

Effective Special Education Practices for Youth Who Come in Contact With the Juvenile Justice System

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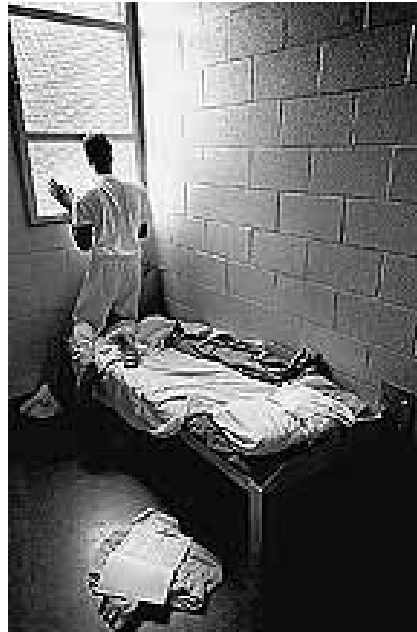
***2009 NDTAC National Conference: Improving Educational
Outcomes for All Students Who Are Neglected, Delinquent,
or At-Risk of Academic Failure.***

Key Issues – Special Ed Practices in Juvenile Corrections

- Overrepresentation & Entitlement
- Challenges associated with service delivery
- Effective instructional practices
- Quality Improvement Framework
- Monitoring & Sustainability

Youth Enmeshed in the Juvenile Delinquency System

- Youth in juvenile corrections are disproportionately African-American, Latino, male, poor and have experienced school failure
- Mental health and substance abuse problems of these youth are co-morbid with other factors that place youth at-risk for negative life outcomes



Youth Served under IDEA in Juvenile Corrections by Type of Disability

Quinn et al., (2005)

Youth served /eligible for Special Ed.	33.4% (n=8613)
Disability classifications as a percentage of all youth identified with a disability	
Emotional Disturbance	47.7%
Learning Disability	38.6%
Mental Retardation	9.7%

Entitlements & Protections

- IDEA – The Individuals with Disabilities Education Act
- ADA – Americans with Disabilities Act
- Section 504 of the Vocational Rehabilitation Act

Entitlements Apply in...

- Juvenile Corrections
 - Detention
 - Commitment
 - Day programs
 - Specialized Treatment Programs
- Adult Corrections
 - Jails
 - Prisons

Class Action Litigation:

Inadequate Education in Juvenile Corrections, (30+ years)



What Students Say

- “Am I going to get credit while I’m here?”
- “I’m learning more here than I did on the ‘outs.’”
- “I wasn’t in special education; I was in the resource program.”
- “Ms. _____ is a great teacher.”
- They need to pump up the education program.
- “How come we don’t get to _____?”
- “We don’t have a counselor. I don’t know how many credits I have.”
- “This isn’t fair.”
- “The teachers here are really good.”

Evidence-based Practices

- Both the Department of Education and the Department of Justice have mandated the use of evidence-based policies and practices.
 - How does this effect the provision of education services to youth in secure and alternative settings?
 - What do we know?



Challenges Associated with Service Delivery

- Mobility
- Instructional grouping
- Engagement
- Collaborating with custody staff, other treatment staff, and families
- Integrating school and institutional behavior management systems

Program Design

- What do we know?
 - Link between higher levels of literacy and reduced risk for:
 - Delinquency
 - Incarceration
 - Recidivism
 - Too often programs consist of worksheet-based drill & practice
 - Effective teaching practices are not common
 - School and institutional culture shape instructional practices and expectations

Evidence-based Practices

- Learning in a safe environment
- Ensuring high levels of student engagement and opportunities to respond
- Providing opportunities to achieve milestones, earn certificates and diplomas



Evidence-based Practices

- Most of the existing research involving education in juvenile corrections is descriptive
 - Many evaluative studies have been conducted by agencies and programs providing services.
 - Other research focuses on outcomes and/or adult corrections
- What works:
- High levels of student engagement are associated with achievement gains - teaching with passion and creativity
 - Intensive instruction is associated with achievement gains
 - Close monitoring of student engagement through progress monitoring is associated with students' progression through the curriculum

Elements of Effective Programming

- Academic engagement and opportunity to respond
- Social engagement
- Giving students and caregivers a piece of the action
- Opportunities for students to achieve milestones
- Standards, records, and transition

Short-term vs. Long-term Facilities

Detention

- Initial screening & assessments
 - academic & vocational aptitude
- Intensive focus on literacy & life skills
- Determining who's eligible for Spec. Ed. Services
- Developing interim IEPs; implementing existing IEPs
- Vocational exploration; sampling voc areas
- Transition planning & support

Commitment

- Assessments for instructional placement & evaluation
- Opportunity to earn credits, study for GED exam, complete state assessments
- Implementation of Special Education Services
- Comprehensive special education services
- Vocational programs; opportunity to develop entry-level skills
- Transition planning & support

Reasons for Developing a Quality Improvement Framework...

- An internal desire to ensure consistent services to the youth served in our facilities.
 - Facilities developed their own cultures.
 - No statewide consistency in the expectation of services provided.
 - Policy and procedures were not clearly defined; mostly not written and violated student rights.
 - No statewide oversight to ensure consistency.
- Federal Oversight

Developing the QI Standards

Federal Laws and Legislation

- IDEA
- NCLB
- Rehabilitation Act of 1973
- ADA

Local and State Laws and Statutes

- COMAR
- Maryland Standards for Juvenile Detention

DJS QI Process

- Comprehensive Review
- Quality Improvement Plans
- Targeted Reviews
- Technical Assistance



Education Detention Standards

- School Entry
- Curriculum & Instruction
- School Training and Staff Development
- Screening & Identification
- Parent, Guardian/Surrogate Involvement
- Individual Education Programs
- Career Technology & Exploration Programs
- Section 504 plans
- Student Supervision
- School Environment/Climate

School Entry

Challenges:

- Students admitted into the facilities were not attending school
- Local school systems were not sending student records to facilities

School Entry

Actions:

- COMAR 13A.08.07. Student records are to be requested within 2 days of enrollment in the facility schools.
- Required facility schools to interview and assess all students within three days of admission to a facility
- Required all facility schools to maintain a log of student entry, dates of school contacts, dates of record request and receipt of school records
- Required facilities to provide daily rosters to the school.

School Entry

What is reviewed:

- Student folders are compared with the facility rosters to determine who is in school.
- The log of school contacts is reviewed to determine if records are requested and students were interviewed and assessed within 3 days, and if records arrive in 5 days. (90% is considered an acceptable percentage)
- Class rosters are compared with the students in the classroom. Classes are observed.
- Students are interviewed

Curriculum & Instruction

Challenges:

- The school day was not consistent.
- Instruction was not challenging. Teachers were giving worksheets everyday.
- No variety of instruction.
- Students were not given the opportunity to take the GED
- Students weren't given the opportunity to read for pleasure.

Curriculum & Instruction

The Review:

- Classroom observations
- Comparing the school day to the posted schedules
- Observation of class transitions
- Interviews of the teaching staff
- Interviews of the school staff
- Interview of the direct care staff
- Interviews with the students
- Review of lesson plans
- Review of curriculum materials

School Training and Staff Development

Challenges:

- Schools were understaffed
- Schools lacked sufficient counselors, speech/language pathologist and psychologist to provide consistent services to special education youth
- Teachers were not content certified
- Teachers were not offered training to update their skills

School Training and Staff Development

The Review:

- Teacher interviews
- Administrator interviews
- Review of the school's professional development schedule
- Review individual teacher's professional development folders



Screening & Identification

Challenges:

- Students needing special education services were not identified by the detention schools
- Lower performing students were not being referred screening

Screening & Identification

Actions

- Interviews and assessments were reviewed by qualified staff
- A referral process was developed and all teaching staff was trained

Screening & Identification

The Review:

- Review of special education folders. The expectation is that at least 30% of the facilities population will qualify for special education.
- Review of general education folders to determine if there are students that should be screened according to the screening process
- Interview of teaching staff to determine if they know the referral process
- Review of the special education roster.
- Interview of general education students that teachers identify as not achieving in school
- Review of referral documentation

Parent, Guardian/Surrogate Involvement

Challenges:

- Minimal involvement of parents in IEP meetings in facility schools
- Inconsistent documentation of contact with parents prior to IEP meetings
- Lack of written permission for assessments
- Schools offered no surrogates for students without parents.

Parent, Guardian/Surrogate Involvement

Actions:

- Created SOPs for parental notifications
- Mandated the use of contact logs and telephone logs
- Encourage the use of telephone conference with parents
- Developed a training for surrogate parents

Parent, Guardian/Surrogate Involvement

The Review:

- Review the files of special education to determine how and when parents are contacted.
- Review telephone and contact logs
- Interview teachers
- Review parent surrogate lists
- Interview parent surrogates
- Contact parents

Individual Education Programs

Challenges:

- IEP meetings were not consistently held.
- Students were in the facilities for months before meetings were scheduled
- No continuum of services
- Teams were not properly constituted
- Many students came into the facilities without updated IEPs
- Students needed update IEPs in order to be placed into treatment programs

Individual Education Programs

Actions:

Extensive and continual training on IEP development for all special education staff and school administrators from the Maryland State Department of Education

Individual Education Programs

The Review:

- Review IEPs to determine if they are up to date
- Review IEP dates to determine the timeliness of services
- Review the IEP team to determine if the teams are appropriate
- Review IEPs for “Individualism”
- Review meeting notes to see how decisions were made
- Review related service providers documentation for frequency and duration
- Review progress reports to determine if the goals and objectives are being worked on
- Interview teachers to see if they are familiar with students needs
- Interview related service providers
- Interview students regarding their meetings

Career Technology & Exploration Programs

The Review:

- Observation of vocational classes and career education classes
- Review of class curriculum
- Interviews with teaching staff



Section 504 Plans

Challenges:

- Students were not receiving accommodations according to their 504 plans
- Plans were not being reviewed or revised while at the facilities
- Plans were not being developed for students with needs
- Teachers were unaware of students 504 plans

Section 504 Plans

Actions:

Developed a program 504 plan implementation which included training for all teachers, the development on new forms and written procedures for reviewing and revising 504 plans.

Section 504 Plans

The Review:

- Review all Section 504 plans at the facility.
- Staff interviews
- Student interviews
- Parent interviews (via telephone)

Student Supervision

Challenges:

- Students were not being brought to school because staff was out of ratio
- School was disruptive because staff were not able to manage the youth
- Class sizes were large because staff was insufficient to divide youth into smaller groups
- Youth on suicide watch were not able to attend school because a lack of staff

Student Supervision

The Review:

- Review staff patterns
- Count ratios in classrooms and hallways
- Visit units during the school hours to determine if any eligible youth are not in school
- Review Suicide Watch List to determine if the students are properly supervised in school.
- Interview Facility administrators
- Interview teachers

School Environment/ Climate

The Challenge:

Facilities had developed their own cultures. In some facilities education was not a priority. Once that mindset is adopted by the facility, the students adopt it as well.

School Environment/ Climate

The Review

- Interviews of students
- Interviews of teaching staff
- Classroom observations

Transparency of the Process

All comprehensive reports are accessible on The Department of Juvenile Services website:

<http://www.djs.state.md.us/quality-improvement-unit.html>

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