



Students with Disabilities at DJJ

A Careful Blend


DJJ

Mission Statement

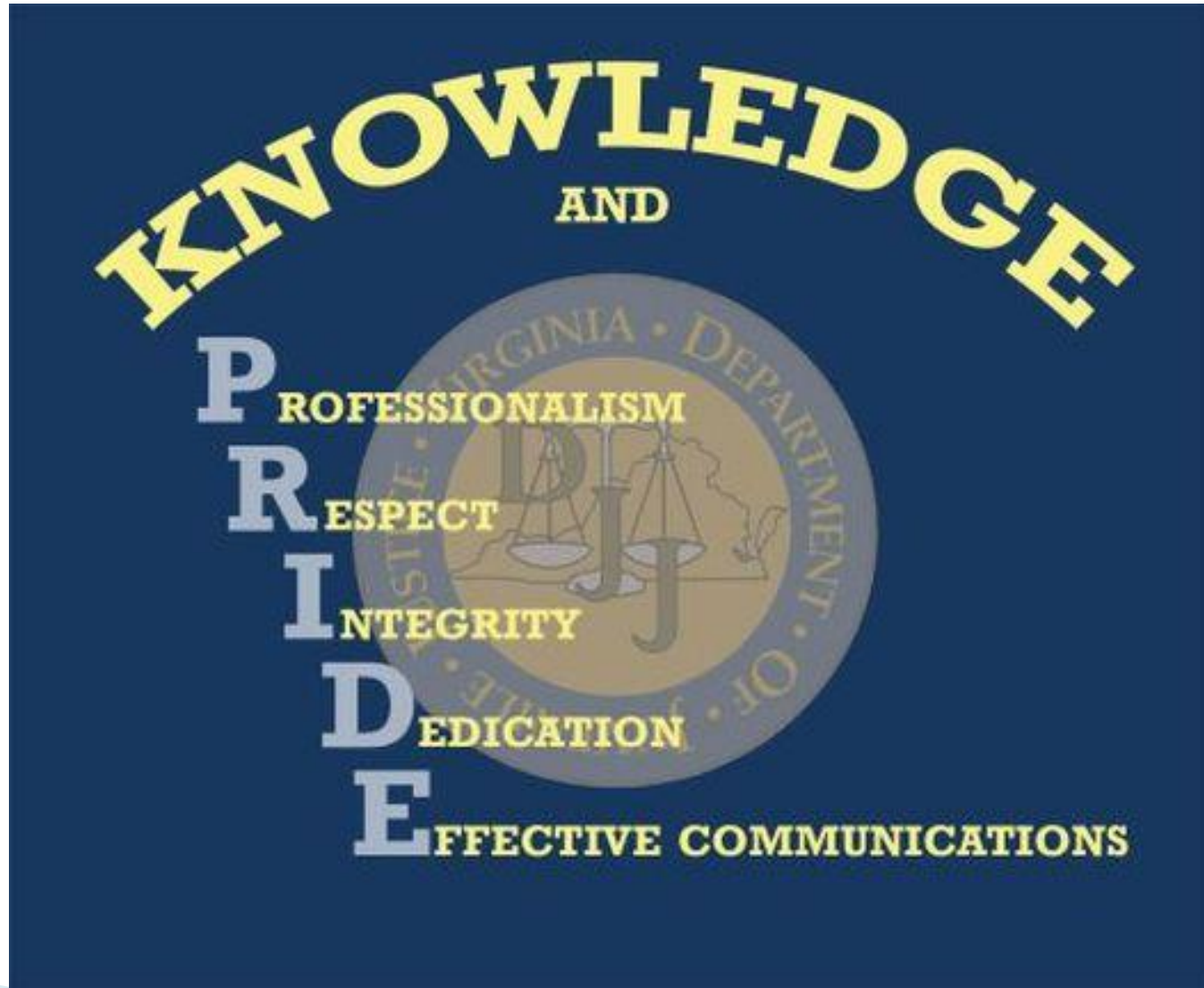
The Virginia Department of Juvenile Justice protects the public by preparing court-involved youth to be successful citizens.

