

**EDUCATION PROGRAM REVIEW
OF
CALIFORNIA YOUTH AUTHORITY**

December 2003

Report prepared by:

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Content

The content of this report includes responses and findings to thirteen program questions developed by the California Attorney General's Office and recommendations to the California Youth Authority regarding their general and special education programs.

Planning

During mid-December, 2002, Mr. Stephen Acquisto, Deputy Attorney General, California Department of Justice, contacted Dr. Thomas O'Rourke and Dr. Robert Gordon to schedule a California Youth Authority educational program review with two objectives: 1) to evaluate CYA general and special education programs based on thirteen areas of inquiry; and 2) to provide recommendations for continuing improvement in the educational program.

In order to achieve these objectives, a four-part approach was developed to obtain information and make both CYA agency-wide and site-specific operational recommendations. First, relevant written materials (e.g., CYA annual reports, school improvement plans, school site plans, course standards, master schedules, course guides, Individualized Education Plan reviews, and other supporting documents) were reviewed. Second, individual interviews were conducted with administrators, teachers and other support staff at all sites visited. Third, site generated data, including special education records, individual ward IEP's, attendance data, school closing data, special management unit documents, class rolls, school schedules, high school graduation plans, psychological evaluations and educational reports were reviewed at each facility. Fourth, team observations of classroom activities, ward movement, and special management programs, including mental health and other restricted programs, were conducted.

The written materials provided both past and current data. Interviews with educational personnel revealed staff perceptions of the strengths and needs of the education program. Direct observations conducted by the team resulted in a series of findings and recommendations regarding the general and special education programs.

Procedures

An assessment team composed of two members with expertise in educating incarcerated wards conducted the review. Dr. Thomas O'Rourke, Associate Superintendent for Education, Georgia Department of Juvenile Justice, and Dr. Robert Gordon, Technical

Assistance Consultant, Special Education/IDEA Compliance, Georgia Department of Juvenile Justice, served as team members. This team represented over seventy years of general and special education experience.

This report is based on interpretation of information derived from visits to the following CYA operated schools: Johanna Boss High School, N.A Chaderjian High School, Fred C. Nelles High School, Lyle Egan High School, Mary B. Perry High School (female unit only), Jack B. Clarke High School and the Southern Youth Correctional Reception Center and Clinic. These reviews included randomly selected ward files, general and special education documents, information provided by the California Youth Authority and the California Attorney General's Office and plaintiff supplied documents. In addition, direct observations and interviews were conducted with wards and staff to provide other sources of information as deemed appropriate. Because of the relatively brief time involved in the actual site reviews, this report is limited in its ability to provide ongoing descriptions and should be utilized only as one source of information for making broad and global decisions.

More than one hundred individuals were interviewed during the course of the review. All interviewees were assured that their comments were confidential and that they would not be individually identified. Notes were not shared with any CYA or Attorney General Counsel staff.

Findings and Program Recommendations

The following findings and recommendations are provided as a means to focus on the general and special education program functions that are consistent with the CYA written philosophy and mission statement. Specific general and special education findings are provided in all thirteen areas of review along with program recommendations.

A special thanks to the Deputy Director of the CYA Education Branch and his administrative staff for their support in providing all of the reports and data requested. All site-based and central office staff were candid and cooperative in responding to inquiries and providing information necessary to complete this report.

Area of Inquiry # 1

Does the CYA provide adequate educational opportunities to the wards?

General Education and Special Education Findings:

The overall quality of the high school programming offered to general and special education wards by the CYA is considered to be adequate. In some cases the programs being provided are exemplary.

The California Youth Authority is commended for its efforts to provide quality educational programming for the wards committed to its care. Educational and instructional programs have been developed to provide meaningful learning experiences with a common core of knowledge and skills to prepare them for transition back into society as contributing citizens. Of particular note in these efforts are the curriculum guides, the comprehensive vocational programs, program policies and procedures, case conferences and High School Graduation plans, post secondary opportunities, and the dedication of the central office and site based educational staff.

The CYA is commended for having produced **Curriculum Guides** in the areas of mathematics, language arts and social studies. The guides provide content standards and a process for instruction and assessment designed to improve academic achievement for the wards committed to the CYA. The guides serve as the foundation for the educational program through which learning can take place in the correctional setting. The courses of study meet requirements for high school graduation or its equivalent. There is documented emphasis on compliance with local, state, and national standards.

The **Vocational offerings** at the facilities reviewed are exemplary. Wards in these classes were actively engaged in the programming and taking advantage of the training opportunities provided to them. These programs provide opportunities for the development of real world work skills through on-site learning and work experiences.

The **Education Services Branch Manual** including the **Special Education Policies and Procedures Manual** were found to be comprehensive and well written.

The concept of the **High School Graduation Plan** and the use of **Case Conferences** involving multi-disciplinary representation demonstrate the CYA's commitment to the provision of quality educational and counseling opportunities for each individual ward.

The format for the development of the IEP's for wards exceeds California Department of Education and IDEA Standards. The monitoring efforts of the central office special education coordinators are commendable.

The CYA is commended for providing opportunities for **post-secondary course work** through community college partnerships.

