

Rule 11. Education

210 IAC 8-11-1 Memorandum of understanding

Authority: IC 11-8-2-5; IC 31-31-8-2

Affected: IC 31-31-8-2

Sec. 1. (a) A written agreement exists between the superintendent of the local school corporation where the detention center is located and either:

- (1) The presiding juvenile court judge, or designee, for centers operated by a local governmental entity; or
- (2) The agency director, or designee, for centers operated by a private entity.

(b) The written agreement must describe the method of delivery of a juvenile detention education program.

(c) The agreement must include the following:

- (1) Funding allocations.
- (2) Transfer of education records.
- (3) Special education service delivery.
- (4) Grade and credit transfers.
- (5) Access to existing on-line or computerized education programs approved by the local school corporation.
- (6) Detention education program annual evaluation.
- (7) Education services for youth from outside the local school corporation.
- (8) Education services for youth who have:
 - (A) Dropped out of school;
 - (B) Been suspended; or
 - (C) Been expelled.

210 IAC 8-11-2 Comprehensive education program

Authority: IC 11-8-2-5; IC 31-31-8-2

Affected: IC 31-31-8-2

Sec. 2. Written policy, procedure, and practice provide all juveniles with a comprehensive education program that:

- (1) Operates a minimum of two hundred ten (210) instructional days a year;
- (2) Has an instructional day of:
 - (A) Six (6) or more hours of educational programming for juveniles in grades seven (7) through twelve (12); and
 - (B) Five (5) or more hours of educational programming for juveniles in grades six (6) and lower;
- (3) Provides educational programming through:
 - (A) An on-site classroom teacher;
 - (B) An approved on-line instructional program with teacher oversight;
 - (C) Coursework assigned from the juvenile's home-school with teacher oversight; or

- (D) An approved virtual learning program that includes teacher instruction.
- (4) Has educational program personnel with:
 - (A) Appropriate certification or licensure; or
 - (B) Supervision by a licensed teacher appropriate for the classroom setting;
- (5) Conducts an approved education screening within three (3) days of admission with follow-up assessments conducted as necessary to determine the juvenile's educational needs;
- (6) Enrolls juveniles for participation at the earliest opportunity and within three (3) days of facility admission;
- (7) Has a system for obtaining school records that:
 - (A) Is initiated within three (3) days of admission, excluding weekends and holidays;
 - (B) Requests the juvenile's:
 - (i) Most recent school schedule;
 - (ii) Course progress;
 - (iii) Transcript; and
 - (iv) IEP, if applicable; and
 - (C) Has regular follow-up until records are obtained;
- (8) Holds educational programming in classrooms or multi-purpose areas; and
- (9) Allows juveniles in isolation, room confinement, or special security rooms or units:
 - (A) To continue to progress in their educational program; and
 - (B) To return to the classroom environment as soon as safely possible.

210 IAC 8-11-3 Remedial reading services

Authority: IC 11-8-2-5; IC 31-31-8-2

Affected: IC 31-31-8-2

Sec. 3. Written policy, procedure, and practice provide education staff shall:

- (1) Determine the need; and
- (2) Provide remedial reading services;

For juveniles who have not attained basic literacy skills.

210 IAC 8-11-4 Course curriculum

Authority: IC 11-8-2-5; IC 31-31-8-2

Affected: IC 31-31-8

Sec. 4. (a) Written policy, procedure, and practice provide all juveniles must take the courses necessary to progress toward their:

- (1) High school diploma;
 - (2) Individual Education Plan goals; or
 - (3) High School Equivalency Exam.
- (b) Written course curriculum must be aligned to the Indiana Academic Standards for Indiana Middle Schools and the “Core 40” High School Diploma.
- (c) Written course curriculum:
- (1) Must include core academic subjects of English, Math, Science and History;
 - (2) May include core academic subjects of Reading or Language Arts, Foreign Language, Civics and Government, Economics, Fine Arts, History, and Geography; and
 - (3) May include non-core academic subjects of Physical Education and Interpersonal Relations when credits are able to be awarded by the local school corporation.
- (d) Juveniles have access to:
- (1) Textbooks;
 - (2) Digital curriculum;
 - (3) Learning materials; and
 - (4) Specialized equipment;
- Necessary to meet minimum state academic standards.
- (e) A system for recording academic progress data, such as completed assignments, test scores, and credits earned is available.

210 IAC 8-11-5 Special Education

Authority: IC 11-8-2-5; IC 31-31-8-2

Affected: IC 31-31-8-2

Sec. 5. Written policy, procedure, and practice provide the following:

- (1) Special education programs and services must be available.
- (2) Special education programs and services must be aligned with the state requirements for juveniles with educational disabilities.
- (3) Special education services are provided by appropriately licensed professional staff.
- (4) Special education services are aligned to the student’s Individualized Education Plan (IEP).
- (5) An IEP is developed or implemented within ten (10) days of enrollment into to the facility’s educational program.
- (6) A system for obtaining previous special education records that:
 - (A) Is initiated within three (3) days of admission;
 - (B) Requests the juveniles:
 - (i) Most recent IEP; and
 - (ii) Performance record; and
 - (C) Has regular follow-up until records are obtained.

- (7) A process to refer juveniles who may need to be identified for special education services.
- (8) Access to regular and special education classes and supplemental services.
- (9) Transition services as required by the IEP to the extent possible due to the juvenile's confinement.

210 IAC 8-11-6 High school equivalency
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 6. Written policy, procedure, and practice provide High School Equivalency programs, preparation, and testing for certification to juveniles who qualify.

210 IAC 8-11-7 Education records
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 7. Written policy, procedure, and practice govern the maintenance of and access to juvenile education records to:

- (1) Ensure juveniles' rights to privacy and confidentiality in accordance with state and federal laws; and
- (2) Provide academic progress data and coursework to the juvenile's home school district within seven (7) days of discharge to allow for evaluation towards high school credit.

210 IAC 8-11-8 Annual education program evaluation
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 8. Written policy, procedure, and practice provide an annual evaluation to measure the effectiveness of the educational programs against stated performance objectives.

210 IAC 8-11-9 Uncompensated work
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 9. (a) Written policy, procedure, and practice provide juveniles are not required to participate in uncompensated work assignments unless:

- (1) The juvenile is performing housekeeping tasks;
- (2) The work is part of an approved vocational or training program; or
- (3) The work is an approved community service project.

(b) The work assigned to juveniles must not be a substitute for duties performed by professional janitorial or maintenance staff.

(c) Juveniles do not perform tasks, including housekeeping, that require them to miss school or interfere with normal sleeping hours.

210 IAC 8-11-10 Compliance with child labor laws

Authority: IC 11-8-2-5; IC 31-31-8-2

Affected: IC 31-31-8-2

Sec. 10. Written policy, procedure, and practice provides that juveniles are not permitted to perform any work prohibited by state and federal regulations and statutes pertaining to child labor.