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ABSTRACT

This paper discusses the need for collaboration among educational and treatment professionals for the provision of appropriate special education services for youth at-risk for delinquency and for those in correctional settings. It examines multidisciplinary collaboration as a key organizing principle for special education service delivery in correctional settings. The paper begins with an overview of the role of interagency and interdisciplinary collaboration in improving school experiences and outcomes for all high-risk youth with disabilities, their families, and the professionals who work with them. Next, it describes federal entitlements to special education for youth in detention and confinement, outlines policies and practices that impede the provision of these rights, and describes strategies to design and implement special education services effectively and efficiently in the correctional environment. The paper concludes by identifying core elements of successful education programs in juvenile detention and confinement facilities, including: (1) integrated, multidisciplinary framework for service delivery; (2) competency-based curriculum options; (3) direct and peer-mediated instructional strategies; (4) functional curriculum-based assessment; (5) a prosocial skills curriculum; (6) business and community involvement; (7) professionalism, leadership, and advocacy; (8) ongoing professional development; and (9) sufficient fiscal resources. (Contains 20 references.) (CR)

Collaborate To Educate: Special Education in Juvenile Correctional Facilities

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Collaborate to Educate: Special Education in Juvenile Correctional Facilities

by Sheri Meisel, Peter Leone, Kelly Henderson and Mary Cohen

Collaboration among education and treatment professionals is fundamental to the provision of appropriate special education services for youth at-risk for delinquency and for those in correctional settings. On a systems level, collaboration between child-serving agencies, including juvenile justice, is widely acknowledged as a critical element in reform initiatives geared to improving outcomes for high-risk populations.¹ However, as an integral aspect of comprehensive service delivery models *within* juvenile justice facilities, interdisciplinary collaboration enjoys more theoretical than practical support.

This chapter directs attention to collaboration as a “best practice” approach to improving education and special education services for youth in correctional facilities.² Specifically, the chapter examines multidisciplinary collaboration as a key organizing principle for special education service delivery in these settings. We begin with an overview of the role of interagency and interdisciplinary collaboration in improving school experiences and outcomes for all high-risk youth, including youth with disabilities, their families, and the professionals who work with them. Next, we describe federal entitlements to special education for youth in detention and confinement, outline policies and practices that impede the provision of these rights, and describe strategies to design and implement special education services effectively and efficiently in the correctional environment. The chapter concludes by identifying core elements of successful education programs in juvenile detention and confinement facilities.

Delinquency, Disability, and Risk for School Failure

The term *at-risk* has various definitions and applications in education, but is commonly associated with youth who do not master the basic academic, vocational, social, and behavioral skills required to function successfully in school, in the workplace, and in the community. Delinquency is strongly associated with interrelated risk factors, including school dropout, substance abuse, teen pregnancy, history of sexual or physical abuse, insufficient supervision by the family, poverty status, and learning and behavioral disabilities.³ Although the pathways to delinquency are complex and not completely understood, incarcerated youth have multiple-risk factors that underscore the need for comprehensive and coordinated education and treatment services in juvenile correctional facilities.

However, educators, treatment providers, and linestaff in correctional settings may understand and respond to the behaviors of troubled youth in different ways. These differences develop, in part, because professionals receive training in fields of study that are identified with distinct theoretical frameworks and treatment approaches. With respect to developing collaborative working relationships and intervention models, one of the major challenges facing service providers in juvenile correctional settings is bridging these conceptual differences to develop consistent priorities, goals, and strategies. For example, while juvenile facilities should be moving away from traditional intervention programs that are accessible to limited numbers of youth and that address only a narrow range of risk factors, they continue to target services to youth on the basis of categorical labels.

1 For discussion of interagency collaboration in systems reform, see: Cibulka & Kritek (1996); Nelson & Pearson (1991); and Stroul (1996).

2 While the chapter focuses on providing special education in detention centers and training schools, the recommendations will be relevant in other interagency settings for at-risk and delinquent youth, including community-based residential treatment centers and psychiatric hospitals.

3 Dryfoos (1990) estimates that 10 % of the 28 million youth aged 10 to 17 years in this country are at very high risk because they have multiple problems including school dropout, drug abuse, and serious criminal behavior. They also frequently live in poverty and experience physical and sexual abuse, depression, and suicide. Another 15 % of youth have similar problems at somewhat reduced rates and are considered at high risk.

Labels that commonly are used to identify youth in correctional settings include *delinquent*, *conduct disordered*, *socially maladjusted*, *behaviorally disordered*, or *emotionally disturbed*.⁴ Delinquency denotes illegal behavior that has caused the individual to come in contact with the juvenile justice system. Social maladjustment describes rule-breaking behavior, disregard of the rights of others, or inability to function appropriately in social situations. Conduct disorder is a psychiatric diagnosis used to describe children and youth considered unmanageable because they demonstrate a pattern of antisocial behaviors. Behavior disorder is a generic term used in special education to include both externalizing (acting out or aggressive) and internalizing (withdrawn or anxious) behaviors that interfere with school progress.

