATIONAL INTEREST		PREVIOUS EXPERIENCE		HOW MUCH EXPERIENCE?	
AUTOMOTIVE <input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> MINIMAL <input type="checkbox"/> MODERATE <input type="checkbox"/> EXTENSIVE	
WELDING <input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> MINIMAL <input type="checkbox"/> MODERATE <input type="checkbox"/> EXTENSIVE	
COMPUTERS <input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> MINIMAL <input type="checkbox"/> MODERATE <input type="checkbox"/> EXTENSIVE	
DRAFTING <input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> MINIMAL <input type="checkbox"/> MODERATE <input type="checkbox"/> EXTENSIVE	
WOODSHOP <input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> MINIMAL <input type="checkbox"/> MODERATE <input type="checkbox"/> EXTENSIVE	
OTHER _____		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> MINIMAL <input type="checkbox"/> MODERATE <input type="checkbox"/> EXTENSIVE	
EDUCATIONAL BACKGROUND					
STUDENT REPORTED CREDITS EARNED 		History of Title I <input type="radio"/> YES <input type="radio"/> NO		SELF REPORT HISTORY SP ED <input type="radio"/> YES <input type="radio"/> NO	
DIPLOMA <input type="radio"/> YES <input type="radio"/> NO		Psble GED <input type="radio"/> YES <input type="radio"/> NO		CONFIRMED HISTORY SP ED ? <input type="radio"/> YES <input type="radio"/> NO	
H.S. DIPLOMA DATE _____		GED DATE _____		AREA OF SERV <input type="checkbox"/> RDG <input type="checkbox"/> LANG <input type="checkbox"/> OTHR <input type="checkbox"/> MTH <input type="checkbox"/> BRV	
H.S. DIPLOMA LOCATION _____		GED LOCATION _____		CURRENTLY IN SP. ED. <input type="radio"/> YES <input type="radio"/> NO	
HAVE YOU TAKEN THE WASL? <input type="radio"/> YES <input type="radio"/> NO		REFERRAL <input type="radio"/> YES <input type="radio"/> NO		REFERRAL DATE _____	
WHICH WASL's HAVE YOU PASSED? <input type="checkbox"/> READING <input type="checkbox"/> WRITING <input type="checkbox"/> MATH <input type="checkbox"/> SCIENCE					
WASL Counseling Provided: Student was informed that WASL data will be used to help them plan for skill building classes focused on their individual needs. <input type="checkbox"/> YES <input type="checkbox"/> NO					
SCHOOL #1 _____ CITY #1 _____ STATE _____			SCHOOL #5 _____ CITY #5 _____ STATE _____		
SCHOOL #2 _____ CITY #2 _____ STATE _____			SCHOOL #6 _____ CITY #6 _____ STATE _____		
SCHOOL #3 _____ CITY #3 _____ STATE _____			SCHOOL #7 _____ CITY #7 _____ STATE _____		
SCHOOL #4 _____ CITY #4 _____ STATE _____			SCHOOL #8 _____ CITY #8 _____ STATE _____		
INTAKE NOTES					

Appendix D:
Sample Intake Forms *cont.*

**JAIL EDUCATION PROGRAM
HANOVER COUNTY PUBLIC SCHOOLS
INTERVIEW FORM**

Housing Unit _____ Date: _____

Name: _____
Last First Middle

Date of Birth: _____ HCPS ID # _____
Month Day Year Hanover Students Only

Last School Attended: _____

Location: _____
(City, State)

Last Grade Completed: _____ Year Graduated: _____

GED Test Year (approximate, if necessary): _____ Location of Testing Center: _____
(State)

Have you ever received services for special education? YES NO

IEP DISABILITY : _____

This uses your Social Security Number only to expedite the processing of this form. You are not required to provide this information and cannot be penalized for declining to provide it.

SOCIAL SECURITY NUMBER: _____

I certify that the above information is true to the best of my knowledge and hereby authorize release of my education information.

APPLICANT'S SIGNATURE: (Request can be processed without the applicant's signature.) _____

For school use only:

Mailed to:

(School)

(City, State)

Faxed to: _____
Name and/or Number

Date Sent: _____ 2nd Notice _____ 3rd Notice _____

Transcript Received: _____ SPED Category: _____ GED: Yes No

Notes: _____

Appendix D:
Sample Intake Forms *cont.*

**JAIL EDUCATION PROGRAM
HANOVER COUNTY PUBLIC SCHOOLS**

INTERVIEW FORM

Housing Unit _____

Date: _____

Name: _____
Last First Middle

Date of Birth: _____ HCPS ID # _____
Month Day Year Hanover Students Only

Last School Attended: _____

Location: _____
(City, State)

Last Grade Completed: _____ Year Graduated: _____

GED Test Year (approximate, if necessary): _____ Location of Testing Center: _____
(State)

Have you ever received services for special education? YES NO

IEP DISABILITY : _____

This uses your Social Security Number only to expedite the processing of this form. You are not required to provide this information and cannot be penalized for declining to provide it.

SOCIAL SECURITY NUMBER:

I certify that the above information is true to the best of my knowledge and hereby authorize release of my education information.

APPLICANT'S SIGNATURE: (Request can be processed without the applicant's signature.)

For school use only:

Mailed to:

(School)

(City, State)

Faxed to: _____
Name and/or Number

Date Sent: _____ 2nd Notice _____ 3rd Notice _____

Transcript Received: _____ SPED Category: _____ GED: Yes No

Notes: _____

Appendix E1:

Sample Non-Participation Forms

SAMPLE NON-PARTICIPATION FORM²

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

I, _____, decline to participate in the TPCEC education program. I understand that by signing this, I will not receive services provided by the staff of TPCEC.

