



**PROVIDING EDUCATION TO YOUTH INVOLVED WITH THE CRIMINAL OR JUVENILE
JUSTICE SYSTEMS:
LOCAL EDUCATION AGENCY RESPONSIBILITIES**

INTRODUCTION

The Office of the State Superintendent of Education (OSSE) is committed to supporting local education agencies (LEAs) and correctional facilities that serve District of Columbia students with information and resources to ensure the continued education of students who are detained, incarcerated, or re-entering the community from District of Columbia correctional facilities. It is OSSE's expectation that these students are provided the same access to a high-quality education as all other students in the city, and that programs serving this population produce the same academic and graduation rates.

The Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA) of 2015, emphasizes the need to create smooth transitions between correctional facilities and locally operated programs for students who are neglected, delinquent, or at-risk.¹ This guidance is intended to help LEAs effectively navigate the juvenile justice system in the District of Columbia when a student is detained, incarcerated or re-entering into the community from a correctional facility.² The District of Columbia Public Schools (DCPS), in partnership with District sister agencies, plays a unique role as the LEA providing education while students are detained or incarcerated. However, it is the obligation of all LEAs to ensure that students transitioning from correctional facilities are timely served upon their re-entry to the community.

To facilitate these transitions, OSSE and other key partners have developed interagency agreements and mechanisms for data sharing. In addition, OSSE's Division of K-12 Systems and Supports has a dedicated point of contact whose role is to support the timely sharing of information, address systemic challenges on behalf of transitioning students, and help ensure that the District meets its obligations to all students.

Last updated: June 2018

¹ ESEA section 1414(a)(1)(B))

² This document is for informational purposes only. It is not intended to provide legal advice.



OVERVIEW OF KEY JUVENILE JUSTICE SYSTEM PARTNERS

District of Columbia Department of Corrections (DOC) Inspiring Youth Program (IYP)		
<p>Description: IYP is an education program located within DOC facilities (Central Detention Facility [“CDF”] and Correctional Treatment Facility [“CTF”]). The program provides general and special education services to eligible pretrial detainees and sentenced inmates at DOC facilities.</p> <p>Student Population Served: Ages 16 and 17: Youth who are charged as adults, held in an age-specific unit, either pre-trial or post-conviction. Ages 18 to 22: Adults detained/ incarcerated for pre-trial or post-conviction (sentences of up to one year).</p>	<p>Agency Responsible for Delivery of Education Services: DCPS on behalf of DOC</p> <p>Key Resource: <i>Memorandum of Agreement (MOA) Between DOC, DCPS, and OSSE Related to the Educational Services for Pretrial Detainees and Sentenced Inmates Incarcerated at DOC Detention Facilities³</i></p>	<p>School address: 1901 D St. SE Washington, DC 20003 (202) 523-7119</p> <p>Principal: Soncyree’ Lee Email: Soncyreel.Lee@dc.gov</p> <p>Special Education Coordinator Theresa Alexis-Williams Email: Theresa.Alexis-Williams@dc.gov</p> <p>Website: http://www.inspiringmindsdc.org</p>
District of Columbia Department of Youth Rehabilitation Services (DYRS) New Beginnings Youth Development Center		
<p>Description: New Beginnings is a secure residential treatment facility for young males and females. Youth at New Beginnings participate in the DC Model program, which provides supervision, rehabilitation, and planning for the youth’s return to his/her community.</p> <p>Student Population Served: Ages 12-20: Youth who are committed and ordered to stay at the facility for a specific time period (average length of stay is nine months).</p>	<p>Agency Responsible for Delivery of Education Services: DYRS</p> <p>Key Resource: <i>MOA Between OSSE, DCPS, and DYRS to Address Educational Services for Youth Committed to DYRS</i> (web link)</p>	<p>Maya Angelou School at New Beginnings 8400 River Road Laurel, MD 20724 (202) 299-3227</p> <p>Principal: Azalia Speight Email: aspeight@seeforever.org</p> <p>Dean of Students Tammy Fenton Email: TFenton@seeforever.org</p> <p>Website: http://www.seeforever.org/maya-angelou-academy-staff/</p>