Despite the use of terminology that reflects a specific orientation to the needs of troubled youth, practitioners and researchers in diverse fields agree that youth with learning disabilities (LD), mild to moderate mental retardation (MR), and emotional or behavioral disorders (EBD) are overrepresented in juvenile correctional facilities (Casey & Keilitz, 1990; Murphy, 1986; SRI, 1996).⁵ The prevalence of youth identified as eligible for special education prior to their incarceration generally is accepted to be at least three to five times the percentage of the public school population classified as disabled (Leone & Meisel, 1997).

Youth with learning, developmental, and behavioral disabilities have exceedingly high risks for school failure and poor adult outcomes. For example, adolescents identified as EBD can be considered the least successful students in the public schools. The National Longitudinal Transition Study of Special Education Students (Wagner et al., 1991), one of the first large-scale investigations of outcomes for youth with disabilities, found that almost 50% of these students dropped out of school. Subsequent analysis confirmed that, for youth with disabilities, the consequences of school failure and delinquency are interrelated and persist into young adulthood. Almost 20% of youth with EBD were arrested while in secondary school, 35% were arrested at least once within two years of leaving school, and 73% of the youth who dropped out of school were arrested within five years (Wagner, 1992). The same study reported that 31% of youth identified as LD were arrested within three to five years of leaving school.

Federal Mandates for Special Education in Juvenile Corrections

Federal and state laws and regulations protect the educational rights of students with disabilities in juvenile correctional facilities, but many eligible youth do not receive the services to which they are entitled. All states implement regulations that are consistent with IDEA, and that describe the substantive and procedural rights to which eligible youth and their parents are entitled. In addition, local school systems, including special correctional education agencies, should delineate policies and practices for youth with disabilities that are consistent with IDEA and state requirements.

This section summarizes three seminal federal laws, and focuses primarily on The Individuals with Disabilities Education Act (IDEA, originally the Education for all Handicapped Children's Act).⁶ The IDEA is landmark civil rights legislation because it guarantees a free appropriate public education for all eligible children and youth with disabilities through age 21. IDEA has applied to public schools and state-operated programs, including juvenile detention and confinement facilities, since its passage in 1975.⁷

4 The ambiguity of the definition of *serious emotional disturbance* (SED) in special education is a source of longstanding confusion and concern. In response, the National Special Education and Mental Health Coalition proposed replacing SED with the term *emotional or behavioral disorder* (EBD); and clarifying federal eligibility criteria by, among other things, eliminating the social maladjustment exclusionary clause and specifying that *academic competence* includes mastery of social and behavioral skills. See Forness & Knitzer (1992) for a full discussion of the advantages of redefining the SED definition.

5 Youth with low-incidence disabilities, including physical disabilities, visual impairment, deafness, and traumatic brain injury, also have been confined in juvenile facilities.

6 IDEA was reauthorized and amended as PL 105-17 in June, 1997.

7 See C.F.R. Sec. 300.2 (b)(4).

Parents and professionals who advocated for IDEA initially focused their efforts on ensuring *access* to special education for all eligible youth, regardless of the nature or severity of their disability. This objective largely has been accomplished for most youth with disabilities in public school settings. At present, however, schools are under increasing criticism and scrutiny related to fostering *equity* for youth with disabilities through opportunities to achieve positive academic, vocational, and behavioral outcomes commensurate with those provided to nondisabled students.

While the requirement to apply the provisions of IDEA for incarcerated youth is clear, the implementation of IDEA in juvenile detention and confinement facilities compares to special education service delivery in the public schools 20 years ago. Substantial problems with both access *and* equity remain unresolved, and special education programs for incarcerated youth often fail to meet legal requirements and currently accepted professional standards. As a result, youth with disabilities in correctional settings do not participate in education programs to which they are entitled, and which can prepare them to reenter their schools and communities.

The previous educational experiences of youthful inmates with disabilities, the distance of youths from their homes and prior school districts, and the sometimes competing objectives of rehabilitation and punishment present unique problems to the design and delivery of special education services within juvenile facilities. However, appropriate education programs for youths with disabilities can be and have been developed in juvenile correctional facilities.⁸ This chapter addresses the implementation of fundamental requirements that are incorporated in IDEA, including

- providing a free appropriate education in the least restrictive environment;
- screening, evaluating, and identifying all eligible youth;
- ensuring parent/guardian participation in special education decision-making; developing, implementing, and reviewing the Individualized Education Program (IEP); and
- providing related services.

