

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #5

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FILED

Nov 29 2 25 PM '93

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY: West Virginia Board of Education TITLE NUMBER: 126

CITE AUTHORITY: W.Va. Constitution, Article XII, §2; W.Va. Code 18-2-5; 49-5A-6a

RULE TYPE: PROCEDURAL _____ INTERPRETIVE _____

EXEMPT LEGISLATIVE RULE X
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

W.Va. Code §§29A-3B-1, et seq.; W.Va. Board of Education v. Hechler, 180
W.Va. 451, 376 S.E.2d 839 (1988).

AMENDMENT TO AN EXISTING RULE: YES _____, NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: 69

TITLE OF RULE BEING ADOPTED: Regulations for the Education of Juveniles
Placed in Secure Predispositional Detention Centers

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS July 1, 1994

Victor A Barone

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FISCAL NOTE WORKSHEET

HD NO _____ DRAFT NO _____ BILL NO _____ RESOLUTION NO _____

SUBJECT Regs. for Educ. of Juveniles in Secure Predispositional Detention Cntrs. FUND _____

SOURCE OF REVENUE: GENERAL SPECIAL OTHER (SPECIFY) _____

COST ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____

INCOME ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____

SHOW OVER-ALL EFFECT IN ITEMS 1 AND 2 AND ITEM 3 GIVE EXPLANATION OF BREAKDOWN BY FISCAL YEAR INCLUDING LONG-RANGE EFFECT

EFFECT OF PROPOSAL	ANNUAL		FISCAL YEAR		
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
1. ESTIMATED TOTAL COST	\$ 50,000.00		\$ 50,000.00	\$ 52,000.00	\$ 54,080.00
PERSONAL SERVICES CURRENT EXPENSES REPAIRS AND ALTERATIONS EQUIPMENT OTHER	\$ 50,000.00		\$ 50,000.00	\$ 52,000.00	\$ 54,080.00
2. ESTIMATED TOTAL REVENUES	\$ 50,000.00	\$	\$ 50,000.00	\$ 52,000.00	\$ 54,080.00

3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

1. These regulations impose no additional staff requirements over and above the staff presently required to provide these youth with their guaranteed constitutional right to an education.
2. These regulations may require the upgrading of equipment, materials and supplies for FY '95, a cost estimated at \$ 10,000 per center.
3. The total cost of this fiscal note for FY '95 is \$ 50,000 (5 centers x \$10,000).
4. It is assumed that additional upgrading of equipment, materials and supplies will be needed for FY '96 and FY '97 at the same estimated cost per center plus four (4) percent inflation.

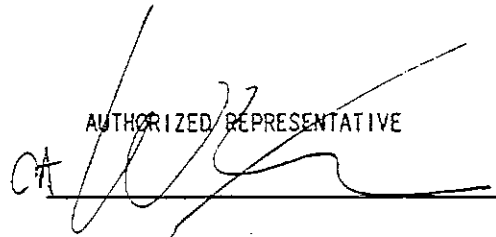
DATE

AGENCY

AUTHORIZED REPRESENTATIVE

11/2/93

Education



FILED

Nov 29 2 25 PM '93

TITLE 126
LEGISLATIVE RULE
WEST VIRGINIA BOARD OF EDUCATION
POLICY 2800
SERIES 69

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

TITLE: Regulations for the Education of Juveniles Placed in Secure Predispositional Detention Centers

Section 1.0 General

- 1.1 Scope - This policy establishes regulations for education programs in the state's secure predispositional juvenile detention centers.
- 1.2 Authority - WV Constitution, Article XII, §2; §18-2-5; §49-5A-6a
- 1.3 Filing Date - November 29, 1993
- 1.4 Effective Date - July 1, 1994
- 1.5 Repeal of Former Rule - None. This is a new rule.

Section 2.0 Purpose

Juveniles placed in secure predispositional detention centers represent a population at-risk for school failure, dropping out of school, delinquency, incarceration, chemical addiction, and a future of alienation and dependency. Consequently, a specialized education program is required to assist these court-involved youth in making appropriate decisions concerning their future in school, home, and community life. In addition, juveniles placed in detention centers also have a fundamental constitutional right to an education regardless of their custodial circumstance.