³ This MOA is currently being finalized. Once finalized, it will be posted at www.osse.dc.gov



**District of Columbia Department of Youth Rehabilitation Services
Youth Services Center (YSC)**

<p>Description: YSC is a secure residential facility for detained male and female youth awaiting adjudication and/or disposition by the courts. YSC has 24-hour supervision and comprehensive social services, including a variety of academic and experiential programs provided by DCPS. Youth attend school five hours per day, five days per week.</p> <p>Student Population Served: Ages 12 to 20: Youth detained and awaiting disposition.</p>	<p>Agency responsible for Delivery of Education Services: DCPS</p>	<p>School Address: 1000 Mt. Olivet Rd. NE Washington, DC 20002 (202) 576-8388</p> <p>Principal: Soncyree' Lee Email: Soncyreel.Lee@dc.gov</p> <p>Special Education Coordinator Theresa Alexis-Williams Email: theresa.alexis-williams@dc.gov</p> <p>Website: http://www.inspiringmindsc.org</p>
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**Federal Bureau of Prisons
(FBOPs)**

<p>Description: Prisons for adults charged and convicted of a crime.</p> <p>Student Population: Adults and juveniles convicted as adults with sentences longer than one year.</p>	<p>Agency responsible for Delivery of Education Services: None</p>	<p>Website: https://www.bop.gov/</p>
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FREQUENTLY ASKED QUESTIONS

1. What should I do if I believe that a student at my school may have been detained/arrested?

If you believe that your student may have been detained, first contact the student's parent. Seeking information from parents/guardians is a critical first step, as they may have the most up-to-date information about a student's whereabouts.

If your student's parent/guardian is not accessible, check OSSE's State Longitudinal Education Database (SLED). SLED may contain a change in the student's enrollment status and may show the new school the student is attending while detained.

If SLED does not show an updated change in the student's school enrollment, contact OSSE's point of contact, Alison Losey, OSSE Correctional Facilities education specialist, at Alison.Losey@dc.gov or at (202) 654-6110.

2. As a charter LEA, what are my obligations to hold a seat for a student who is detained/ incarcerated?

The length of time a charter LEA should hold a seat for a student who is detained/incarcerated should be determined on an individualized basis. While there is no minimum requirement, LEAs are encouraged to make determinations consistent with the District of Columbia's obligation in accordance with ESEA Title I, Part D to ensure educational continuity and smooth transitions for students returning from correctional facilities. Some students may be detained at facilities, such as YSC, for periods of time as short as a few hours to as long as several months. During the time the student is detained/incarcerated, the student will be enrolled in the facility's education program. This may cause the student to be exited from the LEA's student information system (SIS). However, once the student is discharged from a correctional facility, depending on the length of time he or she was detained/incarcerated, the student should have the opportunity to return to the LEA of enrollment prior to his/her incarceration. Therefore, it is critical that the LEA contact the correctional facility in which the student is located to help determine the anticipated time frame of the student's absence.

3. A student enrolled in my school/LEA is attending YSC and now I cannot access her/him in my school's SIS or *EasyIEP*. What steps can I take to access his/her information?

First, check SLED to identify where the student is detained and then contact the correctional facility in which the student is located to seek the information needed for the student.

If SLED does not show an updated change in the student's status, contact OSSE's point of contact, Alison Losey, OSSE Correctional Facilities education specialist, at Alison.Losey@dc.gov or at (202) 654-6110.

4. How should my LEA code absences for a student while he or she is detained?

An absence will only be considered "excused" if a valid explanation is provided to the school within a reasonable timeframe.⁴ Although detention in a correctional facility is not specified as an "excused" absence by DC Municipal Regulations, OSSE strongly encourages LEAs to consider absences due to detention in a correctional facility as excused once they become aware of the detention, in accordance with 5-A DCMR 2102.2(k). This approach, which should be reflected in the LEA's written policy to ensure consistent application among staff, prevents further negative consequences that may lead to an even greater disruption in a student's education.

5. Will my LEA receive funding through the Uniform Per Student Funding Formula (UPSFF) for a student when he/she returns?

If the student was identified as receiving educational services (stage five of enrollment)⁵ via the annual October enrollment audit, the LEA will continue to receive funding as long as the student remains enrolled. For more information about UPSFF payments, please read this [guidance document](#).

6. What if a student enrolled in my school/LEA is detained in a Maryland or Virginia correctional facility?

Please contact Alison Losey, OSSE Correctional Facilities education specialist, at Alison.Losey@dc.gov or at (202) 654-6110. OSSE will assist you in determining next steps through an individual case review.

7. What are the MOAs of which I should be aware, and what are their purposes?

OSSE has developed several MOAs with sister agencies to support educational programming and smooth transitions for students in correctional facilities, as follows:

- [***MOA Between OSSE, DCPS, and DYRS to Address Educational Services for Youth Committed to DYRS***](#). OSSE, DYRS and DCPS have an interagency MOA that delineates the responsibilities of each agency for general and special education during the time a student is housed at a DYRS correctional facility and when transitions occur between the correctional facility and locally operated programs. The MOA, which is anchored in a two-way data sharing agreement, also ensures that the transition of children and youth between correctional facilities and locally operated programs is adequately supported. Per this

⁴ https://attendance.dc.gov/page/attendance-faqs#_ftn2

⁵ The six stages of enrollment, as set forth in 5-A DCMR 2199, apply to every public and public charter school student's attendance record. Each stage represents a different event in the enrollment process. Students must be in an LEA's SIS at Stage 5 in order to count as part of the LEA's enrollment.

agreement, DYRS is the public agency responsible for ensuring access to education for youth committed to DYRS custody and attending school at the New Beginnings Youth Development Center (New Beginnings), a long-term secure juvenile rehabilitation facility operated by DYRS.

Activities in the MOA include, but are not limited to:

- Facilitation of records transfer and related data sharing;
- Oversight and monitoring of the provision of a free and appropriate public education (FAPE);
- Provision of required accommodations for youth with disabilities committed to DYRS;
- Overall coordination of the transition process, including re-enrollment process, when a student is preparing for discharge from DYRS correctional facility, out-of-state residential facility, or out-of-state group home; and
- Joint planning and consistent communication by all participating agencies.

To ensure compliance with the MOA, involved agencies meet on a regular basis to review student placement status and develop a plan to address any issues that may impact continuity of service delivery and/or compliance with federal and local law.

- ***MOA Between DOC, DCPS, and OSSE Related to the Educational Services For Pretrial DOC Detainees and Sentenced Inmates.*** DOC, DCPS, and OSSE have an MOA to ensure that general and special education services are provided for eligible pretrial detainees and sentenced inmates housed at DOC facilities, with the goal of ensuring that required educational services are provided to these individuals pursuant to the ESEA and the Individuals with Disabilities Education Act (IDEA).

The purpose of the MOA is to improve educational outcomes by minimizing disruption in general and special education services during the detainment and/or incarceration of youth of compulsory school age,⁶ as well as young adults beyond compulsory school age, who are still eligible to receive special education services pursuant to IDEA. Pretrial detainees and/or sentenced inmates may be entitled to special education services⁷ while at a DOC facility if they are between ages 16 and 22 and have previously been found eligible for special education services in accordance with IDEA and local law. Pretrial detainees and/or sentenced inmates at a DOC facility who are below age 18 and are *suspected* of being eligible for special education services under the IDEA must be identified and evaluated in accordance with the IDEA and provided services if found eligible.

⁶ An individual is of compulsory school age if he/she is under 18 years old.

⁷ *Special education*, as defined in 20 U.S.C. § 1401(29), is specifically designed instruction, at no cost to the parent, to meet the unique needs of a child with a disability.

Activities outlined in the MOA include, but are not limited to:

- Facilitation of the prompt transfer of records;
- Continued coordination and involvement by representatives of DOC and DCPS;
- Monitoring of the delivery of special education services; and
- Oversight and monitoring of the provision of a FAPE.

For any questions or information, please contact Alison Losey, Correctional Facilities education specialist, at Alison.Losey@dc.gov or at (202) 654-6110.