In addition to IDEA, Section 504 of the Vocational Rehabilitation Act of 1973 (Section 504), and Title II of the Americans with Disabilities Education Act (ADA) prohibit discrimination against persons with disabilities by any program or activity that receives federal funds including correctional facilities. The ADA and Section 504 apply to juvenile correctional facilities to the extent that students with disabilities are excluded from appropriate education service or are excluded from school for misbehavior that may be related to the students' disability, or to the failure of the school program to meet the students' needs.

Not all children with disabilities require or will be eligible for special education services under IDEA, but they may meet the guidelines for services under Section 504. In this case, a "504 plan" must be developed that specifies accommodations that will be provided to enable the student to participate in the general curriculum. Section 504 defines persons with handicaps as (a) having a physical or mental impairment which substantially limits one or more major life activities (b) having a record of such an impairment or (c) being regarded as having such an impairment. Importantly, *learning* is identified as a major life activity subject to Section 504 protections for eligible youth. Educators and treatment providers in juvenile correctional facilities should be aware of academic and behavioral problems (for example, attention deficit disorder) that suggest a student may be eligible for program modifications under Section 504.

The ADA expands nondiscrimination protections of Section 504 for persons with disabilities in government facilities and in programs provided by government agencies. The ADA requires, for example, a self-evaluation conducted by the correctional facility to determine whether policies and practices prevent equal access for the participation of persons with disabilities in the facility's services.

⁸ See p. 72 for a listing of resources of appropriate special education programs for incarcerated youth.

Juvenile facilities face unique obstacles in meeting the provisions of special education law and regulations. However, special education services can and should comply fully with provisions of IDEA, Section 504, the ADA, and other applicable federal and state mandates.

Why is collaboration important to educate high risk youth? Collaboration is an active relationship in which education and treatment professionals in juvenile detention and confinement facilities agree to work together to achieve common goals. Successful partnerships require formalizing these relationships through a collaborative infrastructure that identifies individual and mutual responsibility for planning and implementing services. Multidisciplinary collaboration has distinct advantages for promoting positive change in several areas including enhancing outcomes for troubled youth, supporting appropriate models of service delivery, and using resources effectively.

The overall objective of multidisciplinary collaboration is to move away from traditional models for service delivery in juvenile correctional settings. Traditional approaches are limited by a restricted range of services, fragmented planning and service delivery, competition for resources, inconsistent organizational values and objectives, and limited flexibility in staff roles and responsibilities. Uncoordinated systems also may contribute to staff and youth perceptions that the overall treatment program lacks clear focus and consistent structure.

Youth enter correctional settings with interrelated academic, social, emotional, health, and behavioral needs. In previous sections of this chapter, we summarized the negative consequences of major risk factors associated with delinquency including school failure, substance abuse, learning and behavioral problems, and teen pregnancy. Without successful intervention, these behaviors and experiences appear to have a progressive trajectory associated with adult criminal behavior, incarceration, illiteracy, unemployment, substance abuse, and psychiatric disorders. The pathways to delinquency are woven together in such a complex manner that they demand integrating the efforts of service providers in the various education and treatment fields, and coordinating a number of different kinds of intensive services.

Troubled youth often require services that span traditional public sector agency boundaries. As their legal status changes and various dimensions of their needs become acute, services for these youth may be the responsibility of public schools and juvenile justice, mental health, and social services agencies. Although implementation of interagency collaboration has intensified in the last decade, uncoordinated service delivery systems for troubled youth are still the norm. Youth with EBD, for example, may continue to be placed in restrictive residential and institutional settings — including correctional facilities — because intensive community-based treatment options and interagency systems of care are unavailable (Behar, 1990). As funds are increasingly committed to the building of detention and confinement facilities, collaboration among child-serving agencies will become an even more important advocacy strategy to foster the development of community-based treatment, and to provide support for appropriate education and treatment programs in juvenile facilities.

What are the most formidable barriers to appropriate special education services for youth in corrections? Although incarcerated youth eligible for special education services are entitled to the same substantive and due process rights afforded to youth in public school settings, correctional systems have been slow to respond to the mandates of IDEA, Section 504, the ADA, and other applicable requirements. Well-intentioned educators, treatment providers, and administrators undoubtedly implement effective education programs in some juvenile facilities. However, a number of barriers continue to impede the provision of appropriate special education services for most incarcerated youth. This section describes conceptual and institutional barriers that undermine multidisciplinary collaboration in juvenile correctional facilities.

Evolving Attitudes and Goals

The needs of youth in detention and confinement are often not well understood by the general public, politicians, legislators, the media, and some education and treatment professionals. Misinformation, fear, and

stigma concerning these youth translate to short-sighted public policy and contribute to limited placement options, insufficient supports and services, and an overall unwillingness to acknowledge and address inequities in the juvenile justice system. These problems only can grow worse as concerns about crime and violence in schools and communities obscure the need for prevention, early intervention, and intensive intervention services for troubled youth.⁹

Juvenile corrections often is defined by a number of competing purposes. While rehabilitation is one of these, incapacitation and punishment frequently are considered higher priorities (Krisberg & Austin, 1993; Leone & Meisel, 1997). Recent legislative efforts to “get tough” with juveniles who commit, or are accused of committing, crime reflect a growing public perception that locking away troubled children and youth will insulate society from future harm. The politically popular “zero tolerance” policies in our schools and courts often contribute to overcrowded juvenile facilities and to the increased use of public funds for additional detention facilities — but rarely do policies address primary prevention and treatment designed to preempt or limit more severe infractions.

These attitudes have influenced legislation in many states that automatically transfers children to adult courts for certain offenses. Among other negative consequences, this trend increases overcrowding in juvenile detention centers as more youth are confined in those facilities awaiting transfer to adult prisons.¹⁰ The *Juvenile Crime Control Act* (HR5), under consideration by the Congress in 1997, will allow youth as young as 13 years of age to be waived into the adult prison system, and will provide \$1.5 billion in grants for states that adopt tougher sanctions for juveniles. The 1997 reauthorization of IDEA (PL 105-17) permits states to exempt adult correctional facilities from responsibility for providing special education to youth from 18 to 21 years of age if, prior to their incarceration, they were not identified as disabled and did not have an IEP in their last educational placement. While the numbers of youth affected by this provision will be relatively small, the decision to compromise special education entitlements and to deny services to youth with disabilities is alarming.

Adequate Academic and Vocational Programs

Special education services and programs are implemented in the context of the general academic and vocational programs provided in the correctional facility. However, school programs in correctional facilities often fall short of minimum professional standards associated with the operation of public schools. Although youth in correctional settings are among the least proficient academically and the most vulnerable to school dropout, they may receive substandard education services that deviate from currently accepted instructional practices. As Coffey and Gemignani (1994) point out, correctional education programs largely are isolated from the substantive changes that have influenced the regular and special education programs in local communities since the 1980s. Educators in juvenile correctional settings may be unaware of the curriculum and instructional strategies that have been identified by the educational reform movements and by “effective schools” research. As a result, teachers and administrators may continue to use strategies that have been demonstrated to be the *least effective* for students in need of intensive remedial education.

The problems associated with providing special education in correctional facilities will not be corrected until appropriate instructional programs are available for all incarcerated youth. Special education services must be linked meaningfully to academic and vocational programs in correctional facilities. Segregated, pull-out programs make little sense for most incarcerated youth, and special and general educators can work together to design and implement individualized education programs for *all* youth in correctional facilities. Just fixing specific aspects of special education programs without substantially correcting academic and vocational

⁹ Punitive responses increasingly are the intervention of choice for troubled youth. For example, schools are arming security guards to patrol hallways and classrooms (see Bushweller, 1993) and suspending and expelling youth for minor infractions such as bringing toy water guns to school (see Lawton, 1994).

¹⁰ See Parent, Dunworth, McDonald, & Rhodes (1997) for a summary of this and other disturbing outcomes including the heightened risk of victimization and suicide for youth in adult facilities.

education programs will be a short-term solution at best. Ensuring that all students within juvenile correctional settings receive appropriate services requires systemic changes in the way that the education programs operate.

Funding and Governance

Funding for juvenile correctional education programs comes from a variety of federal programs; the largest sources are the Carl D. Perkins Vocational and Applied Technology Act, Title I of the Improving America's Schools Act (formerly the Elementary and Secondary Education Act), and IDEA (Coffey & Gemignani, 1994). States also have accessed monies from other federal programs including The Bilingual Education Act, the Job Training Partnership Act, and the Drug Free Schools and Communities Act. State contributions to their agencies which provide juvenile correctional education programs are limited. Miles (1993) reported that only a third of state juvenile correctional agencies surveyed spent \$2,001 or more annually per student.

Access to adequate funding streams for education can be complicated further by the various governance arrangements for juvenile correctional agencies. The correctional education component within state agencies may be delivered via a separate correctional education agency, the state education agency, or through contracts with a local public school district or private vendor. One of the consequences of these administrative arrangements is that many school principals have responsibility for the day-to-day operation of correctional education programs without the necessary authority for expenditure of funds. Without independent budget authority, principals may have to go hat-in-hand to correctional administrators to fund even the basic supplies associated with operating a school.

In addition, certain requirements of IDEA and other federal legislation, designed to protect the educational rights of youth and to target services to students with specialized needs, unintentionally have created disincentives for coordinated service delivery. Service provision is compromised by the categorical nature of federal and state funding sources. For example, only students meeting specific eligibility requirements have been able to participate in instructional and other services provided by personnel funded by IDEA or by Title I. These requirements also have contributed to the proliferation of segregated classes and service delivery models, isolating youth who met eligibility requirements from their peers and from opportunities to participate in the general education curriculum in correctional settings.

Recent changes in the Improving America's Schools Act, and amendments included in the 1997 reauthorization of IDEA, clarify that federal funds *may be used* to fund education programs even if they benefit youth who do not meet disability or other eligibility criteria.

Conditions of Confinement

Educational services in juvenile corrections also exist within institutional contexts including the conditions of confinement for youth. In 1991, nearly one in four incarcerated youth was in a facility under court order or consent decree related to conditions of confinement (Parent et al., 1994).

Conditions in many juvenile facilities impair the ability of staff to implement effective special educational services in several ways. Overcrowding and understaffing are major impediments with sometimes extreme consequences for education and treatment programs. While these conditions pressure juvenile facilities to restrict education and treatment services, the differences in age, gender, ethnicity, academic performance, and offense history among youth exacerbate the need for differentiated programming.

Allocation of resources for educational and treatment programs has not kept pace with the increasing numbers of youth confined in correctional facilities. Between 1987 and 1991, average populations in all types of juvenile facilities increased by 11%; the trend was most dramatic in reception centers which experienced a 66% increase (Parent et al., 1994). Almost 50% of incarcerated youth were in facilities whose average daily population exceeded capacity. Overcrowding and lack of funding contributes to standardized one-size-fits-all

service delivery approaches, reductions in scheduled instructional time as youth attend school in shifts, and insufficient space for school activities. More than one-fourth of youth are in correctional facilities which do not routinely assess academic, vocational, and personal needs; and 40 % do not meet minimum standards of mental health care established by the American Correctional Association (Parent, et. al., 1994).¹¹

Interpretation of Federal Mandates

Whether through lack of awareness of the components of appropriate special education services, or due to policies and procedures designed more to satisfy institutional needs than the educational needs of youth, IDEA requirements are not implemented for many incarcerated youth with disabilities.

A cardinal principle specified in IDEA is that the planning and delivery of special education services should be suited to the unique strengths and needs of each eligible student. The concept of special education incorporated in IDEA is defined as “specially designed instruction... for the unique needs of the learner.” All students eligible for special education are entitled to an Individualized Education Program (IEP) to guide instruction. It is important to emphasize that the well-developed IEP contains information about the strengths and needs of the student that will be useful not only for special and general education teachers but also for treatment providers in the correctional setting. The IEP should include a statement of the student’s current level of educational performance, measurable annual goals and short-term objectives, and special education and related services that will be provided. Special and general educators, parents/guardians, other treatment providers involved with the student (for example counselors, psychologists, speech pathologist), and the student, if possible, must participate in the IEP development and must attend the IEP meeting. The IEP for each student, beginning no later than age 16, must include a statement of needed transition services to prepare the youth to reenter the community better prepared for responsible adulthood. Parents, the student, and if applicable, representatives of other public agencies that will provide transition services must be invited to participate in the IEP meeting.

In accordance with the requirement to plan and deliver individualized services in the least restrictive environment, decisions about the type and amount of services, and the setting in which services will be provided, should be made *before* the development of the IEP. However, in many correctional education programs, this decision-making process is modified, and the intent of the IEP as a meaningful service delivery plan is thwarted, in at least two ways: first, by formulating standardized IEP documents that specify generic instructional goals and objectives; and second, by specifying services that match the model of service delivery available in the facility rather than the student’s educational needs. These practices contradict the intent of IDEA requirements and result in the development of IEPs that specify identical instructional objectives, educational placements, and amount of special education for students with vastly different academic profiles.

Provisions in IDEA that are designed to ensure procedural safeguards for youth and their parents also have been confused, ignored, or misinterpreted within juvenile facilities. Implementing procedural requirements in these settings can be challenging, particularly for youth with short lengths of stay (Parent et al., 1994), but the difficulties should *not* be attributed to the due process protections themselves. Rather, the use of practices that are not well suited to the correctional environment, inefficient administrative procedures, inadequate funding, extreme conditions of confinement, and the lack of formal collaborative structures and processes play a much more prominent role in the failure to meet special education mandates.

How can appropriate special education services be provided to all youth with disabilities in juvenile correctional facilities? While the model for special education service delivery specified in IDEA *inherently* is multidisciplinary and collaborative, special education in correctional settings often is not meaningfully linked to academic and vocational programs or to treatment services. To illustrate, we review five situations that present

¹¹ The standard establishes a counselor to resident ratio of 1:25.

problems in correctional settings, and provide recommendations to meet the letter and the spirit of IDEA for incarcerated youth.

Problem Situation One: Juvenile correctional facilities do not screen, evaluate, and identify all eligible youth with disabilities. All schools, including those in correctional facilities, are required to implement a referral process to locate, screen, and assess youth suspected of having a disability within prescribed timelines. This requirement includes identifying youth without a prior history of receiving special education, as well as youth who received services from prior school systems but who do not have a current IEP.

