

**2016-17 Exceptional Student Education
On-Site Monitoring Report**

**Pinellas County Jail
May 15, 2017**



This publication is produced through the Bureau of Exceptional Education and Student Services (BEESS), Division of K-12 Public Schools, Florida Department of Education, and is available online at <http://www.fldoe.org/ese/mon-home.asp>. For information on available resources, contact the BEESS Resource and Information Center (BRIC).

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Authority

The Florida Department of Education, Bureau of Exceptional Education and Student Services (BEESS), in carrying out its roles of leadership, resource allocation, technical assistance, monitoring and evaluation, is required to oversee the performance of district school boards in the enforcement of all exceptional student education (ESE) laws (sections 1001.03(3), 1003.571 and 1008.32, Florida Statutes [F.S.]) and rules. One purpose of the Individuals with Disabilities Education Act (IDEA) is to assess and ensure the effectiveness of efforts to educate children with disabilities (s. 300.1(d) of Title 34, Code of Federal Regulations [CFR]). BEESS is responsible for ensuring that the requirements of IDEA and the educational requirements of the state are implemented (34 CFR §300.149(a)(1) and (2)).

In fulfilling this requirement, BEESS monitors ESE programs provided by district school boards in accordance with ss. 1001.42, 1003.57 and 1003.573, F.S. Through these monitoring activities, BEESS examines records and ESE services, evaluates procedures, provides information and assistance to school districts, and otherwise assists school districts in operating effectively and efficiently. The monitoring system is designed to facilitate improved educational outcomes for students while ensuring compliance with applicable federal laws and regulations and state statutes and rules.

In accordance with s. 951.176, F.S., minors who have not graduated from high school and eligible students with disabilities under the age of 22 who have not graduated with a standard diploma or its equivalent and are detained in a county or municipal detention facility will be offered educational services by the local school district in which the facility is located. These educational services will be based upon the estimated length of time the youth will be in the facility and the youth's current level of functioning. School district superintendents or their designees will be notified by the county sheriff or chief correctional officer, or a designee, upon the assignment of a youth under the age of 21 to the facility. A cooperative agreement with the local school district and applicable law enforcement units will be developed to address the notification requirement and the provision of educational services.

ESE Monitoring and Assistance Process

Decisions regarding the type and extent of monitoring activities, including the need for on-site visits, are based on the most current data available. On-site monitoring of special education services in a county jail is conducted on a cyclical basis because of the unique nature of educational programs implemented in these settings.

In a letter dated April 6, 2017, the superintendent of the Pinellas County School District was informed that BEESS would be conducting an on-site monitoring visit at the county jail regarding the provision of educational services to students with disabilities who are incarcerated. In addition, on April 21, 2017, the sheriff of the Pinellas County Sheriff's Office was informed that BEESS would be conducting an on-site monitoring visit at the Pinellas County Jail.

County Jail and School District Agreement

The Pinellas County Jail has an agreement in place with the district to ensure the provision of educational services for incarcerated students in the county jail who are juveniles charged as adults, aged 17 years and younger, and adults (aged 18-22 years) who have an individual educational plan (IEP). The agreement includes the following:

- The district will provide oversight for curriculum, instruction, certification and discipline.
- The educational staff at the jail will assess the educational status and needs of the students upon entry. If a student is identified as a student who is in need of special education services while in the county jail, the district will be notified.
- The district will ensure that the jail is staffed with teachers and other qualified staff who are trained to work with students with disabilities and are able to meet the unique needs of the students.
- The sheriff's office will provide the necessary location for the educational services and provide counseling and social services, as needed.
- The district will provide two classroom teachers and itinerant providers, as needed.
- Students who receive educational services will participate in progress monitoring and district and state assessments.
- Educational classes will be provided during the dates indicated on the district's regular school calendar. Any changes from this calendar must be requested in writing and be approved by the school board. Student instructional time may be adjusted because of the facility constraints in cooperation with the sheriff's office.
- The educational staff at the jail will work with students and families to transition students back to their home school or toward their graduation goal, if applicable.
- Student attendance in educational classes will be recorded daily.
- Students unable to participate in the jail educational program because of disciplinary infractions will be provided an alternate educational plan as determined by the educational staff at the jail.
- The district and the county jail will collaboratively develop and implement a programwide behavior management plan annually.
- Students who are identified as students with disabilities in need of special education services will be provided services by qualified staff to assist in meeting high academic achievement standards.
- Classroom teachers at the jail will not have sole responsibility for students and program supervision; jail staff will also assist, as needed.
- The educational administrative staff at the jail and the teachers who provide the instruction are required to follow all school board policies and procedures.
- Both the county jail and the district will be responsible for educational data collection for reporting purposes.