The purpose of these regulations is to provide an intervention program for at-risk youth in secure predispositional detention centers and to ensure they receive appropriate educational opportunities during their period of detention and thereafter.

Section 3.0 Responsibility for Education

A county board of education with a secure predispositional juvenile detention center in its jurisdictional boundary shall establish and maintain education programs and services for youth placed in the facility in accordance with these regulations.

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Section 4.0 Program

A county board of education responsible for providing detention education services shall design and deliver a short-term, high-impact intervention program to achieve the following:

- a. provide students with the opportunity to examine attitudes and behaviors for the purpose of promoting positive change;
- b. assist students in building positive beliefs in themselves and recognizing how preconceived ideas and low self-esteem can limit their personal growth;
- c. provide information concerning prosocial life skills (e.g., social problem solving; anger control; coping and refusal skills; and sound habits of personal health)
- d. provide students with the opportunity to continue basic instructional programming including remedial, special and GED educational services;
- e. complete an assessment of each student's educational status and prepare a report of findings and recommendations;
- f. provide transitional planning and linkages to service providers and other resources; and
- g. work in cooperation with detention center staff to achieve the mission of the institution and the juvenile justice system (viz., prevention of delinquency; habilitation of youth; and protection of the juvenile and the public).

Section 5.0 Curriculum and Instruction

The detention center education program shall implement curriculum and instruction in accordance with the following standards:

- a. the detention education program shall have a written curriculum for implementing the program;
- b. the curriculum shall be organized and sequenced in a series of short-term, high-impact, modular units which address specified instructional goals and objectives;
- c. instructional activities shall be consistent with the written curriculum and appropriate for the student's developmental level;
- d. instructional materials shall be age-appropriate, functionally-appropriate, and of high interest level for students;
- e. the program shall include a library area which houses a variety of age-appropriate books and materials;
- f. each student shall have a written set of individualized educational goals which culminate in a transitional plan;

- g. the instructional program shall accommodate the frequent entry and exit of students;
- h. curricular and instructional practices shall reflect high expectations for students;
- i. the instructional program shall be delivered in a climate conducive to learning; and,
- j. sufficient instructional materials, supplies and equipment shall be available to deliver the curricular content.

Section 6.0 Transfer of Student Records

The detention center education program shall establish and implement written procedures for the immediate transfer of student records from the public schools to the institution, from the institution to the public schools, and from institution to institution. Procedures shall include a protocol for insuring the confidentiality of school records when sent or received via FAX. County school districts throughout the state shall provide school records to detention education programs in a forthwith manner.

Section 7.0 Assessment of Educational Status

The detention center education program shall include an assessment of each student's educational status. Staff shall refer the student for comprehensive educational assessments in suspected areas of need as appropriate. A report of findings and recommendations shall be prepared for each student and made available to the court for purposes of disposition.

Section 8.0 School Calendar

The county board of education shall establish a calendar for the detention center education program in consultation with the director of the juvenile detention center. The calendar for the detention education program shall include a regular school term in compliance with state law concerning the required number of instructional and non-instructional days. The county board of education shall also provide, and the calendar include, an extended school term of up to 40 days (viz., a 12-month education program) to the extent funds are provided to the county board of education for such programs. Nothing shall prohibit the county board of education from providing an extended year program from other sources of funds.

Section 9.0 Length of Instructional Day

The detention education program shall provide students the opportunity for a full instructional day in accordance with State Board of Education Policy 2510.

Section 10.0 Educational Facilities and Security

The Department of Health and Human Resources or its public or private service provider has the responsibility to provide the county school district with an area of adequate size to implement the program and appropriate security to insure the safety of staff and students. The area shall be safe, meet the needs of students, and provide for an environment conducive to learning.