Vision Statement

The Virginia Department of Juvenile Justice is committed to excellence in public safety by providing effective interventions that improve the lives of youth, strengthening both families and communities within the Commonwealth.



Values



To reach its mission:

Integrated approach

Current research and Best Practices

Balanced Approach

Protection of public safety by control of juveniles' liberty through community supervision and secure confinement

Structured system of incentives and graduated sanctions in both community and direct care settings to ensure accountability for juveniles actions

Variety of services and programs that build skills and competencies (e.g., substance abuse and aggression management treatment, support for academic and CTE education) to enable juveniles to become law-abiding members of the community upon release

Intensive Behavior Redirection Unit/Program (IBRU)

A self-contained program that provides residents with significant behavioral problems an opportunity to receive skill building, training, treatment, education, and behavior modification.

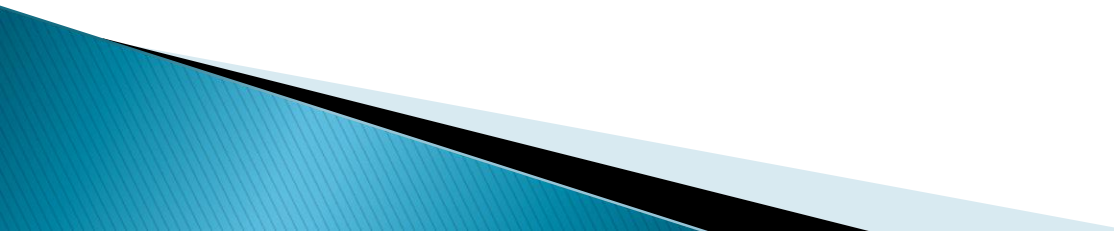
IBRU Placement

Reviewed by the building level treatment team
(Institutional Classification and Review
Committee/ICRC)

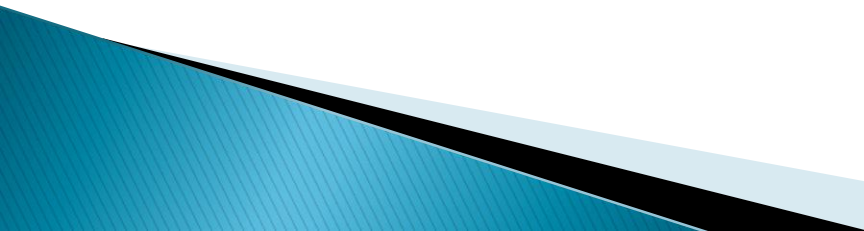
Reviewed by Central Classification and Review
Committee/CCRC



IBRU Placement

- ▶ He/she is a threat to others,
 - ▶ He/she has demonstrated chronic behavioral problems for which separation from the general population is the least restrictive alternative, or
 - ▶ He/she has engaged in violent or aggressive behavior and is a security risk.
- 

Factors to Consider

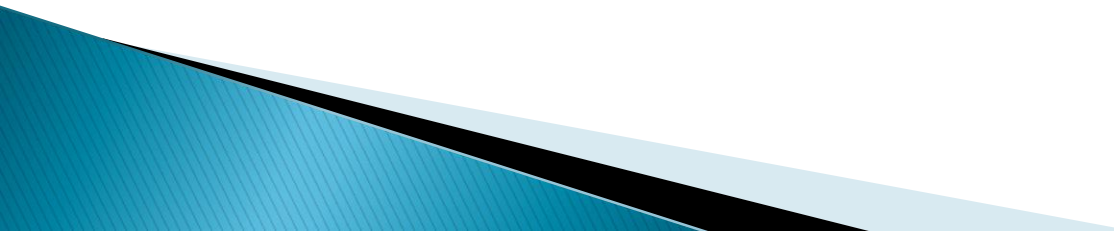
- Age and understanding
 - Identified disability
 - Intent
 - Capacity to benefit from a lower level of restriction
 - Risk of repeated behavior
 - Structured environment for delivery of services
 - Circumstances surrounding the behavior
- 