Recommendation: Screening should include the opportunity for self, parent, and staff referral; interviews with the youth to determine receipt of special education from previous school systems; and sufficient review of all available records to determine the possible presence of disabilities that affect educational performance. Screening activities should be coordinated among the school psychologist and the medical and mental health and educational units of the facility. In addition, training should be provided so that all staff can recognize student behaviors that trigger the need for screening for special education, and can use referral procedures for special education.

Although the screening process should not rely on self-report data, a personal interview with youth when they are admitted to the facility, conducted by an experienced staff familiar with special education, can be a good source of information. Sample questions that are helpful in eliciting information about a prior history of special education include:

- What was the name of the last school you attended? How long ago did you last attend school? What was the last grade you attended?
- About how many students were in your classes?
- What were your best or favorite subjects in school? What subjects gave you the most trouble?
- Did you see a teacher or counselor to get extra help with those subjects, or with your behavior? How about a speech teacher, or a social worker — did they ever help you out?
- Did you attend a special program? Did you ever attend an alternative school, or a special school?
- Did your parent go to school to attend an IEP meeting?
- Were you ever enrolled in special education? Did you have an IEP?

If responses indicate directly that the student was enrolled in special education, or had difficulty in school that is associated with a disability, a referral for special education is appropriate. Making this referral does not constitute a diagnosis; rather, it indicates that educators and other service providers need to take a closer look at a particular youth's needs and determine eligibility for special education.

Problem Situation Two: The correctional facility does not obtain prior school records for all youth. Prior school records provide information that is critical for individualized planning and service delivery and for the identification of youth with disabilities. Access to prior school records may be especially difficult for youth with a history of nonattendance or a record of numerous school placements. This problem may be particularly acute for access to an IEP, since information in that document can be critical to familiarize corrections staff with youths' needs, and to expedite the implementation of an appropriate education program.

Recommendation: Correctional school programs need an effective and efficient administrative mechanism to request prior school records and to track responses to the requests, and for youth who return to school on release from confinement, to transfer correctional school records. The correctional education agency can request assistance from state departments of education to establish improved responses to requests for student records from local school systems. State education agencies typically implement regulations that govern the transfer of school records between local school systems in a timely manner. In addition, states

increasingly are providing access for local school systems, including correctional school districts, to automated databases that provide information concerning youths' history of receiving special education.

Correctional facilities also maintain files for all youth including medical records, mental health profiles, social histories, and court records that can provide a great deal of relevant information. Treatment and institutional staff routinely should examine these records when youth are admitted to the facility and share information with school staff. Information contained in these records that will assist the identification of youth with disabilities includes: psychiatric or psychological diagnosis; academic failure and grade retention; high rates of school absenteeism; labels such as mental retardation, conduct disorder, learning disability, or emotional disturbance; and history of placement in alternative or special schools.

Problem Situation Three: Parent/guardian/parent surrogates are not involved in special education. Parent involvement in making decisions about their child's education is one of the cardinal principles of IDEA and of sound educational practice generally. Parents have the right to participate meaningfully in the development and implementation of the IEP. Under certain conditions, school systems must recruit, train, and assign parent surrogates for students with disabilities including youth who are wards of the state.

Recommendations: Strategies to promote parent, guardian, and parent surrogate participation in IEP development that can be successful in correctional facilities include using a speakerphone during the IEP conference when parents cannot attend, involving parents directly by scheduling the IEP conference to coincide with scheduled family visitation, and implementing parent surrogate procedures. Parent surrogates cannot be employees of a state agency and are usually community volunteers. In implementing parent surrogacy requirements, correctional facilities have the opportunity to develop positive relationships with community members who are interested in serving in this role.

Problem Situation Four: Related services are not provided to all eligible youth. In addition to special education, eligible students with disabilities are entitled to related services designed to ensure that they benefit from their educational program. Related services are defined as "developmental, corrective, or other supportive services designed to enable the youth to benefit from special education."¹² Related services typically provided in the public schools include counseling, psychological services, school social work services, speech/language pathology, physical and occupational therapy, and parent training. The need for related services must be considered by the IEP committee, and goals and objectives related to the need for related services must be incorporated in the IEP.

Recommendations: Correctional facilities can provide related services through a variety of administrative arrangements, including an interagency contract with the local public school system, a contract with private providers in the community, or employment directly by the correctional education agency. In addition, while a student's need for counseling may be specified on the IEP, the provision of counseling will not constitute a related service unless counseling is integrated with the goals and objectives of the IEP, and provided by persons knowledgeable about the student's disability and about school settings.