Section 11.0 Professional Staff Qualifications

The professional educator(s) assigned to provide instructional services in the detention center shall hold West Virginia licensure endorsed to provide special education to behavior disordered students.

Section 12.0 Maintenance of Educational Records

Educational records shall be kept separate from the resident filing system within the detention facility and maintained in accordance with state and federal laws and regulations and State Board of Education Policy 4350.

Section 13.0 Special Education

Exceptional students placed in a secure predispositional juvenile detention center shall receive a free appropriate public education in accordance with applicable regulations under State Board of Education Policy 2419.

Section 14.0 Staffing

The county board of education with a detention center in its jurisdictional boundary shall provide staff appropriate in number to implement the provisions of these regulations.

Section 15.0 Monitoring

The West Virginia Department of Education shall monitor compliance with these regulations.

WEST VIRGINIA BOARD OF EDUCATION POLICY

POLICY 2800

Title: Education of Juveniles in Secure Predispositional Detention Centers

The State Board of Education believes that students in secure predispositional juvenile detention centers have a fundamental constitutional right to an education during their period of detention. The board also believes that juveniles in these facilities are highly at-risk and need a specialized program to divert them from a future of dependency and alienation. A county board of education with a secure predispositional detention center in its jurisdictional boundaries, in cooperation with other county boards of education, must provide an aggressive program to assist these youth.

The board believes that there are no "throw away" youth in our society and that education is central in breaking the cycle of disadvantage, school failure, alienation, delinquency, and dependency. This policy is aimed at providing a first step in breaking that cycle via a short-term, high-impact, intervention program and the provision of educational opportunities during the period of detention and thereafter.

SUMMARY OF COMMENTS

Policy 2800 - Regulations for the Education of Juveniles in Secure Predispositional Detention Centers

The public comment period for Policy 2800 ended October 20, 1993. A total of 79 comments from 13 individuals/organizations were received. A number of the comments were centered around the following issues: (1) the policy places an unfair burden upon the county school district with a juvenile detention center in its jurisdictional boundary; (2) the Department of Education should assume responsibility for the program as opposed to the county board of education; (3) the comprehensive assessment is not feasible due to the short length of stay; (4) the county board of education needs additional funding to implement the policy and funding is not addressed in the policy; (5) the behavior disorder teacher may need additional endorsements to serve other categorical areas; and (6) professionals, other than the behavior disorder teacher, may be more appropriate.

The policy received many positive comments.

Twelve (12) amendments were made to the proposed policy in eight (8) sections. The amendments are as follows:

Section 4.0 Program

Change 4.0 (e) from "Complete a comprehensive educational assessment on each student..." to "Complete an assessment of each student's educational status..."

Section 6.0 Comprehensive Educational Evaluation

Change the section heading from "Comprehensive Educational Evaluation" to "Assessment of Educational Status."

Renumber this section as 7.0

Change "The detention center education program shall include a comprehensive assessment of each student's educational status including: academic and vocational history; academic standing; school related problems (e.g., behavior and attendance); special needs; strengths and weaknesses; family, peer and community problems affecting school performance; career interests; and other areas pertinent to school detention and post-detention planning." to "The detention center education program shall include an assessment of each student's educational status. Staff shall refer the student for comprehensive educational assessments in suspected areas of need as appropriate."

Section 7.0 Transfer of Student Records

Re-number this section as Section 6.0.

Section 8.0 School Calendar

Add "to the county board of education" following the word "provided."

Section 9.0 Length of Instructional Day

Change "Students in the detention education program shall receive" to "The detention education program shall provide students the opportunity for"

Section 10.0 Educational Facilities

Add "and Security" following "Facilities" in the section header.

Add "and appropriate security to insure the safety of staff and students." following "program."

Section 11.0 Professional Staff

Add "Qualifications" in the section header

Section 14.0 Staff-Student Ratio

Change "Staff-Student Ratio" to "Staffing" in the section header.