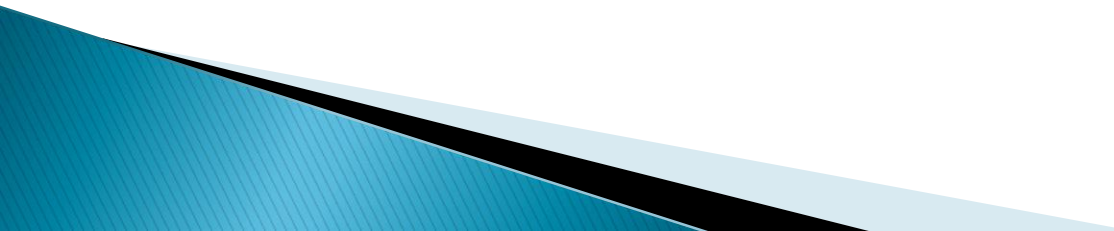
Designed to...

- ▶ Provide a highly structured environment in which residents are rewarded for appropriate behavior and learn self-control strategies that allow them to successfully transition into the general population or community.

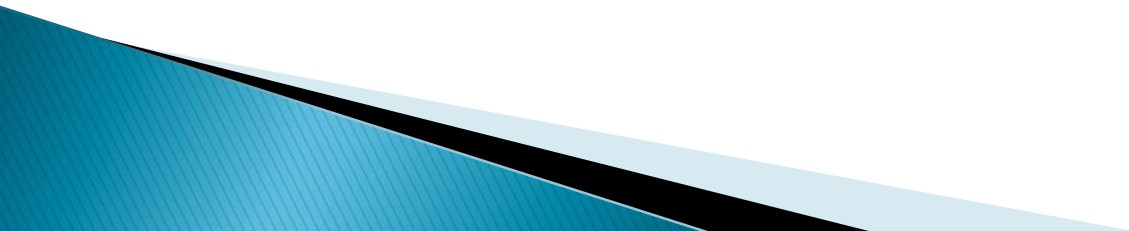
Review Process

- Timelines and student reviews
 - Cases are reviewed by the treatment team
 - Once the resident meets the criteria for return to the general population he/she shall be transferred
- 

Education in IBRU

- ▶ Each resident's educational needs are assessed, as appropriate.
 - ▶ The student has access to education on the unit during regular school hours unless there is an immediate safety and security concern.
 - ▶ At level III, students return to regular school for ½ days and at level IV they return to school for a full day.
 - ▶ Documentation of educational services is recorded. Did the student participate? If not, very specific documentation as to why not.
- 

Students with Disabilities



National reports document

Approximately one third of students in juvenile correctional facilities receive special education services.

