

Frequently Asked Questions Juvenile Detention Centers and COVID-19

1. *Are local educational agencies (LEAs) required to provide educational services to students detained in the Juvenile Detention Centers (JDCs)?*

All students must have equal access to educational resources. Modifications to LEA instruction, attendance, grading, promotion, retention, and other policies should be applied to students with JDC placements in an equitable manner. These and other policies, including graduation requirements, are governed by State Board of Education (SBE) rules. The department encourages schools and LEAs to provide alternative remote learning for all students, including students with disabilities, during the period of school closure. Public schools and LEAs should make every reasonable attempt to continue collaborative efforts to provide students with access to alternative learning opportunities. LEAs should implement creative measures to ensure that students who may not have internet or devices are provided educational resources through other means (radio, print materials, etc.). The department's [School Closure Toolkit for Districts: Academics and Instruction](#) and [School Closure Toolkit for Districts: IT Supports for Distance Learning](#) provide resources to help LEAs overcome such barriers to access.

2. *Should LEAs proceed with adding and removing the JDC codes as students are detained and released?*

To the extent feasible, LEAs should continue to communicate the detainment of any youth in a JDC, and these students should be coded by the LEA using the appropriate JDC code. This process requires open and clear communication between the JDC and the LEA; however, certain links of the communication chain may be affected at this time. LEAs and JDCs are expected to do their best to communicate with other school systems so that students can be tracked appropriately.

3. *How should LEAs proceed with serving students with disabilities detained in a JDC?*

This process requires open and clear communication between the JDC and the LEA; however, certain links of the communication chain may be affected at this time. We ask that LEAs and JDCs do their best to communicate with other school systems so that students can be tracked appropriately. As virtual or distance learning takes place to the general student population during a school closure, the school or LEA must ensure that students with disabilities also have equal access to the same educational opportunities, taking into consideration the individual needs of students. During this period of school closure, LEAs should make every effort to use creative strategies to provide special education instruction and services to the extent safe and feasible. Moreover, any educational opportunities offered to the general student population, including enrichment activities and resources, must be made accessible to students with disabilities. In addition, the IDEA requires that the child's individualized education plan be reviewed periodically, but not less than annually, to determine whether the annual goals for the child are being achieved; and revise the IEP, as appropriate. LEAs should make every attempt to conduct annual IEP team meetings that are due during periods of school closure. Additional information regarding serving students with disabilities can be found on the departments [Update on Coronavirus webpage](#).

4. *Should LEAs proceed with developing Educational Service Plans (ESPs)?*

ESPs are required for students detained in a JDC for 15 school days. LEAs should make every effort to develop ESPs with the understanding that these meetings may need to occur virtually, via phone, or through other alternative modes of communication.