Change "The staff-student ratios for the detention education program shall be maintained as follows:

<u>Staff</u>	<u>Students</u>
1 F.T.E. teacher	less than eight (8) students
1 F.T.E. teacher + aide	eight (8) to 15 students
2 F.T.E. teachers	16 to 20 students"

to "The county board of education with a detention center in its jurisdictional boundary shall provide staff appropriate in number to implement the provisions of these regulations."

COMMENTS AND SUGGESTIONS LOG
 REGULATIONS FOR THE EDUCATION OF JUVENILES IN SECURE PREDISPOSITIONAL DETENTION CENTERS
 Policy 2800
 October 20, 1993

ACTION/TYPE:
 N: No Response/ - Negative
 NA: Not Accepted/ + Positive
 A: Accepted/ ● Neutral

<u>DATE RECEIVED</u>	<u>INDIVIDUAL/ORGANIZATION</u>	<u>COMMENTS/SUGGESTIONS</u>	<u>ACTION/TYPE</u>	<u>RATIONALE</u>
9/17/93	Donna Legg, Principal Anthony Corr. Center Route 92 Neola, WV 24961	4.0 There is nothing mentioned about the re-entering to the public school system. The specific mentioning of GED tends to suggest re-entering the public school system is not an alternative.	NA●	Requested action is implied in the policy.
9/21/93	Billie J. Davis 12 Warren Place Charleston, WV 25302	General Comments - Near the bottom of the first paragraph of the policy is phrase "in cooperation with other County Boards of Education". No aspect of such cooperation is addressed anywhere in the regs.	NA	Cooperation is addressed in transfer of records and implied in transition and service linkages.
		1.0 This policy has been needed for a long time! Excellent move!	N+	
		2.0 This right on target - particularly if it is enforced.	N+	
		3.0 These responsibilities should be shared by other boards of education whose students are placed in Regional Centers, including funding.	NA●	The Department will seek funding for counties with responsibility for the program.

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9/21/93	Billie J. Davis, cont.	4.0 Excellent goals! <u>Staffing</u> will have to include someone <u>trained</u> to work toward these goals.	NA+	
		5.0 Excellent! Much needed! As I have visited these centers over the years, most of this has been lacking.	N+	
		6.0 Excellent! Much needed.	N+	
		7.0 This has been a problem, always. Various state superintendents have addressed it, but follow-up is difficult.	N●	
		8.0 Excellent! Will need follow-up.	N+	
		9.0 This is one of the biggest holes in the system and should be <u>strictly enforced</u> .	N●	
		10.0 Much needed!	N+	
		11.0 Much needed!	N+	
		12.0 Much needed!	N+	

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9/21/93	Billie J. Davis, cont.	15.0 and <u>enforcement</u>	N●	Noncompliances are generally corrected through cooperative relations and voluntary actions.
9/24/93	Judge Chris Wilkes Circuit Court 802 S Queen Street Martinsburg, WV 25401	General Comments through 5.0 - OK 6.0 OK - should interact with juvenile probation officer.	N+	
9/30/93	Dr. H. Lawrence Jones Ohio County Schools 2203 National Road Wheeling, WV 26003	7.0 through 15.0 - OK 3.0 Any funding currently provided to private contractors, such as Youth Service System in Ohio County for educational services should be redirected to the county school system if it is to have sole responsibility for educational services.	N+ NA●	 The policy does not address funding and the Department is unaware of any educational funding provided to detention centers.
		4.0 Educational systems are best equipped to provide educational services, not psychological and rehabilitation services. (a., b., c., f.) Other institutions are charged with responsibility for these noneducational services and are better equipped to provide them.	NA-	Education includes provision of services in the affective domain, assessment services and transition services. These are vital components in programs for at-risk youth.