On-Site Activities

On-Site Monitoring Team

The following BEESS staff members conducted the on-site monitoring visit:

- Anne Bozik, Educational Program Director, Dispute Resolution and Monitoring (DRM)
- Shane Brown, Program Specialist, DRM
- Carla Greene, Juvenile Justice Liaison, Instructional Support Services

Data Collection

- Administrative focus group with district-level staff – seven participants
- Administrative focus group with county jail staff who oversee education in the county jail – two participants
- Teacher, ESE specialist and paraprofessional focus group with district-level staff – eight participants

- Student focus group – seven participants
- Classroom walk-through debriefings – one classroom and one confinement cell

Interviews Conducted

School District Administrative Focus Group

Members of BEESS conducted a focus group with administrators from the Pinellas County School District who are responsible for students with disabilities in the county jail.

Themes that emerged from the administrative focus group included the following:

- District administration indicated that they have support and collaboration in place with jail staff in order to provide services.
- Students' education records are assessed to determine students' academic status and their recommended course of study.
- Students aged 17 and younger are provided educational services and all students work toward a standard high school diploma.
- Students aged 18-22 must self-identify and request that ESE services be provided. The district recently developed a process for the jail to provide the district with a list of students who have IEPs based on intake records and self-identification upon entry.
- Obtaining educational records for students who enter the jail from school districts other than Pinellas County can be difficult.
- IEPs are revised to conform to the jail environment and policies; therefore, some accommodations may not be available.
- All students who are placed in confinement because of disciplinary infractions are provided educational services.
- All teachers at the jail currently meet the "highly qualified" criteria.
- All mental health services are provided by the jail rather than through the school district.
- The district provides transition and re-entry services to students prior to being released from jail.

County Jail Administrative Focus Group

Members of BEESS conducted a focus group with administrators from the Pinellas County Jail who are responsible for students with disabilities in their facility.

Themes that emerged from the county jail administrative focus group included the following:

- Administrative staff at the jail ensure that the district assesses the needs of the students upon entry into the jail and provide educational services by qualified staff to assist in meeting high academic achievement standards.
- Once identified as a student needing educational services, administrative staff at the jail ensure that the services, including special education services, are provided.
- District staff collaborate with the administrators at the jail to schedule educational services.
- All students who are placed in confinement because of disciplinary infractions are provided educational services.
- All students aged 17 and younger must attend educational classes and receive seven hours of instruction per day.
- Students aged 17 and younger are kept separate from students aged 18-22 when providing educational services.

- Students aged 17 and younger are enrolled through the district and students aged 18-22 are enrolled in the GED® program through the Dixie Hollins Adult School, which is a high school in the district.
- If a teacher is absent, the district is responsible for providing a substitute.
- Students can earn incentives (e.g., game time and classwork passes) for good behavior.
- Teachers are responsible for addressing classroom behavior during educational hours and use an internal disciplinary form for a behavior management system.
- The jail has a social worker that meets with students to address behavior and encourage school attendance. In addition, the social worker is responsible for the students' discharge planning process.
- The jail administration would like to implement vocational programs; however, security risks would have to be considered.
- Providing educational programs has been a positive component for students while incarcerated.

Teacher, ESE Specialist and Paraprofessional Focus Group

Members of BEESS conducted a focus group with the teachers, ESE specialists and paraprofessionals that provide educational services at the Pinellas County Jail.

Themes that emerged from the teacher, ESE specialist and paraprofessional focus group included the following:

- Students are enrolled in basic high school curriculum, which the school district staff at the jail is required to provide.
- Teachers conduct monthly child-study meetings to review student progress.
- Upon entry, students' educational records are assessed to determine their academic status and their recommended course of study.
- Student instruction is individualized based on need.
- Career testing and a class on personal, career and social development is provided to students upon entry into the jail.
- Provision of special education services (e.g., speech therapist and reading coach) is documented through consultation logs.
- The jail's social worker provides counseling to all students.
- Teachers reported participating in the students' IEP team meetings.
- Disciplinary infractions in the classroom are handled by the jail staff.
- Teachers provide instruction for students placed in confinement because of disciplinary infractions.
- Teachers administer progress monitoring (i.e., STAR and Performance Matters) and report to the school district.
- Students have the opportunity to take the Scholastic Aptitude Test and American College Test.
- Teachers provide ongoing updates to the students regarding their status toward credits needed to earn a high school diploma.
- Teachers are provided educational records and have access to mental health records for students. Student records, such as functional behavioral assessments and behavioral intervention plans, can also be accessed and updated upon admission to the jail.
- Teachers can provide positive behavior incentives, such as classwork passes and game time.

- The transition team provides recommendations on students' transition plans for agencies (e.g., Vocational Rehabilitation and Job Corps) and family resources for students returning to the district.

Student Focus Group

Members of BEESS conducted a focus group with students from the Pinellas County Jail.

