

Arkansas Correctional Education Information for Districts



Juvenile Detention Center (JDC)

The resident district of a student who is being detained in a JDC is responsible for education the first nine days. On day ten, the resident district shall drop the student from enrollment and the district where the JDC is located becomes the responsible district.

School districts are responsible for the provision of a free appropriate public education (FAPE) for students with disabilities in JDC facilities as outlined in the Individuals with Disabilities Education Act (IDEA). JDC regulations can be found at https://arksped.k12.ar.us/rules_regs_08/18-00-residential-placement.pdf.

Division of Youth Services (DYS)

DYS is responsible for the education of students in DYS facilities including the provision of FAPE for students with disabilities as outlined in the Individuals with Disabilities Education Act (IDEA).

County Jails

The district where the county jail is located is responsible for the provision of FAPE for students with disabilities as outlined in the Individuals with Disabilities Education Act (IDEA).

Formal processes and procedures should be put in place between the county jail and the district where the county jail is located.

A list of county jails can be found at prisonhandbook.com.

Adult Corrections

School aged individuals who have been incarcerated in an adult correctional facility have the right to continue their special education services to age 21 if they have not previously graduated with a regular high school diploma. The Department of Corrections is responsible for the provision of FAPE as outlined in the Individuals with Disabilities Education Act (IDEA). Special rules pertaining to students with disabilities incarcerated in adult prisons can be found at https://arksped.k12.ar.us/rules_regs_08/RevisionstoRulesandRegulationJuly2010/8.00%20IEP.pdf.

Additional Resources

You Got This: Educational Pathways for Youth Transitioning Juvenile Justice Facilities - Tips and suggestions to help youth to get back into school can be found at <https://www2.ed.gov/students/prep/juvenile-justice-transition/pathways-transitioning-justice-facilities.pdf>.

Basic Special Education Process Under IDEA - Brief overview of how a student is identified as having a disability and needing special education and related services can be found at http://www.parentcenterhub.org/wpcontent/uploads/repo_items/10steps.pdf.

Key Components of Federal Guidance

Dear Colleague Letter on the Individuals with Disabilities Education Act (IDEA) for Students with Disabilities in Correctional Facilities can be found at <https://www2.ed.gov/policy/gen/guid/correctional-education/idea-letter.pdf>.

- Absent specific exceptions, IDEA protections apply to students with disabilities in correctional facilities and their parents.

Five Guiding Principles for Providing High-Quality Education in Correctional Facilities

- A safe, healthy facility wide climate that prioritizes education, provides the conditions for learning, and encourages the necessary behavioral and social support services that address the individual needs of all youth, including those with disabilities and English learners
- Necessary funding to support educational opportunities for all youth within long-term secure care facilities, including those with disabilities and English learners, comparable to opportunities for peers who are not systems-involved
- Recruitment, employment, and retention of qualified education staff with skills relevant in juvenile justice settings who can positively impact long-term student outcomes through demonstrated abilities to create and sustain effective teaching and learning environments
- Rigorous and relevant curricula aligned with state academic and career and technical education standards
- Formal processes and procedures through statutes, memoranda of understanding, and practices that ensure successful navigation across child-serving systems and smooth reentry into communities

<https://www2.ed.gov/policy/gen/guid/correctional-education/guiding-principles.pdf>