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9/30/93	Dr. H. Lawrence Jones cont.	5.0 a. & b. All curriculum would have to be individual specific. Therefore, this requirement is unrealistic. We cannot reproduce Wheeling Park High School at a detention center for residents whose longest stay is 30 days. A curriculum consisting of literature and mathematics would be more appropriate as an interim effort to use the temporary stay in a detention center to maximum benefit.	NA●	A specialized curriculum for at-risk youth is needed and can be designed for these programs.
9/27/93	Dr. Bonnie Ritz Ohio County Schools 2203 National Road Wheeling, WV 26003	3.0 To assure equitable, reasonable services without undo burden to county Boards of Education, the State Department of Education should assume the responsibility of educating youths in juvenile detention centers. 4.0 (e) Students are in detention centers for one to thirty days. Expecting counties to complete proper comprehensive educational assessments and prepare reports for each child is unreasonable. (f) Social services and transitional planning would best be accomplished by detention center staff.	NA●	The Department will seek funding to assist counties in assuming this responsibility and provide technical assistance. The policy has been amended to an assessment of educational status and initiation of referrals, if needed.

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9/27/93	Dr. Bonnie Ritz, cont.	5.0 For consistency, the curriculum should be developed and implemented by the West Virginia Department of Education.	NA●	The Department will provide training and technical assistance in development of curriculum.
		6.0 See comments 4.0	A	See rationale 4.0.
		8.0 Extended school term programs must be funded from sources outside the county.	A●	The language has been amended to clarify the statement.
		9.0 Staffing a detention center that houses a small number of students for one to 30 days not to exceed 30 days is very difficult for county systems. An additional staff position beyond the formula funded needs to be funded by sources outside the county.	NA●	The Department will seek funding to assist counties and provide technical assistance.
		The juveniles served by the facilities are from various locations in the state. The county should not be required to accept undue burden because a center is located within its boundaries.	NA-	Same as above.

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10/1/93	A. J. Parker Boone County Schools 69 Avenue B Madison, WV 25130	3.0 It seems unfair to make the L.E.A. responsible for paying the staff just because the facility is located in a particular county.	NA-	The Department will seek funding to assist counties and provide technical assistance.
		11.0 Just because a student is in difficulty with the law does not mean he/she is Behavior Disordered as defined in Policy 2419.	NA-	The policy does not imply that all students are behavior disordered. A BD teacher is the best trained educator for this specialized role.
10/1/93	Sandra Rupert Cabell County Schools 620 20th Street Huntington, WV 25709	General Comments - The state is to commended for attempting to develop a state plan for predispositional Youth.	NA+	
		3.0 Financial support from the state must be given to those counties that have a detention center. To provide all the components required in these regulations, additional staff would be needed. It would be unfair for the host county to have the full burden of financial responsibility for students placed by the Court system in their facility.	NA-	The Department will seek funding to assist counties with this responsibility.

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10/1/93	Sandra Ruppert, cont.	4.0 This sounds great. However, realistically how can all of this be accomplished within the 30 days. Experience has shown that it may take at least one week to track down student records. That leaves only three weeks for assessments educational, vocational, history, etc., and transitional planning.	A●	Policy has been amended to focus on assessment of educational status.
		5.0 Once again financial resources would be needed to develop the modules, purchase needed supplies and supplies and equipment and establish a library.	NA	The Department will seek funding to assist counties in meeting this responsibility.
		6.0 Additional support staff will be needed to provide these evaluations.	A●	Policy has been amended.
		7.0 It is often very difficult to discover the last school these students attended which delays obtaining their records. There is also no uniform method throughout the counties on the release of informa-	NA--	Obtaining student records is a vital component to determine student's educational status.

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10/1/93	Sandra Rupert, cont.	tion. Often different parts of the student's records are released by different departments within the school system, i.e., Permanent Record-School, Special Ed.-Central Office, Vocational-Vo-Tech Center.	NA●	Policy does not address funding but the Department will seek funding to assist counties.
		8.0 Once again, this is a great idea but money must be made available to the host counties.	NA●	
		11.0 What if students are eligible for other Special Education Services i.e., SLD, CD, OT, PT? These support staff must also be provided. Once again these services cost money.	NA-	A behavior disorder teacher is the best trained professional for this specialized role.
		12.0 Many school systems are reluctant to release records to any one other than a specific school.	NA●	The policy requires counties to release records in a forth-worthy manner.
		13.0 If staff is certified in B.D. and student is M.I., what happens?	NA●	The behavior disorder teacher is functioning in a specialized role for youth in a crisis situation, not providing categorical services.

