

Title 15 Minimum Standards for Juvenile Facilities

Article 6. Programs and Activities

§ 1370. Education Program.

(a) School Programs

The County Board of Education shall provide for the administration and operation of juvenile court schools in conjunction with the Chief Probation Officer, or designee pursuant to applicable State laws. The school and facility administrators shall develop and implement written policy and procedures to ensure communication and coordination between educators and probation staff. Culturally responsive and trauma-informed approaches should be applied when providing instruction. Education staff should collaborate with the facility administrator to use technology to facilitate learning and ensure safe technology practices. The facility administrator shall request an annual review of each required element of the program by the Superintendent of Schools, and a report or review checklist on compliance, deficiencies, and corrective action needed to achieve compliance with this section. Such a review, when conducted, cannot be delegated to the principal or any other staff of any juvenile court school site. The Superintendent of Schools shall conduct this review in conjunction with a qualified outside agency or individual. Upon receipt of the review, the facility administrator or designee shall review each item with the Superintendent of Schools and shall take whatever corrective action is necessary to address each deficiency and to fully protect the educational interests of all youth in the facility.

(b) Required Elements

The facility school program shall comply with the State Education Code and County Board of Education policies, all applicable federal education statutes and regulations and provide for an annual evaluation of the educational program offerings. As stated in the 2009 California Standards for the Teaching Profession, teachers shall establish and maintain learning environments that are physically, emotionally, and intellectually safe. Youth shall be provided a rigorous, quality educational program that responds to the different learning styles and abilities of students and prepares them for high school graduation, career entry, and post-secondary education.

All youth shall be treated equally, and the education program shall be free from discriminatory action. Staff shall refer to transgender, nonbinary, intersex, and gender-nonconforming youth by their preferred name and gender.

- (1) The course of study shall comply with the State Education Code and include, but not be limited to, courses required for high school graduation.

- (2) Information and preparation for the High School Equivalency Test as approved by the California Department of Education shall be made available to eligible youth.
- (3) Youth shall be informed of post-secondary education and vocational opportunities.
- (4) Administration of the High School Equivalency Tests as approved by the California Department of Education, shall be made available when possible.
- (5) Supplemental instruction shall be afforded to youth who do not demonstrate sufficient progress towards grade level standards.
- (6) The minimum school day shall be consistent with State Education Code Requirements for juvenile court schools. The facility administrator, in conjunction with education staff, must ensure that operational procedures do not interfere with the time afforded for the minimum instructional day. Absences, time out of class or educational instruction, both excused and unexcused, shall be documented.
- (7) The facility administrator is responsible for ensuring that youth are available for and transported timely to school for the full time designated for the length of the school day. The facility administrator shall develop policies and procedures to ensure that school attendance is a priority and youth are timely transported to and available for school for the full time designated for the length of the school day.
- ~~(7)~~ Education shall be provided to all youth regardless of classification, housing, security status, disciplinary or separation status, including room confinement, except when providing education poses an immediate threat to the safety of self or others. Education includes, but is not limited to, related services as provided in a youth's Section 504 Plan or Individualized Education Program (IEP).

(c) School ~~Discipline~~Behavior Management

- (1) Positive behavior management will be implemented to reduce the need for disciplinary action in the school setting and be integrated into the facility's overall behavioral management plan and security system.
- (2) School staff shall be advised of administrative decisions made by probation staff that may affect the educational programming of students.
- (3) Except as otherwise provided by the State Education Code, expulsion/suspension from school shall be imposed only when other means of correction fails to bring about proper conduct. School staff shall follow the appropriate due process safeguards as set forth in the State Education Code including the rights of students with special needs. School staff shall

document the other means of correction used prior to imposing expulsion/suspension if an expulsion/suspension is ultimately imposed.

- (4) The facility administrator, in conjunction with education staff will develop policies and procedures that address the rights of any student who has continuing difficulty completing a school day.

(d) Provisions for Special Populations

- (1) State and federal laws and regulations shall be observed for all individuals with disabilities or suspected disabilities. This includes but is not limited to child find, assessment, continuum of alternative placements, manifestation determination reviews, and implementation of Section 504 Plans and Individualized Education Programs.
- (2) Youth identified as English Learners (EL) shall be afforded an educational program that addresses their language needs pursuant to all applicable state and federal laws and regulations governing programs for EL students.

