
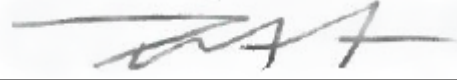


POLICY TITLE: EDUCATION PROGRAMS		PAGE 1 OF 13
POLICY NUMBER: 19.2		
CHAPTER 19: PROGRAMS AND SERVICES		
	STATE of MAINE DEPARTMENT OF CORRECTIONS Approved by Commissioner:  <hr/>	PROFESSIONAL STANDARDS: See Section VIII
	EFFECTIVE DATE: February 1, 2002	LATEST REVISION: March 20, 2020

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in Title 34-A M.R.S.A. Section 1403.

II. APPLICABILITY

All Departmental Juvenile Facilities

III. POLICY

It is the policy of the Department to provide comprehensive year round educational and vocational programs to meet the needs of residents within the correctional setting and to promote a successful reentry into the community upon release.

IV. DEFINITIONS

1. Individual Education Program (IEP) – a document that is developed for each public school student who needs special education, which is created through a team effort and reviewed periodically.
2. 504 Plan - a plan developed to ensure that a student who has a disability identified under the law and is attending an elementary or secondary educational institution receives accommodations that will ensure the student’s academic success and access to the learning environment.
3. Personal Learning Plan (PLP) - a plan developed by students, typically in collaboration with teachers, counselors, and parents, as a way to help students achieve short- and long-term learning goals.

V. CONTENTS

- Procedure A: Education Programs, General
- Procedure B: School Administration
- Procedure C: School Curricula

- Procedure D: Attendance
- Procedure E: Guidance Program
- Procedure F: Education Program, Residents Committed for an Indeterminate Period
- Procedure G: Education Program, Detained Residents or Residents Confined for a Determinate Period
- Procedure H: Education Program, Community Reintegration Returns
- Procedure I: Special Education, General
- Procedure J: Special Education Process
- Procedure K: Vocational Education
- Procedure L: Community Reintegration Planning
- Procedure M: Education Records

VI. ATTACHMENTS

- Attachment A: [Initial Interview form](#)
- Attachment B: [Request for School Records \(Non-Adjudicated\)](#)
- Attachment C: [Educational Summary](#)
- Attachment D: [Intake Form \(Non-Adjudicated\)](#)
- Attachment E: [Academic Program Agreement](#)

VII. PROCEDURES

Procedure A: Education Programs, General

1. Each juvenile facility shall operate a school for the education of residents that shall meet or exceed the Maine Department of Education standards. In addition, the school shall have classrooms designed in conformity with state educational requirements.
2. School is scheduled at times when the majority can take advantage of the programs.
3. Special provisions are made to accommodate residents with physical, mental, emotional or learning disabilities.
4. The Commissioner, or designee, shall provide an educational program that is available to eligible residents that:
 - a. provides a flexible curriculum that permits residents to enter any time and to proceed at their own learning pace;
 - b. provides curriculum for the following:
 - 1) secondary school education, i.e., middle and high school;
 - 2) basic literacy skills;
 - 3) High School Equivalency Test (HiSET® exam) preparation;
 - 4) alternative education pathways;
 - 5) remedial education;
 - 6) special education;

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
19.2 Education Programs	19. Programs and Services	Page 2 of 13 3/20/20R

- 7) vocational/technical education;
 - 8) job skills; and
 - 9) other education programs as dictated by the needs of the resident population.
5. Residents shall have access to educational services during the intake period.
 6. Residents shall receive academic credit for education that can be transferred to schools in the community and diplomas shall be awarded by the Maine Department of Education.
 7. Incentives for education participation and formal recognition of specific educational accomplishments shall be developed and approved by the Superintendent in accordance with Department Policy (JF) 19.1, Administration of Programs.

Procedure B: School Administration

1. The Department’s Director of Education for juvenile facilities is responsible for, but not limited, to:
 - a. the development, administration, operation, and evaluation of all education programs including, curricula, methods, and materials;
 - b. prepare and manage the educational budget, grants, contracts, etc.;
 - c. ensure that academic and vocational education programs and instructors are licensed by the Maine Department of Education;
 - d. ensure that written, standardized, and competency-based curricula are used and are supported by appropriate resources;
 - e. coordinate with other facility services to provide instruction in functional social skills:
 - f. monitor and evaluate educational programs to ensure programmatic consistency, regulatory and statutory compliance through audits by either internal or external mechanisms;
 - g. ensure that educational programs and vocational programs are based on performance objectives and evaluated to measure effectiveness on an annual basis;
 - h. ensure the Department is represented on applicable state education and other education-related committees, task forces, etc.;
 - i. develop and coordinate inter-agency partnerships; and
 - j. oversee data collection and reporting on required educational data, e.g., resident educational achievement, resident educational needs, use of resources, etc., to the Maine Department of Education, as necessary.

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
19.2 Education Programs	19. Programs and Services	Page 3 of 13 3/20/20R

2. The Principal of the school is responsible for, but not limited, to:
 - a. ensure that the school complies with all federal and State education and special education laws;
 - b. ensure that all school staff comply with policies, operations, and security procedures, as well as, educational rules, procedures, and curricula;
 - c. administer and manage the education budget utilizing sound accounting principles to monitor and account for school expenditures;
 - d. supervise education staff in the implementation and delivery of resident education programs;
 - e. evaluate instructional staff through classroom observations and oversight of professional development plans in accordance with the State of Maine Department of Education requirements;
 - f. evaluate the effectiveness of the educational and vocational training programs against stated performance objectives on a yearly basis of which the Director of Education shall review the results. The Principal shall develop an action plan to address issues raised in the evaluation, if any, for approval by the Director of Education;
 - g. ensure a support system for teachers is provided to include, but not limited to, the teacher mentor program, facility in-service training, etc.;
 - h. develop and maintain an academic coverage strategy to ensure there is adequate coverage when a facility teacher is not available to teach a class;
 - i. work closely with the Chief of Volunteer Services to engage volunteers from the community when appropriate for educational programming;
 - j. annually coordinate a policy review committee to evaluate education policies and make recommended changes, if any, to the Director of Education; and
 - k. ensure that the school is in compliance with federal and state statutes and regulations regarding access to educational information, to include, but not limited to, the following:
 - 1) maintaining practices to protect the confidentiality of educational records;
 - 2) maintaining practices that govern the maintenance and handling of educational/vocational records in accordance with the Family Educational Rights and Privacy Act (FERPA) regulations; and,
 - 3) reviewing a resident's parents/guardian or his or her authorized representative's request to review the resident's educational records.

3. The Special Education Director is responsible for, but not limited, to:
 - a. ensure that state and federal education and special education requirements are met;
 - b. ensure and coordinate Individual Education Program (IEP) development and delivery in accordance with applicable laws;

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
19.2 Education Programs	19. Programs and Services	Page 4 of 13 3/20/20R

- c. ensure that annual reviews of Individual Education Programs meet all applicable federal and state special education laws and standards;
 - d. monitor and direct the special education program and related services;
 - e. supervise education staff in the implementation and delivery of special education and related services;
 - f. facilitate special education training for staff;
 - g. monitor the English Language Learner (ELL) process including the development and implementation of the language acquisition plan for students;
 - h. refer residents for diagnostic testing; and
 - i. maintain required record-keeping.
4. Facility teachers are responsible for, but not limited to:
- a. prepare lesson plans in accordance with curricula;
 - b. instruct classes and evaluate student progress;
 - c. follow an IEP and /or 504 plan or Personal Learning Plan (PLP), as applicable, that meets the individual student’s needs, interests, and abilities to help prepare him or her for educational or career pathway upon release;
 - d. report on required educational data, e.g., resident educational achievement, resident educational needs, testing scores, etc., in the school’s data management system (i.e., Power School) and/or to other state and federal agencies, as applicable; and
 - e. maintain required certification through continuing professional development.
5. For a detained resident or a resident confined for a determinate period, the Education Transition Coordinator is responsible for, but not limited, to:
- a. conduct the initial screening, assessment, and evaluation to determine each resident’s educational needs;
 - b. ensure contact with sending schools;
 - c. advocate solutions for expulsions, suspensions, and community school readmission;
 - d. facilitate interagency communication and collaboration;
 - e. coordinate the delivery of educational programming/services; and
 - f. assist in data collection and evaluation.

Procedure C: School Curricula

1. The following programs shall be provided to eligible residents at no cost:
- a. secondary school education, i.e., middle and high school;
 - b. High School Equivalency (HiSET®) preparation for eligible residents;

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
19.2 Education Programs	19. Programs and Services	Page 5 of 13 3/20/20R

- c. employment readiness and workforce training for eligible residents needing relevant job skills to prepare them for the workforce;
- d. career transition classes, life skills, consumer skills, relationship building, and enrichment classes, if available; and
- e. post-secondary education opportunities for residents, which may be delivered from approved college partnerships, such as Creek to College and Career (C2CC) and distance learning resources.

Procedure D: Attendance

1. All committed facility residents who have not earned a high school diploma or high school credential shall receive a minimum of five (5) hours of educational programming per day.
2. Residents who have not attained basic literacy skills are required to attend remedial education classes on a daily basis during regular school days.
3. Facility residents who are at least seventeen (17) years old and require two (2) or fewer credits to earn a high school diploma may receive fewer than five (5) hours of educational programming per day by completing the balance of their academic classes leading to a diploma. They may elect to take additional courses. If these residents have an Individual Education Program, then the appropriate special education programming shall be provided.
4. Residents seventeen (17) years and older, who meet the criteria, may receive HiSET instruction leading to a HiSET Certificate.

Procedure E: Guidance Program

1. The guidance counselor is responsible for, but not limited, to:
 - a. maintain a comprehensive guidance program, to include;
 - 1) individual educational counseling to residents on an as-needed basis;
 - 2) academic and vocational counseling;
 - 3) crisis intervention for a resident experiencing difficulties in school at a particular time;
 - 4) classroom guidance activities, in coordination with teachers;
 - 5) consultation with teachers, other educational staff, Juvenile Program Managers, Social Workers, and housing unit staff;
 - 6) revision of a resident’s schedule, as needed;
 - 7) coordination of HiSet programming;
 - 8) coordination of state educational testing;

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
19.2 Education Programs	19. Programs and Services	Page 6 of 13 3/20/20R

- 9) completion of data management reports as required by the Department of Education (DOE) and directed by the Director of Education, or designee;
- 10) maintenance of the student data information system;
- 11) schedules teachers and students in the master schedule under the supervision of the Principal; and
- 12) prints the progress and or grading reports for all students under the supervision of the Principal.

Procedure F: Education Program, Residents Committed for an Indeterminate Period

1. All newly committed residents committed for an indeterminate period shall be placed into an educational program within two (2) business days of admission to the facility.
2. The guidance counselor shall interview each resident using the Initial Interview form (Attachment A), which shall be filed in the student’s permanent educational record.
3. The guidance counselor, or designee, shall send a Request for School Records (Non-Adjudicated) (Attachment B) from the previous educational placement for each resident.
4. The guidance counselor, or designated staff, shall test the resident upon admission and document the results in the student’s cumulative file.
5. If the resident is a special education or a 504 student, the guidance counselor shall also notify the Special Education Director, who shall request the cumulative special education files from the previous educational placement.
6. If the resident is in the custody of the Department of Health and Human Services (DHHS), the Special Education Director shall forward a request for a surrogate parent for the resident to the Maine Department of Education (DOE).
7. The guidance counselor shall:
 - a. request the Educational Summary (Attachment C) from the Education Transition Coordinator’s office, if applicable, so education credits can be transferred;
 - b. place copies of all forms in the resident's educational file;
 - c. meet with each resident to establish a school schedule to be developed in accordance with the resident’s daily program and state standards; and
 - d. enter the student information into the electronic student information system.
8. When records from the school of record arrive, the guidance counselor shall add them to the resident’s school file and forward:

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
19.2 Education Programs	19. Programs and Services	Page 7 of 13 3/20/20R

- a. any copies of immunization records that are received to facility health care staff; and
 - b. special education records, if received, to the special education records to the Special Education Director, who shall determine the resident's needs and schedule a transfer IEP Team.
9. When the resident is released, upon request of a school in the community being attended by the former resident, the teacher shall forward a copy of the Educational Summary to the school guidance office.

Procedure G: Education Program, Detained Residents or Residents Confined for a Determinate Period

1. All newly detained residents or residents confined for a determinate period shall be placed into an educational program within two (2) business days of admission to the facility.
2. The resident shall complete the Intake form (Non-Adjudicated), Attachment D, with the Education Transition Coordinator, or designee.
3. The Education Transition Coordinator, or designee, shall:
 - a. screen each new resident's education levels in language arts and math, using a Department approved assessment tool;
 - b. contact the resident's school of record with an academic agreement outlining educational programming;
 - c. if the resident is a special education student, request a copy of the resident's Individual Education Program (IEP) and/or 504 Plan and, if applicable, the 10-day school disruption notice;
 - d. coordinate with the sending school to implement the district generated academic agreement and, if applicable, an IEP and/or a 504 plan;
 - e. follow-up with the school of record, until all pertinent educational records are provided so appropriate educational programming can be determined;
 - f. establish a schedule for receiving and returning schoolwork to the sending school, if the sending school provides school work, and, if so, have the resident complete the Academic Program Agreement (Attachment E); and
 - g. evaluate student options for education to determine if special circumstances would make placement in educational opportunities other than the ordinary classroom schedule would be appropriate.
4. When the status of a resident changes, the Education Transition Coordinator, or designee, shall complete the appropriate documents to accompany the resident as follows:
 - a. If the resident is committed for an indeterminate period, the Education Transition Coordinator, or designee, shall forward a:
 - 1) copy of the Educational Summary

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
19.2 Education Programs	19. Programs and Services	Page 8 of 13 3/20/20R

- 2) to the guidance counselor and Special Education Director, if applicable; and
 - 3) a letter of commitment to the sending district.
- b. If the resident is released, the Education Transition Coordinator shall forward a copy of an educational summary and release notification to the sending school.

Procedure H: Education Program, Community Reintegration Returns

1. The Director of Classification and Collateral Services shall notify the Education Transition Coordinator of the resident’s return from community reintegration.
2. The Education Transition Coordinator shall contact the sending school so the most appropriate educational services can be implemented.
3. Until the reclassification conference occurs, a resident returning from community reintegration status shall receive individualized educational services, as outlined by the sending school in collaboration with the Education Transition Coordinator.
4. If the resident has been out of the facility for longer than one (1) year, the resident shall be re-tested as if he or she were a newly committed resident.
5. The Education Transition Coordinator, or designee, shall:
 - a. assess the resident’s education levels in language arts and math, using Department approved assessment tools;
 - b. contact the resident’s school of record to request the resident’s school work and, if the resident is a special education resident, a copy of the resident’s Individual Education Program;
 - c. establish a schedule for receiving and returning schoolwork, via mail, email, or fax, if the resident’s sending school sends schoolwork;
 - d. develop an individualized learning plan, based on the informal screening assessments until an appropriate educational service can be developed.
6. When the status of a resident changes, the Education Transition Coordinator, or designee, shall complete the Educational Summary to accompany the resident as follows:
 - a. If the resident remains at the facility, the Education Transition Coordinator, or designee, shall forward copies of the Educational Summary to the guidance counselor and Special Education Director, if applicable; and
 - b. If the resident is released, upon request of a school in the community being attended by the former resident, the teacher shall forward a copy of the Educational Summary to the of the school guidance office.

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
19.2 Education Programs	19. Programs and Services	Page 9 of 13 3/20/20R

Procedure I: Special Education, General

1. Special education shall be available for residents through the academic school year in which he or she turns twenty (20) years of age who are eligible for educational and related services as determined by the eligibility requirements set forth in the Individuals with Disabilities Education Act (IDEA) and related federal and state regulations and as determined by his or her Individual Education Program (IEP) or 504 plan.
2. Special education/504 services are provided to meet the educational and vocational needs of juveniles who require special placement because of physical, mental, emotional, or learning disabilities, to the maximum extent possible.
3. Under the direction of the Principal, the Special Education Director shall ensure that special education meetings are scheduled and held, as required by federal and state special education laws.
4. Special education case managers shall meet with their assigned residents and the residents' respective teachers on a regular or as needed basis. Special education case managers shall assist in maintaining/managing the cumulative special education file for each of their assigned residents, and shall attend each of their residents' IEP meetings.
5. The Special Education case manager shall provide direct instruction or consultation services in accordance with student's IEP.

Procedure J: Special Education Process

1. The Special Education Director shall schedule a transfer IEP meeting as soon as possible but within five (5) days of committal. The Special Education Director shall notify the following persons of the transfer IEP meeting per DOE guidelines:
 - a. parents or legal guardian;
 - b. school principal; and
 - c. designated teachers.
2. The scope of the transfer IEP meeting shall be to review and implement the resident's Individual Education Program, as developed by the IEP Team through review of educational assessments, school reports, and reports from the previous educational placement(s).
3. The Special Education Director and guidance counselor shall meet to discuss the special education requirements for the resident, as needed.

Procedure K: Vocational Education

1. The Principal shall ensure that vocational and career exploration opportunities, along with applied learning experiences are integrated with academic programs,

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
19.2 Education Programs	19. Programs and Services	Page 10 of 13 3/20/20R

are age-appropriate, and are relevant to the vocational needs of juveniles and employment opportunities.

2. Each vocational program shall include a pre-vocational element.
3. The Principal shall facilitate the development of on-site career education and preparation programs with appropriate community programs and articulation agreements with post-secondary educational institutions to expand experiential learning opportunities.
4. Upon recommendation by the Classification Committee which results in a community placement or off grounds approved education, the Director of Education, or designee, may approve the participation of a resident in a community education program. Such community programs must meet all educational requirements necessary for the facility school to award academic credits to participating residents, when applicable.
5. A Vocational Advisory Committee, which comprises interested individuals from the community and community practitioners representing current vocational programs, shall act as a resource for vocational programs annually.

Procedure L: Community Reintegration Planning

1. The Principal shall ensure that school staff complete appropriate reports and evaluations and forward them to the Classification Committee for the Community Reintegration planning meeting.
2. The Classification Committee shall ensure that an educational Reintegration Plan is prepared that is consistent with federal and state laws or standards.

Procedure M: Education Records

1. The maintenance of, access to and distribution of resident education records, whether paper or electronic, shall be in compliance with Departmental policy, state and federal law.
2. Facility education staff shall document in CORIS the following information on residents, but not limited to, program enrollment, program enrollment completion, CASAS Scores, HiSET Scores, Accuplacer scores, etc., as applicable.
3. Facility education staff shall document in the school's student electronic information system (i.e., Power School) the following information on residents, but not limited to, intakes, attendance, etc., as applicable.
4. At least fourteen (14) days prior to a resident's release, facility education staff shall ensure that the resident's education information in CORIS and/or the school's student electronic information system are accurate and complete. If necessary, facility education staff shall update that information at the time of the resident's release.

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
19.2 Education Programs	19. Programs and Services	Page 11 of 13 3/20/20R

5. No later than seven (7) days after a resident's transfer to another Department facility, the sending facility education staff shall ensure that the resident's education information in CORIS and/or the school's student electronic information system are accurate and complete.
6. Facility education staff shall forward copies of school transcripts, diplomas, certificates, licenses or other Departmental earned credentials to educational institutions and potential employers upon written request from the resident.

VIII. PROFESSIONAL STANDARDS

ACA:

- 4-JCF-5A-03** Juveniles are provided with programming, including [education](#), during the reception period. New juvenile offenders receive written orientation materials and/or translations in their own language if they do not understand English. When a literacy problem exists, a staff member assists the juvenile in understanding the material.
- 4-JCF-5D-01** [The comprehensive year-round educational and vocational program is consistent with the needs of the juvenile population. Juveniles receive academic credit for education that can be transferred to schools in the community and diplomas are awarded by the state or local boards of education.](#)
- 4-JCF-5D-02** There is a written, standardized, competency-based curriculum supported by appropriate materials and classroom resources.
- 4-JCF-5D-03** Comprehensive education programs consistent with [mandatory school attendance requirements are available to all eligible juveniles at a time when the majority can take advantage of the program.](#)
- 4-JCF-5D-04** Provisions are made for a system of [academic and vocational counseling as well as initial screening, assessment, and evaluation to determine each juvenile's educational needs.](#)
- 4-JCF-5D-05** The educational and vocational programs develop [basic literacy and job skills. Juveniles who have not attained basic literacy skills are required to attend remedial education classes on a daily basis during regular school days.](#)
- 4-JCF-5D-06** Vocational training programs are integrated with academic programs, are age appropriate, and are relevant to the vocational needs of juveniles and employment opportunities.
- 4-JCF-5D-07** Provision is made to meet the educational and vocational needs of juveniles who require special placement because of physical, mental, emotional, or learning disabilities.
- 4-JCF-5D-08** [The academic and vocational training programs and instructors are recognized, certified, or licensed by the state department of education or other agency having jurisdiction. Programs up to the completion of high school and/or the GED are available at no cost to juveniles. Provisions are made for formal recognition of specific accomplishments.](#)
- 4-JCF-5D-09** [The educational program allows for flexible scheduling that permits juveniles to enter at any time and to proceed at their own learning pace.](#)
- 4-JCF-5D-10** The educational program coordinates with other institutional services to provide instruction in functional social skills.

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
19.2 Education Programs	19. Programs and Services	Page 12 of 13 3/20/20R

- 4-JCF-5D-11 [Provisions exist to govern the maintenance and handling of educational and vocational records. Students' rights to privacy and confidentiality in accordance with state and federal law are maintained.](#)
- 4-JCF-5D-12 **There is an annual evaluation to measure the effectiveness of the educational and vocational training programs against stated performance objectives.**
- 3-JRCF-5D-01 **Written policy, procedure, and practice provide for coordination and continuity between educational, vocational, and work programs.**
- 3-JRCF-5D-02 **Special education programs are available to meet the needs of special education students as defined in public law.**
- 3-JRCF-5D-03 **Written policy, procedure, and practice indicate compliance with laws pertaining to individual, special education plans prior to placement of juveniles into or out of special education programs.**
- 3-JRCF-5D-04 **Written policy, procedure, and practice provide that educational, vocational, work and treatment programs, credits, certificates, or diplomas are accepted by community agencies.**

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
19.2 Education Programs	19. Programs and Services	Page 13 of 13 3/20/20R