Comments from the student focus group included the following:

- Students reported participating in and being able to provide input at their IEP team meetings.
- Students communicated that they felt supported by their teachers.
- Students shared their goal of earning a high school diploma or a GED® and felt they were provided resources to utilize upon their release from the jail.
- Prior to incarceration, one student was enrolled in an alternative school, other students were enrolled in their zoned school and some students were not attending school.
- Classes, such as Life Skills and How to Search for a Job, are offered to students working toward postsecondary goals.

Classroom Walk-through Debriefing

Members of BEESS conducted a classroom walk-through at the Pinellas County Jail.

Observations from the classroom included the following:

- Teachers and paraprofessionals encouraged student learning and participation.
- Students were observed actively participating in classroom instruction.
- A student, who was observed in confinement, was provided books and instruction by the teacher face-to-face and was engaged in learning.

Commendations

1. The teachers are committed to their students and work hard to motivate and incentivize students to engage in learning.
2. The Pinellas County Sheriff's Office encourages student achievement by providing a graduation ceremony for students.
3. The district has a transition team to assist students who are transitioning back into the community and the district.

Results and Next Steps

The following data reflect the next steps related to the 2016-17 ESE On-Site Monitoring Visit to the Pinellas County Jail.

| Next Steps | |
|-------------------|--|
| Summary | <p>During the visit, it was observed that the ESE services provided to students are documented by their instructors. It was also observed that students in isolation because of discipline infractions are receiving instruction. There seems to be adequate collaboration between district and jail staff regarding educational programs. Teachers at the jail are knowledgeable about their students' academic levels and individual needs. The district and the sheriff's office acknowledge student achievement by providing a graduation ceremony for students. In addition, there is a strong transition and follow-up process in place for students returning to their community.</p> |
| Recommendations | <p>The district should continue to follow the process in place for students aged 18-22 who have an IEP, including self-identifying, during intake process upon entry.</p> <p>For students who are ready to re-enter the district, upon revision or amendment of their IEP, extensive notes should be included regarding ESE services, such as counseling, that may be provided by the jail and not provided by the district.</p> |
| Required Actions | <p>Pursuant to 34 CFR §300.320(a)(4), IDEA requires that the IEP be developed to include a statement of special education, related services, and supplementary aids and services that will enable the student to advance toward attaining the annual goals and to make progress in the general education curriculum. The district's ESE Policies & Procedures for providing educational programs for students with disabilities in their county jail, state that students in the general education classroom receive appropriate and allowable accommodations on the consultative model and are monitored by their case manager.</p> <p>IEPs should be based on the needs of the students and not strictly a consultative model as stated in the district's ESE Policies & Procedures.</p> <p>By December 1, 2017, the district must provide the BEESS liaison via BEESSMonitoring@fldoe.org with changes to their policy or procedures related to this requirement.</p> |

Technical Assistance

1. **Implementing a Multi-Tiered System of Support for Behavior: Recommended Practices for School and District Leaders** (Florida's PBIS Project) may be accessed at http://flpbs.fmhi.usf.edu/pdfs/RTIB%20Guide%20101811_final.pdf and provides an overview of the critical components of a multi-tiered system of supports for behavior. These critical components describe systems changes that are necessary for a results-driven ESE system.
2. **Developing Quality Individual Educational Plans: A Guide for Instructional Personnel and Families** may be accessed at <http://fldoe.org/core/fileparse.php/7690/urlt/0070122-qualityieps.pdf>. Explanatory information to help students understand the rights and responsibilities that go along with special education services can be found in Chapter 8, Procedural Safeguards (Rights and Responsibilities), of **A Parent's Introduction to Exceptional Student Education in Florida**, which may be accessed at <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070085-eseparent.pdf>. This document is also available in Spanish and Creole on the BEESS website.
3. The United States Department of Education and the United States Department of Justice, joined together and provided state school officers and state attorney generals with a letter dated, December 8, 2014, regarding youth in juvenile justice facilities and correctional facilities that clarified State and public agency obligations under IDEA to ensure the provision of a free appropriate public education (FAPE) to eligible students with disabilities in correctional facilities. This letter may be accessed at <http://www2.ed.gov/policy/gen/guid/correctional-education/csso-state-attorneys-general-letter.pdf>.
4. Special Ed Connection® provided information dated May 15, 2015, on Buckley v. State Corr. Inst.-Pine Grove, 65 IDELR 127 (M.D. Pa. 2015). This case refers to a prison that denied a FAPE to a student with a disability. The youth was denied all special education services on the grounds that the student presented a security risk. Information regarding this case may be accessed at <http://www.specialedconnection.com/LrpSecStoryTool/index.jsp?contentId=22696542>.

BEESS On-Site Monitoring and Assistance Team

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