Problem Situation Five: Youth with disabilities are excluded from education when they are placed on disciplinary or administrative segregation. Youth may experience the complete cessation of education and special educate services on administrative or disciplinary segregation. Youth with emotional or behavioral disabilities, learning disabilities, and developmental delays are especially vulnerable to repeated disciplinary infractions in school and throughout the facility, particularly when they have not received adequate special education and related services to assist them in meeting the facility's disciplinary rules, and when all school, treatment, and linestaff do not have the appropriate training to work effectively with these youth.

Recommendations: All youth, including those placed in segregation, should have uninterrupted access to appropriate instruction and to suitable instructional materials. The facility should implement an appropriate behavior management approach to prevent disciplinary problems and to support youth in complying with behavioral expectations. Punitive models of discipline are not an effective method of behavior management because they do not provide the opportunity to learn and practice alternative prosocial skills. In addition, the IEP committee should discuss behavioral needs of youth with disabilities who experience repeated disciplinary problems. This may include addressing behavior problems that are related to the student's disability by developing a structured program of behavior management including positive behavior support. All staff should have responsibility for implementing behavior management programs, and should receive training, including interdisciplinary training, to work with students with learning and behavior problems and to model appropriate behavioral skills.

What are the key components of effective academic, vocational, and special education programs in juvenile correctional facilities? The effective schools literature identifies essential building blocks of quality education programs in all settings including correctional facilities. These practices ensure that all students have access to culturally-relevant and age-appropriate curriculum, high expectations, proactive classroom management and motivational techniques, opportunity to develop a supportive relationship with at least one adult, and engagement with school activities. Although a full description is outside the scope of this chapter, the practices associated with effective schools are the context for the development of appropriate education programs in correctional settings. Key components of educational programs in juvenile facilities are described below.

1. **Integrated, multidisciplinary framework for service delivery:** A multidisciplinary approach supports the capacity of detention and confinement facilities to provide quality educational services for high-risk youth. The overall expectation for multidisciplinary collaboration is that special and regular educational programs in correctional facilities will be linked meaningfully with treatment services and with the responsibilities of linestaff. An illustration of this principle that would change traditional practice in many juvenile facilities is to involve the corrections staff in the school program as instructional assistants while they are present in the classroom to assist with security.
2. **Competency-based curriculum options:** Curriculum defines the content of the school program — in other words, *what* is taught. The scope and sequence of the curriculum should include a continuum of options for the development of functional academic, vocational, social, and behavioral skills for all youth. Teachers should monitor and report student progress systematically in the curriculum at regular intervals to document mastery of specific objectives and to modify goals as required.

While the majority of youth in detention and confinement demonstrate severe to moderate skill deficits, and have prior school experiences marked by truancy, suspension, and expulsion, other students may be performing at or above grade level. A comprehensive range of options will include:

- *Literacy and functional skills* for students with limited academic and social skills and significant cognitive, behavioral, or learning problems;
 - *Academic courses and skills*, associated with Carnegie unit credits for students likely to return to the public schools or who are eligible to earn a diploma in the correctional education program;
 - *General Educational Development (GED) preparation* for students who are not likely to return to public schools; and
 - *Pre-vocational and vocational education* that is related to student interests and to meaningful employment opportunities in the community.
3. **Direct and peer-mediated instructional strategies:** Instructional strategies define *how* the curriculum is taught. Instructional strategies should engage students actively in the curriculum. Two approaches are recommended:

- *Direct instruction* is a step-by-step strategy incorporating presentation of the topic, modeling of the skill or task, guided practice, monitoring and corrective feedback, and review.
- *Peer-mediated instructional strategies* include cooperative learning and peer tutoring.

Instruction also should include attention to the development of higher-order problem-solving and decision-making skills. In contrast, completion of independent drill and practice exercises or xerographic worksheets — the strategies that continue to be used in many correctional settings — are *not* successful approaches to motivate high-risk youth or to remediate skill deficits.

4. **Functional curriculum-based assessment:** Assessment procedures and instruments should be selected to suit the purposes for the evaluation, needs of the student, and the curriculum of the school (Howell, 1987). As relates to IEP development, assessment should be geared to assist the development of specific functional IEP objectives that are measurable. Evaluation in the classroom, such as teacher-made tests, also should be functional — that is, aligned with the curriculum to inform the selection and modification of objectives and instructional strategies.
5. **Prosocial Skills Curriculum:** Youth who are at-risk and delinquent typically have significant interpersonal, impulse control, anger management, and other social skill deficits. Training to improve social competence should be developed and implemented jointly by educators, treatment providers, and linestaff, and should be considered an essential component in correctional education programs.¹³
6. **Business and community involvement:** Securing meaningful corporate and community participation demands alternatives to the approaches typically used in public school settings. This type of involvement is important to build understanding of, and support for, the needs of troubled youth and the functions of correctional education programs. Individual community volunteers and corporate groups can enrich programming in juvenile facilities through activities such as academic tutoring, mentoring, serving as surrogate parents for youth receiving special education services, and sponsorship of career exploration and work opportunities.
7. **Professionalism, leadership, and advocacy:** Skillful administrative leadership is essential to maintain a focus on the needs of educational and treatment programs as a priority within correctional facilities, to encourage collaborative structures, to provide ongoing support for staff, and to build links with parent and community groups. Leadership also is critical to advocate for social policies that support correctional education programs as public sentiment increasingly grows unsympathetic to funding educational and treatment services for youthful offenders. Communicating the importance of correctional education programs to the general public, elected officials, legislators, and the media is fast becoming an essential professional skill.

