

Special Education Services

Rhode Island Department of Children, Youth and Families
Division of Juvenile Correctional Services: Training School

Policy: 1200.1725

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In accordance with the Individuals with Disabilities Education Act (IDEA), the Education Program provides a free appropriate public education (FAPE) to all eligible residents in the least restrictive environment. Special education services are implemented in the larger context of general academic and vocational programs. Instructional strategies address learning and/or behavioral problems and transition services for residents upon release to the community.

The Education Program evaluates residents with disabilities and identifies residents who are currently receiving special education and related services. Eligible residents receive special programs and related services in accordance with state and federal requirements, including the implementation of procedural safeguards and necessary accommodations to meet each resident's unique needs and prepare the resident for further education, employment, and/or independent living.

The Education Program recognizes that the Individualized Education Plan (IEP) is the cornerstone of the IDEA. The IEP is a contractual agreement to guide, orchestrate and document specially designed instruction for each resident with a disability based on his or her unique academic, social and behavioral needs. The Education Program complies with all requirements of the IDEA regarding the development and implementation of the Individualized Education Plan.

Related Procedure

[Special Education Services](#)

Related Policy

[Educational Evaluation of Residents](#)

Special Education Services

Procedure from Policy 1200.1725: Special Education Services

- A. In conformance with the federal Individuals with Disabilities Act (IDEA), the Educational Program:
 - 1. Identifies residents eligible for Special Education Services and creates or updates Individual Education Plans (IEPs) as required by law.
 - 2. Provides specially designed instruction that meets the unique needs of the resident with a disability and enables the resident to meet the goals defined on his/her IEP. Specially designed instruction has been adapted in its content (curriculum), methodology (instructional strategies) or delivery (how will the content and instruction be delivered) to meet the needs of the resident with a disability.

- B. To classify a resident as learning disabled for Special Education purposes, the Education Program:
 - 1. Does not require a severe discrepancy between intellectual ability and achievement.
 - 2. Utilizes a resident's response to scientific, research-based intervention process, as required by the RI Department of Elementary and Secondary Education.

- C. If a resident's response to intervention suggests he/she may be eligible for Special Education Services, necessary evaluations are conducted:
 - 1. Examples of evaluations are provided in [DCYF Policy 1200.1714, Educational Evaluation of Residents](#).
 - 2. Evaluations begin within 10 school days of receipt of parental consent.
 - 3. Evaluations are completed within 60 calendar days of parental consent.
 - 4. An eligibility determination meeting is held.
 - 5. A written report of the evaluation team is made available to the resident's home/community school district and parents, as well as the IEP team, if it is determined that the resident is eligible for special education services.

- D. The IEP is developed or reviewed at a team meeting within thirty (30) days of admission and is reviewed at subsequent bi-monthly team meetings. The IEP must be reviewed by the complete IEP team at least once per year and revised as needed.

- E. A team that includes the following people develops the IEP:
 - 1. The resident's parent(s), legal guardian or educational advocate.
 - 2. Not less than one regular education teacher of the resident.
 - 3. Not less than one special education teacher of the resident.
 - 4. A qualified representative of the resident's home/community school district, who is knowledgeable about the curriculum and resources and has the ability to commit those resources.
 - 5. An individual who can interpret the institutional implications of evaluations.
 - 6. Other individuals at the discretion of the parents or the Education Program who have knowledge or expertise regarding the resident's education and transition needs and services, including at the discretion of the parents or the Training School, persons such as probation officers, institutional staff or other service providers.
 - 7. The resident if appropriate.

- F. The secondary transition IEP must be used for residents fourteen (14) years of age or older and when considering post-school goals and the transition services needed to reach those goals.

- G. Re-evaluation may not occur more than once a year unless parent requests it and the Local Education Authority (LEA) agrees. Re-evaluation must occur every three (3) years, unless the parent and LEA determine that it is not necessary.

- H. Paragraphs A - G are consistent with Correctional Education Association Standards 43, 45, 49 - 51, and 60 as well as American Correctional Association Standards 3-JTS-5D-02; 3-JTS-5D-03; 3-JTS-5D-04; 3-JTS-5D-06; 3-JTS-5D- 07 and 3-JTS-5D-08.