At DJJ

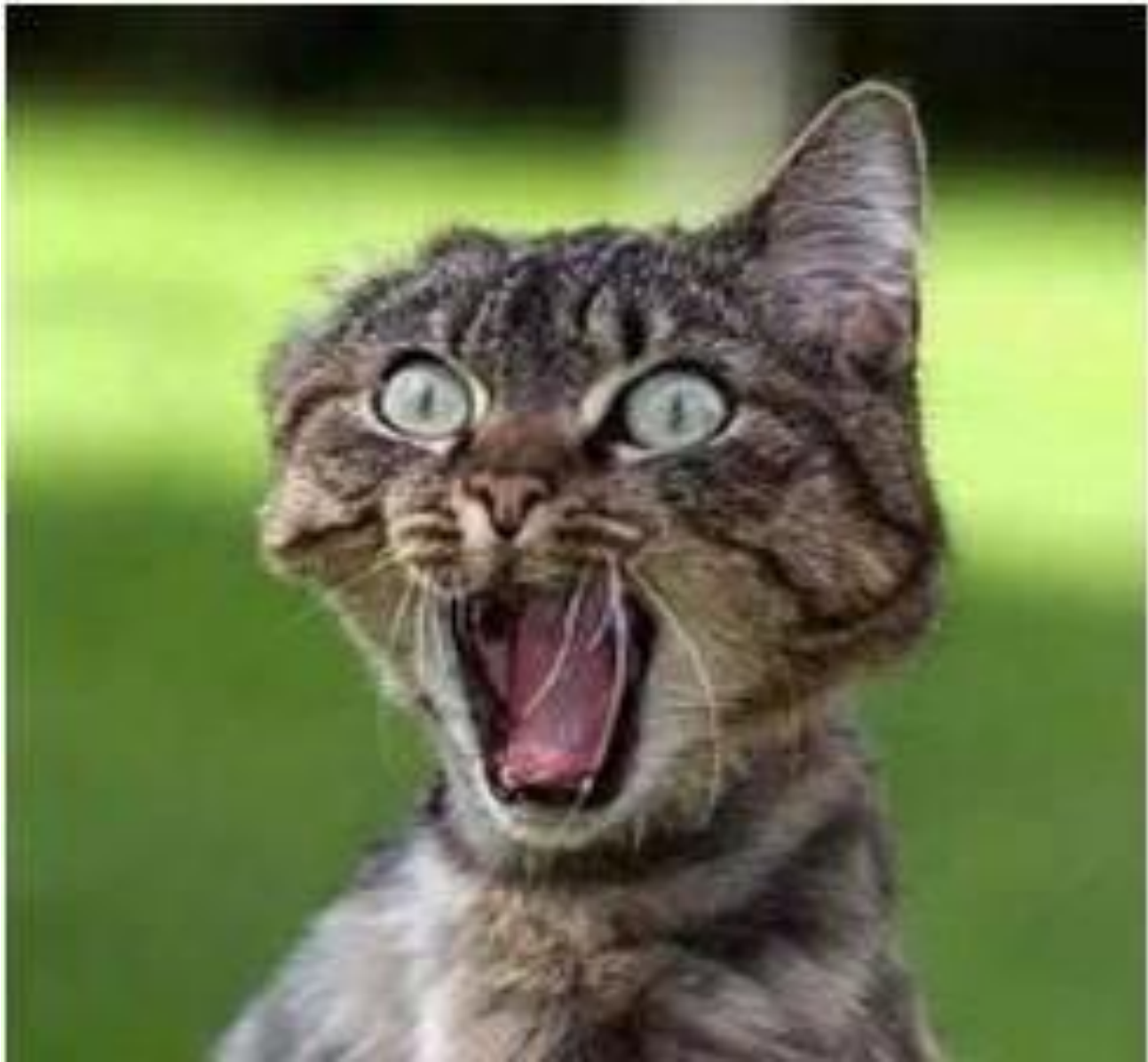
42% receive special education services

approximately:

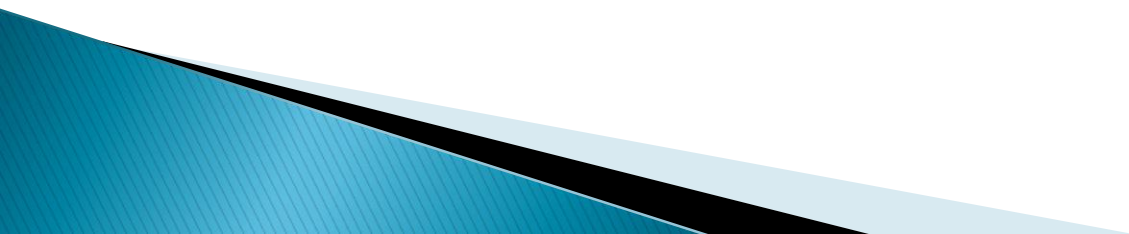
36 %	=	Other Health Impaired (primarily ADHD)
33%	=	Emotional Disability
25%	=	Specific Learning Disability
5%	=	Intellectual Disability
< 1%	=	Multiple Disability or Speech Language Impairment

(some students have dual identifications)