I also understand that in the future if I change my mind and want to enroll in the TPCEC program that option is available to me, so long as I am either under 18 years of age or, if I am older than 18, I notify the TPCEC that I wish to reenroll during the current school year. It will be my responsibility to contact the TPCEC teacher (via a Pierce County Jail KITE) that I wish to re-enroll in the TPCEC program.

Student Signature

Date

TPCEC Teacher

Date

² From Tacoma Public Schools, Tacoma Pierce County Education Center Services program (2010).

Appendix E1:
Sample Non-Participation Forms *cont.*

SAMPLE NON-PARTICIPATION FORM³

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

I, _____, understand that I have a right to a free appropriate public education until my 18th birthday (RCW 28A).

I choose not to participate in the education programs including special education and related services.

I understand that at anytime during my stay at (name of facility), I can choose to participate in and receive education and related services.

Student Signature

Date

Jail Education Coordinator/Instructor

Date

³ Adapted from State of Virginia, Department of Education, Special Education in Local and Regional Jails program manual.

Appendix E2:

Sample Termination Form

SAMPLE TERMINATION FORM⁴

TERMINATION OF TACOMA PIERCE COUNTY EDUCATION CENTER SERVICES

I, _____, am withdrawing from participation in the TPCEC education program. I am no longer interested in receiving any educational services provided by the staff of the TPCEC.

I understand that in the future should I decide to return to the program that option is available, so long as I am either under the age of 18 year of age or, if I am older than 18, I notify the TPCEC that I wish to reenroll during the current school year. It will be my responsibility to contact (via a Pierce County Jail KITE) the TPCEC teacher that I wish to reenroll in the TPCEC program.

Student Signature

Date

TPCEC Teacher

Date

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

Appendix F:

Sample Interview Questions

SAMPLE INTERVIEW QUESTIONS¹

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

What was the name of the last school you attended? How long ago did you last attend school?

What was the last grade you attended?

About how many students were in your classes?

What were your best or favorite subjects in school? What subjects gave you the most trouble?

Did you see a teacher or counselor to get extra help with those subjects, or with your behavior?

How about a speech teacher, or a social worker -- did they ever help you out?

Did you attend a special program? Did you ever attend an alternative school, or a special school?

Were you ever enrolled in special education? Did you have an IEP?

Did your parent go to school to attend an IEP meeting?

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

Appendix G:

Sample Written Student-Learning Plan

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

Student: _____ BA # _____ KSD# _____ High School Credits: _____

Start Date: _____ Anticipated End Date: June 2010 Courses meet WA State & KSD Graduation Requirements: Yes / No

Weekly Meeting Scheduled For: _____ @ _____ o'clock Monthly Evaluation Date: Last school day of each month

Minimum Hours of Study Required: *25 hours per week as shown on documented time logs completed by the student.*

Minimum Number of Assignments Required: *25 per month as documented on log sheet completed by the student.*

Student Assessment Test Scores: Math: _____ Reading: _____ Vocabulary: _____ Withdrawal Date: _____

(Instructional materials used are KSK approved materials)

Goals and Learning Activities For:	Evaluation and Grades Received (See Attached Course Contracts)
1 Complete pretests in reading, writing, vocab. & math	
2	
3	
4	
5	
6	
7 Exercise 1 hour per day	

Week #	Monday	Tuesday	Wednesday	Thursday	Friday
1					
2					
3					
4					
5					

Teacher Approval of WSLP: _____ Date: _____ WSLP Reviewal For Month 1

Student Approval of WSLP : _____ Date: _____ Progress is Satisfactory: Yes/No

(___/25 assignments completed)

Student is meeting the monthly FTE of 100 hours? Yes / No

Progress is unsatisfactory: Yes / No

Comments: _____

NAME: _____ MONTH: _____

Appendix H1:

Sample Student Contract

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

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

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

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

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

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

I have read and understand all of the above material. _____
I will come to school promptly when the teacher arrives on my unit. _____
I will complete all of the group lessons in English and math we do in class each week. _____
I will complete and record 25 assignments each month as required for my WSLP. _____
I will accurately log all of the hours I engage in school related activities. _____
I will complete work in an organized and neat manner. _____
I will maintain a high standard of appropriate behavior while in school. _____
(No swearing, No stealing, No put-downs, No aggressive play, etc.)

NAME: _____ **AGE:** _____ **GRADE IN SCHOOL:** _____

COURSE OF STUDY WHILE AT THE RJC: High School Credits; _____ **GED:** _____

BEGINNING DATE: _____ **NEXT COURT DATE:** _____

DAYS AND TIME OF SCHOOL: _____ **@** _____ **O'CLOCK**

STUDENT SIGNATURE: _____

Appendix H2:

Sample Student Record of Hours

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

NAME:

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

Total Hours For The Month:

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

Use the back of this page to record your 25 completed assignments.

Appendix I:

Sample Transition Class Syllabus

Language Arts for Transition

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

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

Sequence: Numerical order, unless asked to do otherwise

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

Appendix I: Sample Transition Class Syllabus *cont.*

Class Policies

GED Exploration

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

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

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

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

Library Visits

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

Class Description

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

Class Expectations

- Do not disturb others.
- Remain on task all period.
- Be seated, with your folder, 15 seconds after second bell.
- Do not open another student's folder or file.
- Be polite.

Assignment Grades

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

Assignment Grades

A	Acceptable
B	Revise
C	Revise
D	Revise
F	Revise

Participation

- Work all period toward your goal.*
- Allow others to work toward their goals.*
- 4 points – Works all period
- 3 points – Works 3/4 of period
- 1 point – Works 1/2 of period
- 0 points – Works less than 1/2 of period

Quarter Grades

Assignment grades = 70%.

Participation = 30%.

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