

STUDENTS IN JUVENILE COURT AND COMMUNITY SCHOOLS

Legal Requirements

Special education programs authorized by this part shall be provided for students with a disability who have been adjudicated by the juvenile court for placement in a juvenile hall, or juvenile home, day center, ranch, or camp, or for students with a disability placed in a county community school.

Each SELPA shall develop written agreements to be entered into by entities participating in the local plan. The agreements shall include, but not be limited to, the following:

1. A description of the process for coordinating and providing services to students with a disability placed in juvenile court schools or county community schools.

Legal References

EC 56150; EC 56195.7

Local Procedures

Juvenile Court School

The Humboldt County Office of Education and the Del Norte County Office of Education are responsible for identifying and referring students placed in the Juvenile Hall who are suspected of being disabled. The HCOE and/or DNCOE will provide special education and related services as indicated on each student's IEP, or will hold an IEP to revise the student's services if needed.

Juvenile hall teaching staff shall notify the DOR whenever a student with an IEP is placed in juvenile hall and evaluate the current IEP to determine if it is appropriate. If staff determines that the IEP is inappropriate, they shall schedule an IEP meeting to amend the IEP as necessary. The DOR shall be invited to attend all IEP meetings for students from their attendance area. The DOR should make every effort to attend all IEP meetings, as once the student is released from juvenile hall, provision of free appropriate public education (FAPE) will be the DOR's responsibility.

FAQs

Can a student with a disability be placed in a Community Day School setting for disciplinary purposes as an interim alternative education setting?

Yes, provided that the reason for the placement meets the legal requirements for an IAES, plus the length of placement is limited to 45 school days.

What if the district wants to place a student in a Community Day School setting for disciplinary purposes but the parent refuses?

Unless the behavior meets the legal requirements for an IAES, without parent consent, the district cannot change the placement. Please note that the Community Schools might require parental participation to enroll a student.

REMINDERS

- Students with a disability in juvenile hall are the responsibility of the COE and are served by the COE while in this setting.
- Students in juvenile hall are entitled to special education and related services.
- Students cannot be placed in a Community Day School setting without parent consent, unless the placement is the result of expulsion or an interim alternative educational placement.
- Students in community day schools are entitled to special education and related services necessary to receive a FAPE.