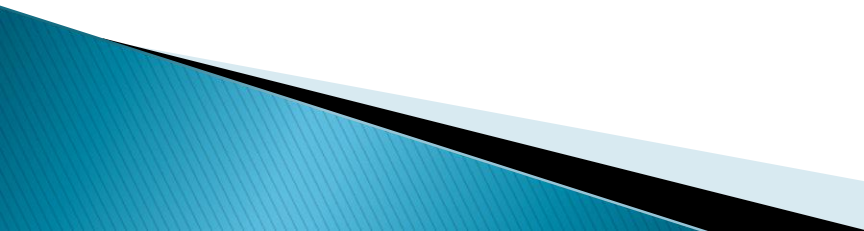
As of 10/26/2015



Special Considerations for Students With Disabilities in Local or Regional Jails



No single model for delivery of services on the continuum of placement

- The IEP team may modify a student's IEP or placement if the jail staff demonstrates to the IEP a bona fide security or compelling penological interest that cannot be otherwise accommodated.
 - If such modifications are made by the IEP team, requirements related to Least Restrictive Environment do not apply.
- 

Positive Behavioral Interventions

When the child's behavior impedes the child's learning or that of others, the IEP team shall consider the use of positive behavioral interventions, strategies, and supports to address the behavior.

- develop goals and services; or
- conduct a FBA/BIP

FBA/BIPs are based upon individual student needs.

Special Education students assigned to IBRU

Safety and security
and a

A Free and Appropriate Public
Education (FAPE)

A Careful Blend



Removals from the current educational setting

Short-term

- up to 10 days

Long-term

- more than 10 consecutive school days, or
- a series of short-term removals that constitute a pattern (not consecutive)

- Notify Parent and provide the parent or adult student with Procedural Safeguards

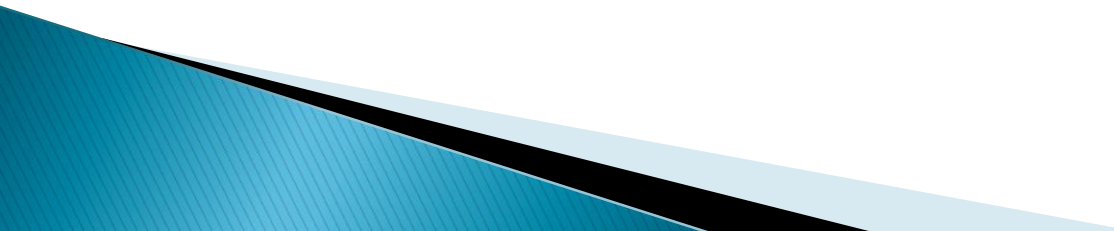
Manifestations Determination long-term removals

- ▶ Invite representatives from all areas who work with the student:
 - ✓ Security Officers / Resident Specialist
 - ✓ Unit Counselors
 - ✓ Behavioral Services Unit Staff
 - ✓ General Education Teacher
 - ✓ Special Education Teacher
 - ✓ Building Administrator
 - ✓ Parent
 - ✓ Student
 - ✓ School Psychologist

Is the behavior related to the disability?

NO

School personnel may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to children without disabilities.



Is the behavior related to the disability?

YES

The child shall return to the placement form which the child was removed unless...

The parent and the school agree to a change in placement as part of the modification of the behavioral intervention plan.



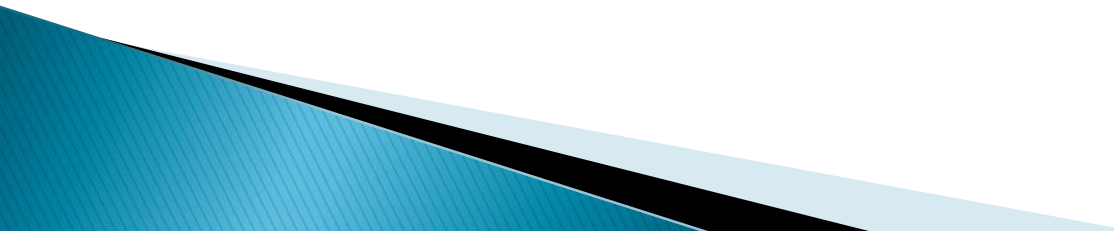
Functional Behavioral Assessment/ Behavioral Intervention Plan (FBA/BIP)

- ▶ If Yes - conduct an FBA and develop a BIP, or review and modify current plan, as necessary.

