

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

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**Polk County Jails  
May 17, 2017**



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## **Authority**

The Florida Department of Education, Bureau of Exceptional Education and Student Services (BEES), 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]). BEES 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, BEES 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, BEES 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 the 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 Polk County School District was informed that BEES would be conducting an on-site monitoring visit at the two county jails regarding the provision of educational services to students with disabilities who are incarcerated. In addition, on April 21, 2017, the sheriff of the Polk County Sheriff's Office was informed that BEES would be conducting an on-site monitoring visit at the Polk County Central Jail (PCCJ) and the South County Jail (SCJ).

## **County Jail and School District Agreement**

The Polk county jails include the PCCJ and SCJ. The Polk county jails have an agreement in place with the district to ensure the provision of educational services for incarcerated students in

the county jails who are juveniles charged as adults, aged 17 years and younger, and adults (aged 18-22 years) who have an individual educational plan (IEP). Students aged 17 and younger are housed at PCCJ and students aged 18-22 are housed at SCJ. The agreement includes the following:

- The district will provide educational programs for students identified as eligible for alternative and exceptional education at the jails.
- The county jails will provide a detention deputy in each educational classroom for security.
- The district will ensure that the educational programs at the jail are coordinated with the student's home school, particularly for students who have an IEP.
- The district will identify if a student in the jail is in need of special education services and notify the student's local school.
- The district will provide transition assistance to help students continue their education, including coordination of services for the family, counseling assistance in accessing drug and alcohol abuse prevention programs, tutoring and family counseling.
- The district will provide support programs that encourage students who have dropped out of school to re-enter school upon release from the jail or provide the students with the skills necessary to gain employment or seek a high school diploma or high school equivalency.
- The district will ensure that the jail is staffed with teachers and other qualified staff who are trained to work with students with disabilities in order to meet their unique needs.
- The district will ensure that the educational programs at the jails help assist students to meet high academic achievement standards.
- The district, to the extent possible, will use technology to assist in coordinating educational programs between the county jails and the community schools.
- The district will, where feasible, involve parents of the students in efforts to improve student educational achievement and prevent further involvement in delinquent activities.
- The district will work with local businesses to develop training, curriculum-based youth entrepreneurship and mentoring programs for students.

## **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 – four participants
- Administrative focus group with county jail staff who oversee education in the county jails – four participants
- Teacher focus groups with district-level staff – nine participants
- Student focus groups – nine participants
- Classroom walk-through debriefings – two classrooms

## **Interviews Conducted**

### **School District Administrative Focus Group**

Members of BEESS conducted a focus group with administrators from the Polk County School District who are responsible for students with disabilities in PCCJ and SCJ.

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

- Students' education records are assessed to determine students' academic status and their recommended course of study.
- Students aged 17 and younger are provided five and a half hours of instruction per day in PCCJ.
- There is a process in place for students aged 18-22 who have an IEP to choose whether to participate in educational services in SCJ.
- Obtaining educational records for students who enter the jail from other districts 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.
- The district provides transition and re-entry services to students who will be released from the jail back to their home district.
- District staff reported that they would like to provide more instruction utilizing technology; however, they are limited by the security requirements of SCJ.
- GED® testing is offered at PCCJ.
- "Edgenuity" is used for computer-based instruction, which enables a seamless transition for students coming from districts that use this program.
- Vocational programs are offered through Polk State College at SCJ.
- The district schedules a re-entry team meeting with jail staff when a student is ready to be released back to the district.

### **County Jail Administrative Focus Group**

Members of BEESS conducted a focus group with administrators from PCCJ and SCJ who are responsible for students with disabilities in these facilities.

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

- Administrative staff at the jails identify students in need of educational services, including special education services, through intake records and notify the district.
- Administrative staff at the jails ensure that the district assesses the needs of the students upon entry into the jail and provides educational services by qualified staff to assist in meeting high academic achievement standards.
- District staff collaborate with the administrators at the jails to schedule educational services.
- All students aged 17 and younger at PCCJ receive five and a half hours of instruction per day and students at SCJ receive six hours of instruction per day.
- Attendance records are kept at both jail sites and the counselors on staff visit students who refuse to attend class or refuse instruction provided in confinement.
- If a teacher is absent, the district is responsible for providing a substitute.

- Teachers are responsible for addressing classroom behavior during educational hours; however, the student resource officer may help, when needed.
- Juveniles are not usually placed in confinement; however, if students are placed in confinement because of disciplinary infractions, they are provided educational services.

## **Teacher Focus Groups**

Members of BEESS conducted focus groups with the teachers that provide educational services at PCCJ and SCJ.