The IDEA has been a very successful advocacy tool in litigation to obtain educational services for youth with disabilities in detention and confinement. However, the education community needs broader advocacy strategies and tools. An alternative strategy available to parents, guardians, and advocates is to press correctional facilities for appropriate services for young people on an individual basis. This process can begin with a careful examination of the youth's prior school history. A record of school failure, truancy, suspension, expulsion, disciplinary problems, and grade retention may raise concerns that a disability is contributing to poor educational performance. Parents, guardians, or advocates who suspect that a youth may have a disability can, and should, make a referral to the correctional education program.

¹³ See *Programming and Training Social Skills with Youthful Offenders*, a chapter by Katherine Larson in this monograph, for an overview and guide to social skills instruction in correctional facilities.

Educational programs in juvenile detention and confinement facilities should meet professional standards and accreditation criteria. Currently, there are no widely adopted standards for correctional education programs or for correctional special educators. However, standards for special educators working in other settings have been developed by The Council for Exceptional Children and can be adapted for the juvenile correctional environment (See Council for Exceptional Children, (1996). The Correctional Education Association¹⁴ and the American Correctional Association¹⁵ have adopted less well specified standards for special educators in juvenile facilities.

Correctional programs also can seek accreditation from a professional association of schools and colleges. This is a promising avenue for improving services that has been pursued successfully by programs in recent years. Federal agencies could play an important role in the effort to achieve accreditation by structuring incentives for states and local jurisdictions in the form of model demonstration programs, technical assistance, and linking of grant awards to practices that are consistent with the accreditation criteria of professional organizations.¹⁶

8. Ongoing professional development: School, treatment, and correctional agency staff need opportunities for ongoing professional development to implement education and special education programs and services. Priority should be given to training in curriculum and instructional strategies; social skills programming; classroom and behavior management; special education requirements including accommodations for youth with disabilities in the general education classroom; functional assessment; and collaborative practices. A high priority should be placed on assisting all staff to meet certification requirements in their area of teaching responsibility. Correctional education agencies can provide this assistance through onsite inservice training, financial subsidy for completion of college coursework, and cooperative agreements that enable correctional educators to attend inservice training workshops sponsored by local public schools.
9. Sufficient fiscal resources: Adequate financial support for education and treatment programs is basic to the ability of juvenile facilities to implement appropriate education and treatment programs, to maintain sufficient numbers of personnel, to allocate adequate physical space for programs, and to maintain appropriate supplies and equipment including, for example, instructional and administrative technology, texts, and library books.

Summary

Dissemination of promising practices is not widespread among juvenile facilities, contributing to the operation of education programs in isolation from each other and from professional influences in the larger education community (Coffey & Gemignani, 1994), and to the difficulty of synthesizing successful practices into an accessible knowledge base. Professionals in these settings should be encouraged to share innovative programs and strategies through publication and conference presentation. Sufficient descriptive detail should be provided to enable staff to determine how the practices can be applied in other settings.

Multidisciplinary collaboration increasingly is an important framework for providing appropriate special education services in detention and confinement facilities for three basic reasons: meeting the interrelated and intensive needs of troubled youth; surmounting institutional barriers; and directing attention to

14 The Correctional Education Association (CEA) is located in College Park, Maryland, and publishes Standards for Adult and Juvenile Correctional Education Programs.

15 The American Correctional Association (ACA) is located in Lanham, Maryland, and publishes Standards for Juvenile Training Schools, and Standards for Juvenile Boot Camp Programs.

16 Professional associations of schools and colleges have regional locations throughout the U.S. They can supply materials on the evaluation and accreditation process. The Commission on Secondary Schools of the Middle States Association of Colleges and Schools is located at 3624 Market St., Philadelphia, PA 19104.

the value of correctional education as social and political support for incarcerated youth erodes, and enthusiasm for punishment and behavioral control increases.

Practitioners in all fields have a common interest in providing the opportunity for troubled youth to develop academic, social, and behavioral skills. Multidisciplinary collaboration can assist in this objective by integrating the positive practices of each professional field. Providing high-quality programs and services in juvenile correctional settings is imperative. The consequences associated with school dropout and delinquency are staggering for the youth we have failed and for their families, for educators and treatment professionals, and for all citizens.

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Resources

The following resources provide practical suggestions about implementing special education programs in juvenile facilities:

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