(e) Educational Screening and Admission

- (1) Youth shall be interviewed after admittance and a record maintained that documents a youth's educational history, including but not limited to:
 - (A) School progress/school history;
 - (B) Home Language Survey and the results of the State Test used for English language proficiency;
 - (C) Needs and services of special populations as defined by the State Education Code, including but not limited to, students with special needs.; and,
 - (D) ~~Discipline problems~~Behavior management concerns.
- (2) Youth will be immediately enrolled in school. Educational staff shall conduct an assessment to determine the youth's general academic functioning levels to enable placement in core curriculum courses.
- (3) After admission to the facility, a preliminary education plan shall be developed for each youth within five school days.
- (4) Upon enrollment, education staff shall comply with the State Education Code and request the youth's records from his/her prior school(s), including, but not limited to, transcripts, Individual Education Program (IEP), 504 Plan, state language assessment scores, immunization records, exit grades, and partial credits. Upon receipt of the transcripts, the youth's educational plan shall be reviewed with the youth and modified as needed. Youth should be informed of the credits they need to graduate.

- (f) Educational Reporting
 - (1) The complete facility educational record of the youth shall be forwarded to the next educational placement in accordance with the State Education Code.
 - (2) The County Superintendent of Schools shall provide appropriate credit (full or partial) for course work completed while in juvenile court school in accordance with the State Education Code.
- (g) Transition and Re-Entry Planning
 - (1) The Superintendent of Schools and the Chief Probation Officer or designee, shall develop policies and procedures to meet the transition needs of youth, including the development of an education transition plan, in accordance with the State Education Code and in alignment with Title 15, Minimum Standards for Juvenile Facilities, Section 1355.
- (h) Post-Secondary Education Opportunities
 - (1) The school and facility administrator should, whenever possible, collaborate with local post-secondary education providers to facilitate access to educational and vocational opportunities for youth that considers the use of technology to implement these programs.
 - (2) The facility administrator shall ensure youth with a high school diploma or California high school equivalency certification have access to, and can choose to participate in, public postsecondary academic and career technical courses and programs offered online, and for which they are eligible based on eligibility criteria and course schedules of the public postsecondary education campus providing the course or program. Juvenile facilities, in coordination with county offices of education, may use juvenile court school classrooms and computers, in accordance with agreements entered pursuant to Section 48646 of the Education Code, for the purposed of implementing this requirement.
 - (A) If feasible, the facility administrator may develop other educational partnerships with local public postsecondary campuses to provide programs on campus and onsite at the juvenile facility.

NOTE: Authority cited: Sections 210 and 885, Welfare and Institutions Code. Reference: Section 209, Welfare and Institutions Code.

SYTF SUBCOMMITTEE RECOMMENDATIONS

- Incorporate [SB 716 \(2019-2020\)](#) because it requires access to postsecondary opportunities for all high school graduates. *Note:* [SB 716 \(2019-2020\)](#) is WIC § [858](#), [889.2](#) and [1762](#).
- Require access to technology/computer and internet for online courses and homework completion.
- Include step-down opportunities for participation in higher education.
- Ensure there is continued access to college enrollment when youth move between facilities or change security level.
- Consider defining dual-enrollment access. Some programs offer dual enrollment, which provides an opportunity to earn college credit while completing high school, but eligibility determination varies from county to county.
- Promote in-person education.
- Under subsection (g) Transition and Re-entry Planning, include opportunities for college programs and information.

PUBLIC COMMENT

Please see the following attachments:

- [Attachment A](#) – Pgs. 37-38
- [Attachment B](#) – Pg. 12
- [Attachment C](#) – Pg. 3
- [Attachment E.1](#) – Pg. 56-60
- [Attachment F](#) – Pg. 5
- [Attachment F.1](#) – Pg. 49-52
- [Attachment H](#) – Pg. 2
- [Attachment K](#) – Pgs. 25-26
- [Attachment L](#) – Pg. 12-14
- [Attachment Q](#) – Pg. 16-18
- [Attachment R](#) – Pg. 4
- [Attachment U](#)

IMPACT AND JUSTIFICATION

(1) (a) What existing problem is being addressed by this revision?

(b) How will this revision address/fix the problem? What is the rationale?

(2) What is the operational impact that will result from this revision; how will it change operations?

(3) (a) What is the fiscal impact that will result from this revision?

(b) How can it be justified?

(4) How will BSCC measure compliance with this revision?

(5) What national best practices were considered when reviewing this regulation?

(6) Summary of Workgroup Discussion and Intent: