

## **1011 – Incarcerated Students Procedures**

Commission LEA Policy 6921 – Incarcerated Students describes a Commission authorized charter school’s general obligations with regard to students incarcerated in a juvenile detention center or jail. This procedure document outlines the procedures that Commission staff and authorized charter schools will follow when a student is incarcerated in a juvenile detention center (“detention center”) or jail.

These procedures cover:

- Incarcerated Students Liaison
- Students Incarcerated in a Detention Center
- Coding of Students Incarcerated in a Detention Center
- Students with Disabilities Incarcerated in a Jail
- Primary Point of Contact

### **Incarcerated Students Liaison**

Each charter school shall name an incarcerated student liaison who will be the main contact for families and students in the school as well as for the Commission’s incarcerated student liaison. The school’s liaison shall communicate on at least a monthly basis, but as frequently as necessary, with the Commission’s incarcerated students’ liaison with regard to reporting incarceration of students and transferring education records to the receiving district, if applicable. The school’s incarcerated liaison shall also be responsible for completing the relevant sections of the school’s annual Sub-recipient Monitoring Self-Assessment. More information about the Sub-recipient Monitoring Self-Assessment can be found in the Commission’s Sub-recipient Monitoring Guidebook.

### **Students Incarcerated in a Detention Center**

Pursuant to State Board Rules TRR/MS 0520-01-12, any general education student who is detained in a detention center shall receive education services from the school district where the detention center is located (the “Receiving District”). Since the Commission school district does not have any physical boundaries, no detention centers are located within the district. If the Commission<sup>1</sup> or

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<sup>1</sup> If the Commission is notified by the Receiving District, Commission staff will immediately notify the charter school that the student is incarcerated and communicate the charter school’s responsibility to send the student’s records to the Receiving District. If the charter school is



authorized charter school is notified by the Receiving District that a student enrolled in a Commission authorized charter school is incarcerated, the charter school shall send the student's educational records to the Receiving District within forty-eight (48) business hours of the request. The charter school shall also work with the Receiving District to develop an individualized Educational Service Plan ("ESP") for the student. The Receiving District shall be responsible for providing all educational services to the student while they are incarcerated in the detention center.

If the Commission or authorized charter school receives notice that a student with a disability is incarcerated in a detention center, the charter school shall send the student's educational records to the Receiving District within forty-eight (48) business hours of the Receiving District's request. The authorized charter school shall ensure that the student is unenrolled from the Commission's TN Pulse system so that the student may be transferred to the Receiving District's TN Pulse system. The Receiving District is responsible for providing special education services and child find for students incarcerated in a detention center located in their district.

### **Coding of Students Incarcerated in a Juvenile Detention Center<sup>2</sup>**

Any student enrolled in an authorized charter school who is incarcerated in a Juvenile Detention Center shall remain enrolled in the school's Student Information System. The school shall ensure that such students are coded in the Student Information System with the attendance code for the corresponding Juvenile Detention Center. Relevant codes are as follows:

- Middle Tennessee Juvenile Detention Center: JDC07
- Davidson County Juvenile Detention Center: JDC04
- Rutherford County Juvenile Detention Center: JDC12
- Shelby County Juvenile Detention Center: JDC14
- Additional codes are available from the Department of Education or the district.

### **Students with Disabilities Incarcerated in a Jail**

If the Commission or authorized charter school receives notice that a student with a disability is incarcerated in a jail, the charter school shall send the student's educational records to the Receiving District within forty-eight (48) business hours of the Receiving District's request. The authorized charter school shall ensure that the student is unenrolled from the Commission's TN

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notified by the Receiving District, the charter school shall also notify the Commission that the student is incarcerated.

<sup>2</sup> TRR/MS 0520-01-12; T.C.A. § 49-6-3023



Pulse system so that the student may be transferred to the Receiving District's TN Pulse system. The Receiving District is responsible for providing special education services and child find for students incarcerated in a jail located in their district.

### **Primary Point of Contact**

Pursuant to State Board Rule 0520-01-12-.06, the Commission's staff member serving as the LEA Attendance Officer share serve as the Commission's primary point of contact to resolve issues with regard to incarcerated students. Any change to the primary point of contact shall also be made in writing to the Commissioner of Education.