Dear Colleague letter

United States Department of Education, Office
of Special Education and Rehabilitative
Services, December 5, 2014

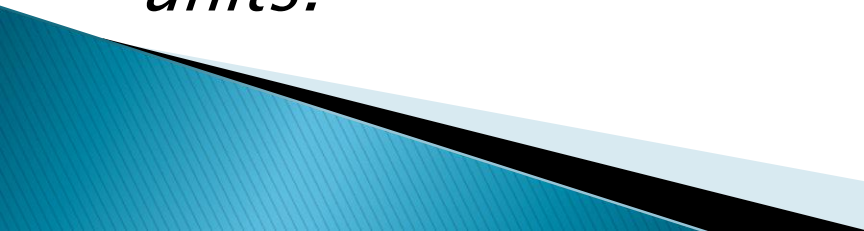
Concern: *“Students with disabilities represent a large portion of students in correctional facilities, and it appears that not all students with disabilities are receiving the special education and related services to which they are entitled.”*



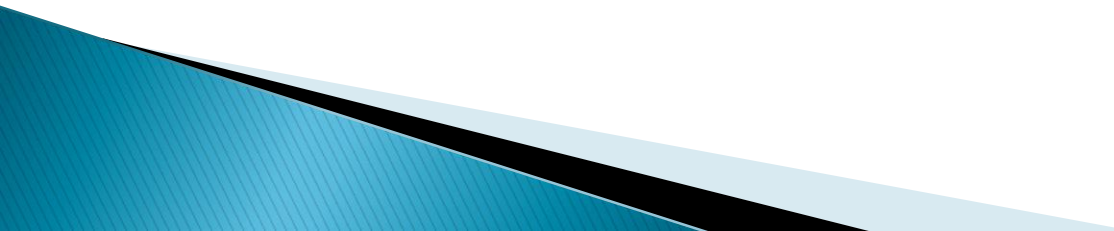
Dear Colleague Letter....

... "because correctional facilities are run by public entities, their obligation to ensure that special education and related services are provided to eligible students with disabilities continues."

"A student who violates a code of conduct is entitled to the protections of IDEA discipline procedures that must be afforded to all students with disabilities. These protections apply regardless of whether a student who violates a code of student conduct is subject to discipline in the facility or removed to restricted settings, such as confinement to the student's cell or "lockdown" units."



At DJJ

- ▶ Provide educational services to students in IBRU or placed on the unit.
 - ▶ Assign a teacher specifically to those units to deliver instruction and services as outlined in the IEP and document services and supports.
 - ▶ Hold Manifestation Determination meetings.
 - ▶ The IEP team meets to discuss placement, as necessary.
 - ▶ Return students to original education setting as soon as possible.
- 

Resources:

Intensive Behavior Redirection Unit Program Manual. Department of Juvenile Justice, VA. July 1, 2013.

Special Education and Related Services in Local and Regional Jails: Guidelines for Best Practice. Virginia Department of Education Division of Special Education and Student Services. April 2012.

Regulations Governing Special Education Programs For Children With Disabilities in Virginia. Department of Education 8VAC20-81 Special Education Regulation. January 25, 2010.

Dear Colleague Letter. United States Department of Education. Office of Special Education and Rehabilitative Services. December 5, 2014. <https://www2.ed.gov/policy/gen/guid/correctional-education/idea-letter.pdf>

Contact information:

Mark Murphy

Behavioral/Health Services Administrator, DJJ

mark.murphy@djj.virginia.gov

Jill Becker

Director of Special Education and Gifted
Programs/DJJ Education

jill.becker@djj.virginia.gov

