

Partnering for Success in Correctional Education:

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**OFFICE OF SPECIAL EDUCATION PROGRAMS
IDEA**

2015 NDTAC NATIONAL CONFERENCE

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Value of Interagency Coordination

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- Enables agencies to appropriately address FAPE as it pertains to the high rate of mobility of students with disabilities in the correctional education system.
- Facilitates communication between key partners (e.g, transfer of records; data collections, monitoring, and parent involvement).
- Facilitates models that emphasize State re-entry options (e.g, virtual and evening/alternative schools, dual enrollment high school college programs and GED).
- Enhances the availability of flexible and reliable funding.
- Enables synchronization of activities and timelines (e.g, joint monitoring and professional development activities).
- Strengthens collaboration with community based organizations (e.g. probation and parole officers and other social services).

The Value of Partnership



National Level

- U.S. Department of Education (OESE/OSERS/OSEP/OPS/OVAE/ED-OCR)
- U.S. Department of Justice (DOJ)
- Office of Juvenile Justice and Delinquency Prevention (OJJDP)
- Correctional Education Association (CEA)
- American Institute of Research (NDTAC)

Regional and Local Level

- Local Education Agencies- School Districts/ (SPED Director); Department of Corrections; Juvenile Justice Facilities as a (LEA)/ and Group Homes, etc.
- Non-Education Public Agencies- Contracted and Private
- Local Juvenile Court Systems- to include Probation Officers and Counselors
- Local Police and Sheriff (City and/or County)
- Parent Technical Assistance Center

State Level

- State Chief Executive Officer
- State Department of Education, Special Education Director
- State Department of Education, State Title I Part- D Director
- State Department of Education, Correctional Education Director
- State Special Education Advisory Panel (SEAP)
- State Correctional Education Association and/or Organization
- Juvenile Justice Facilities Superintendents
- State Juvenile Court System Organization (Judges)
- State Police Organization
- Department of Corrections and/or Department of Youth Services
- Parent Technical Assistance Center
- OSEP Funded Technical Assistance Centers
- Department of Social Services (Social Workers)

Interagency Coordination and IDEA

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- States must have interagency agreements or other methods for ensuring interagency coordination so that it is clear which agency or agencies are responsible for providing or paying for services necessary to ensure FAPE for students with disabilities in correctional facilities. (34 CFR §300.154(a)).

Include Provision Relating to:

- Financial responsibility of each agency for providing special education and related services, including reimbursement terms;
- The resolution of interagency disputes; and
- The coordination and delivery of special education and related services

Transfer of Records

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Records Transfer:

- Public agencies must have policies and procedures to ensure that the relevant records such as IEPs, disciplinary reports, evaluations and school credits of students with disabilities who move to, and from correctional facilities are transferred as expeditiously as possible when the student enters or leaves a correctional facility.
- The public agency responsible for FAPE in the correctional facility must take reasonable steps to obtain the student's records, consistent with the IDEA and the Family Educational Rights and Privacy Act (FERPA).
- Failure of a public agency to obtain education records promptly or to transfer them to the student's new school can interfere with the student's ability to receive FAPE and to receive credits towards graduation. (34 CFR §300.323(g))
- Public agencies are encouraged to assign specific staff the responsibility to work with correctional staff to promptly transfer education records to facilitate timely educational services.

Accountability, Data Collection and Reporting

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SEAs must ensure that all students with disabilities are included in all general State and districtwide assessment programs:

- Including assessments described in section 1111 of the ESEA
- Provided appropriate alternate assessment

Assessment under IDEA 34 CFR §300.160 and 300.324 (d)91)(i)

- Number of children with disabilities participating in regular assessments and the number of those with accommodations
- The number of children with disabilities, if any, participating in alternate assessments based on grade-level academic achievement standards.
- The number of children with disabilities, if any, participating in alternate based on modified academic achievement standards.
- The number of children with disabilities, if any, participating in alternate assessments based on alternate academic achievement standards, etc.

IDEA 618 Reporting ED Facts: Part B Data Annual Performance Report (APR)

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Program Information and Data Collection: IDEA 204 P.L. 108-446

- Child Count and Educational Environments
 - Count of children with disabilities by age, disability, race/ethnicity, limited English proficiency status, gender & the setting in which they are being educated
- Personnel
 - Special education teachers, paraprofessionals, and related services personnel by qualification status
- Exiting Special Education
 - Graduation, dropout, return to general education, etc.
- Discipline
 - Removal to an Interim Alternative Educational Setting, in-school suspensions, out-of-school suspensions, and expulsions
- Assessment
 - Participation and performance by assessment type, grade, and subject area

Results Driven Accountability (RDA)

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- The Office of Special Education Programs' (OSEP) vision for Results-Driven Accountability (RDA) is that all components of accountability will be aligned in a manner that best supports States in improving results for infants, toddlers, children and youth with disabilities, and their families.
- The IDEA requires that the primary focus of IDEA monitoring be on improving educational results and functional outcomes for children with disabilities, and ensuring that States meet the IDEA program requirements.
- The current system places heavy emphasis on procedural compliance without consideration of how the requirements impact student learning outcomes.
- In order to fulfill the IDEA's requirements, a more balanced approach to determining program effectiveness in special education is necessary.

RDA Core Principles

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- **(1)** OSEP is developing the RDA system in partnership with our stakeholders.
- **(2)** The RDA system is **transparent and understandable** to States and the general public, especially individuals with disabilities and their families.
- **(3)** The RDA system **drives improved outcomes** for all children and youth with disabilities regardless of their age, disability, race/ethnicity, language, gender, socioeconomic status, or location.
- **(4)** The RDA system **ensures the protection of the individual rights** of each child or youth with a disability and their families, regardless of his/her age, disability, race/ethnicity, language, gender, socioeconomic status, or location.
- **(5)** The RDA system provides **differentiated incentives, supports, and interventions** based on each State's unique strengths, progress, challenges, and needs.
- **(6)** The RDA system **encourages States to direct their resources to where they can have the greatest positive impact** on outcomes and the protection of individual rights for all children and youth with disabilities, and minimizes State burden and duplication of effort.
- **(7)** The RDA system is **responsive to the needs and expectations of the ultimate consumers** (i.e., children and youth with disabilities and their families) as they identify them.

Contact Information

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Link to Correctional Education Package:

<http://www2.ed.gov/policy/gen/guid/correctional-education/index.html>

Office of Special Education Programs (OSEP)

<http://www2.ed.gov/about/offices/list/osers/osep/index.html>