Themes that emerged from the teacher focus groups included the following:

- Students are enrolled in basic high school curriculum, which the school district staff at PCCJ is required to provide.
- At PCCJ and SCJ, teachers conduct monthly child-study meetings to determine student progress.
- Students' educational records are assessed to determine their academic status and their recommended course of study.
- Student instruction is individualized based on need.
- Provision of special education services is documented through consultation logs.
- "Edgenuity" is used for computer-based instruction at PCCJ, which enables a seamless transition for students coming from districts that use this program.
- Teachers reported participating in students' IEP team meetings.
- Teachers reported that all IEPs are housed at the jails and teachers are provided hard copies.
- Teachers provide instruction for students placed in confinement because of disciplinary infractions.
- Teachers reported that they handle disciplinary issues during instructional time.
- Teachers at PCCJ reported that students can have their jail time reduced when they demonstrate participation and progress in their educational program.
- The district is in the process of getting approval for PCCJ to become a GED® testing site.
- Teachers at PCCJ indicated a need for an additional ESE teacher for support facilitation.
- Teachers at SCJ indicated a need for an on-site social worker.
- The district provides speech and language therapy and vision and gifted services at both jails.
- At PCCJ, students utilize computers for instruction and to complete career-interest surveys and resume writing. Each student is provided a flash drive with resources upon release from the jail.
- All students work toward the specified diploma on their IEP while incarcerated.
- Students at PCCJ complete a career assessment with education planning using the Kuder Career Planning System.
- A teacher at SCJ indicated that the students were pleasant to work with as they attend educational classes on a voluntary basis.
- Teachers from PCCJ indicated that progress was monitored using student work samples and at SCJ progress was monitored using a continuation log.
- The transition specialist at SCJ advises students on what is needed to graduate with a high school diploma.
- At PCCJ, educational data are shared among staff through portfolios and flash drives and the educational staff meet daily to communicate about the students' progress.

## **Student Focus Groups**

Members of BEESS conducted focus groups with students from PCCJ and SCJ.

Comments from the student focus groups 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 at SCJ would like computers for credit recovery programs and access to “Edgenuity” to continue coursework if transferred from PCCJ.
- Students from SCJ would like career and workplace-essential classes to include budgeting, accounting and business instruction.
- 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.
- Some students were attending school prior to incarceration and other students had dropped out.
- Not all of the students knew how many credits they needed to graduate.
- Students indicated that they know people that can assist with employment once they are released from jail. In addition, the students are provided with resources from the district and the jail prior to release.
- Students indicated that they wanted to be challenged academically.
- Some students expressed that they wanted to earn a GED® while in jail and others expressed that they wanted to earn credits toward a high school diploma.

## **Classroom Walk-through Debriefings**

Members of BEESS conducted classroom walk-throughs at PCCJ and SCJ.

Observations from the classrooms included the following.

- At SCJ, students were engaged in direct instruction.
- At PCCJ, classrooms contained books and posters that motivated students to learn.
- At PCCJ, computer-based instruction was evident and student progress was posted on the walls.

## **Commendations**

1. The teachers developed effective reinforcers to encourage the students to engage in learning.
2. Upon release from jail, students at PCCJ are provided with flash drives that include their education records, career and transition resources.
3. The teachers at PCCJ meet daily to discuss instructional planning, student progress and positive school climate.

**Results and Next Steps**

The following data reflect the next steps related to the 2016-17 ESE On-Site Monitoring Visit to the Polk county jails.

<b>Next Steps</b>	
<b>Polk County Central Jail</b>	
Summary	The district provides a structured educational program and there are incentives in place to motivate student achievement. Based on interviews, the district appears to communicate well with jail staff, as needed. Blended learning consisting of direct instruction and computer-based instruction was observed.
Recommendations	Rule 6A.6-05281(5), Florida Administrative Code (F.A.C.), Educational Programs for Students in Department of Juvenile Justice Detention, Prevention, Residential, or Day Treatment Programs, outlines components of a transition plan. While this rule is not specific to county jails, it is a recommended model for the purpose of transitioning students from a county jail to the post-release district. The district should consider a comprehensive approach to re-entry that would include convening the IEP team prior to a student's release to review student progress, and recommend supports and services needed upon re-entry to the post-release district.
Required Actions	None.
<b>South County Jail</b>	
Summary	Students at the jail attend educational classes on a voluntary basis and are motivated to learn and to earn a high school diploma.
Recommendations	Rule 6A.6-05281(5), F.A.C., Educational Programs for Students in Department of Juvenile Justice Detention, Prevention, Residential, or Day Treatment Programs, outlines components of a transition plan. While this rule is not specific to county jails, it is a recommended model for the purpose of transitioning students from a county jail to the post-release district. The district should consider a comprehensive approach to re-entry that would include convening the IEP team prior to a student's release to review student progress, and recommend supports and services needed upon re-entry to the post-release district.  Once the district makes Edgenuity available, SCJ will be able to engage students in a credit recovery program and provide a transition assessment for the students.
Required Actions	None.

## 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](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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Pam Stewart, Commissioner

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