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10/8/93	Mary Knapp Boone County Schools 69 Avenue B Madison, WV 25130	11.0 Not all students who are placed in a juvenile center qualify as BD students. Many are mentally impaired and even gifted. BD certification may not be appropriate.	NA-	The policy does not imply that all students are behavior disordered only that the behavior disorder teacher is the most qualified to function in this specialized role.
10/14/93	Margaret Pace, Director Special Education Mercer County Schools 1403 Honaker Avenue Princeton, WV 24740	4.0 It may not be possible for special education students placed in a detention center to receive a free appropriate education because of the certification of the teacher and the continuum of services. 4.0 (e) def. of "complete educational assessment". 5.0 (f) ...written set of individualized educational goals which culminate in a transition plan? Is this a requirement for regular education students? If the students is not disabled why this requirement? How can it be accomplished if students is in center 2-4 days only?	NA- A●	The policy qualifies the responsibility via the term "applicable" regulations. Policy has been amended. Policy is meant to document targets for short term change and recommendations for students - not the specificity and length of an IEP.

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10/14/93	Margaret Pace, cont.	11.0 licensure to teach or provide special education to behavior disordered students should not be a requirement - this hinders detention center and county board if education staff in hiring the person best suited for providing educational services to residents not all - and in my experience few residents are identified as B.D.	NA	The behavior disorder specialist is the most appropriately trained professional for this specialized role.
		14.0 Eliminate requirement for an aide - not required unless there would be students with disabilities per caseload requirements in SBP 2419.	A	Policy has been amended to provide flexibility in staffing.
10/14/93	NA	General Comments - While I support the overall concept of educational programming to be provided to juveniles in secure predispositional juvenile detention centers, I question whether <u>White v. Linkinogger</u> , 344 S.E. 2d 63 W.Va. 1986 is dispositive in the situation of juvenile offenders. A review of the case will reveal that the factual scenarios are vastly different from placement in a secure facility.	NA	Facts are generally different in court cases but the underlying principle is that a student has a right to an education regardless of where she or he resides.

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10/14/93	NA, cont.	Secondly, while the Department of Education provides excellent leadership and resources for other state facilities (i.e., Colin Anderson, Barboursville, Abraxis, WV Penitentiary), it is highly recommended that these programs likewise be brought under this umbrella to ensure correlation of services and programming for the juveniles. This responsibility should rest with the State and <u>not</u> the five individual counties where facilities are located.	NA●	The Department will seek funding to assist counties and provide technical assistance.
		5.0 f. If the average student stay is 3.5 days, how can this be logically accomplished?	NA●	Average length of stay is reported as 14-15 days by DHHR. Requirement is not the magnitude of an IEP.
		6.0 AS with 5.0, I am concerned that the average stay is not long enough to allow completion of this.	A●	Requirement has been amended.
		7.0 I would suggest a 24 hour time to respond to a request for records as this is often an area of difficulty.	NA●	Time is of the essence in disposition and in providing services.

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 October 20, 1993

ACTION/TYPER:
 N: No Response/ - Negative
 NA: Not Accepted/ + Positive
 A: Accepted/ ● Neutral

<u>DATE RECEIVED</u>	<u>INDIVIDUAL/ORGANIZATION</u>	<u>COMMENTS/SUGGESTIONS</u>	<u>ACTION/TYPER:</u>	<u>RATIONALE</u>
10/14/93	NA, cont.	8.0 Funding should also be provided for the regular school year and extended term by the State.	NA●	The policy does not address funding but the Department will seek funding and provide technical assistance to the counties.
10/20/93	Juvenile Justice Committee WV Supreme Court of Appeals	General Comments - Excellent. Proposed Policy 2800 achieves an appropriate balance of state and county responsibilities for education within the juvenile detention experience. The policy provides reasonable discretion to county board in meeting the needs of youths in residence for varying lengths of stay. By defining appropriate education as including planning and transition services, the policy is appropriate for youths detained for two days to two months. By linking education to the mission of detention and the court, implementation of Policy 2800 will represent an interagency initiative to incorporate education to community juvenile justice programming.		

REGULATIONS FOR THE EDUCATION OF JUVENILES IN SECURE PREDISPOSITIONAL DETENTION CENTERS

COMMENTS AND SUGGESTIONS LOG

Policy 2800

October 20, 1993

ACTION/TYPE:
 N: No Response/ - Negative
 NA: Not Accepted/ + Positive
 A: Accepted/ ● Neutral

<u>DATE RECEIVED</u>	<u>INDIVIDUAL/ORGANIZATION</u>	<u>COMMENTS/SUGGESTIONS</u>	<u>ACTION/TYPE:</u>	<u>RATIONALE</u>
10/21/93	Southern Regional Juvenile Detention Center Route 1, Box 626 Princeton, WV 24740	5.0 I think that the teacher at the Detention Center should make an effort to follow the curriculum being offered at the juveniles home school whenever possible. They should work in cooperation with the counselors and teachers at that individuals school so they can keep up with their classes and not get behind in their work.	NA●	These actions are consistent with the policy.
10/25/93	Susan C. Salmons, WVDHHR Office of Soc. Services 3135 16th Road Huntington, WV 25701	11.0 The professional educator at each juvenile detention center should also be endorsed to provide special education to students with learning disabilities as well as behavior disorders. General Comments - These standards and appropriate funding to see that they are met are very necessary for these facilities. The majority of youths placed in detention are returned to a less restrictive environment. Their education needs to be continued with limited, or no, disruption.	NA+ N● N+	The behavior disorder teacher is the most appropriately trained to function in this specialized role.
		1.0 No Comment.	N●	
		2.0 I completely agree with these principles.	N+	

COMMENTS AND SUGGESTIONS LOG
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 Policy 2800
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0/25/93	Susan C. Salmons, cont.	3.0 This is a must. The State Board needs to work with the counties regarding fiscal issues and consistency at all facilities throughout the state.	N+	
		4.0 This may be the first time these youth have an opportunity for individualized attention from any sector.	N+	
		5.0 Please refer to comments for Section 3.0.	N+	
		6.0 Agree. This can assist the court system in determining the appropriate placement of the youth.	N+	
		7.0 Agree.	N+	
		8.0 Support completely. Would hope counties and state would pursue grants, etc. to continue education program year-round. It's a necessity.	N+	
		9.0 Agree	N+	

COMMENTS AND SUGGESTIONS LOG
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10/25/93	Susan C. Salmons, cont.	10.0 Agree. We will work with the teacher and county to provide adequate space within the physical structure and funding. If needs cannot be immediately met we will pursue additional resources.	N+	
		11.0 The counties need high qualified staff to be able to accomplish these tasks and to work with this population.	N+	
		12.0 Support and will work with county to accomplish this standard.	N+	
		13.0 Agree.	N+	
		14.0 Agree.	N+	
		15.0 Agree.	N+	



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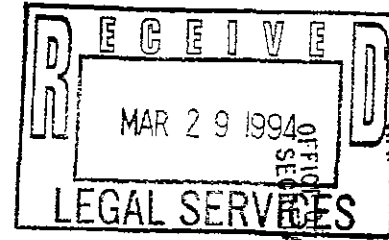
(Plus all the volunteer
help we can get)

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STATE OF WEST VIRGINIA

SECRETARY OF STATE

Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770



APR 14 7 33 AM '94

FILED

TO: Vic Barone

AGENCY: Education

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: March 25, 1994

THE ATTACHED RULE FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 69 TITLE: 126 Education

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: _____

TITLE OF PERSON SIGNING: _____

DATE: _____

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED. *on pages 1 & 2*

SIGNED: *Vick A Barone*

TITLE OF PERSON SIGNING: *Director, Legal Services*

DATE: *4-12-94*

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.