The reviewers were impressed with the dedication and commitment of the central office staff, teachers and site based administrators to meeting the needs of the ward population. The educational staff was determined to provide the wards with meaningful skills and knowledge necessary to successfully transition back into society.

Specific areas of concern and related findings regarding the CYA educational program are outlined in detail under the remaining 12 Areas of Inquiry in subsequent sections of the report. The critical areas that need to be addressed are adequate funding for academic and special education staff, ward attendance, special education record keeping and the need for increased institutional support for the educational program. Once these areas are addressed, the California Youth Authority will be better able to provide quality educational opportunities for its ward population.

Area of Inquiry # 2

On a system-wide level, does the CYA have a sufficient number of general education teachers, special education teachers and educational psychologists?

General Education and Special Education Findings:

At the facilities visited (Chaderjian, Lyle Egan, Nelles, Johanna Boss, Mary B. Perry and Jack Clarke) there are an inadequate number of credentialed teachers to provide a comprehensive academic program to all wards. The CYA does not employ an adequate number of credentialed teachers in general education to provide course offerings in all the required academic areas.

The staffing ratio does not account for the different types of high school programs (regular and restricted) offered at each site. There is a need for differentiated staffing due to the numerous specialty units and restricted settings, such as cages, which require a higher staffing ratio. The staffing formula uses a baseline developed many years ago (see Attachment A). The formula must be updated to meet the unique needs of the ward population. The number of regular and special education teachers allocated is not adequate to meet the 15:1 and 12:1 staffing ratios required by California Youth Authority policy.

The sites reviewed reported special education teacher and/or psychologist vacancies. School administrators at each site (Boss, Chaderjian, Egan, Nelles, Perry and Clarke) reported teacher vacancies for extended periods of time due to their inability to recruit credentialed individuals. They have resorted to hiring part-time educational and school psychologists, due to their inability to provide competitive salaries and the changing availability of funding. The Inspector General's report of June 2002 confirms that comparable public school district pay scales average 4 – 10 % higher than the CYA. Inadequate compensation makes it difficult to both recruit and retain teachers and psychologists. Unlike public schools, the CYA facilities are not allowed to employ teachers with emergency credentials. This practice limits individual site flexibility in staffing.

Due to the budgetary constraints, teacher positions are eliminated immediately if the ward population at that site drops by 15 wards. The areas of English, special education and mathematics are impacted disproportionately. For example, Lyle Egan High School has a surplus of vocational teachers and a need for credentialed special education, mathematics and science teachers.

Site Specific Findings:

Johanna Boss

The program reports two full time general education teacher vacancies and an inability to recruit substitute teachers. This ongoing problem impacts adequate service delivery, causes class closures and has a negative effect on teacher morale.

N.A. Chaderjian

The Chaderjian facility has a shortage of general education teachers in the main school program. They did not have a credentialed language arts teacher. The school principal reports that the facility is virtually unable to identify and employ a pool of qualified substitute teachers.

The current educational service delivery model involves providing general and special education services to wards placed in numerous sites throughout the facility. The CYA funding formula does not provide an adequate number of special education teachers. The program will never be able to earn a sufficient number of special education teaching staff until a funding exception is developed. A differentiated staff allocation appears to be the only practical solution to the problem at this site.

Lyle Egan

The Principal is working outside of his credentialed area. His current vocational certification is not sufficient for his level of administrative responsibility.

On the day of the review, the program had six special education teacher vacancies. The school principal stated that he was unable to attract qualified individuals due to significant salary differences between CYA and local school systems.

Six general education faculty members were identified who were assigned teaching responsibilities outside of their credentialed areas. The facility employs a fully credentialed mathematics teacher; however, this individual is not assigned teaching duties. They offer only two sections of science; this limited schedule cannot meet the high school graduation plans developed for the wards housed at the facility. The program fails to offer physical education because they do not have a credentialed teacher in this area.

The site was overstaffed in vocational teachers according to the number of vocational class offerings.

The school is also in need of a fully qualified librarian, which they have been unable to recruit for a number of years.

Fred C. Nelles

On the day of the review the school administration reported five resource special education vacancies and one school/ educational psychologist vacancy.

The facility fails to employ a GED teacher and has an unfilled position for an administrative supervisor of academic instruction. An additional teaching assistant vacancy was noted.

The program has not employed a full-time speech and language pathologist since September 2002. They currently utilize the services of a part-time employee who works primarily at night and on the weekends. The program is unable to meet the identified service requirements in the IEP's of 26 speech therapy eligible wards.

Special education resource personnel who provide services to multiple sites (some in excess of ten minutes walking time from the main school program) cannot physically provide the instructional contact hours specified in the individual IEP's.

The school administration indicated that the significant salary differences between their facility and the local school districts hamper employment efforts.

Mary B. Perry

General education teaching shortages in the areas of mathematics and science were reported; currently the program employs only one teacher in each of these critical fields.

The program currently employs one full time school psychologist. A second funded position has not been filled. As a result of the psychologist vacancy, the Student Consultation Team has a backlog of wards to be evaluated.

Jack B. Clarke/Southern Clinic

The program's principal reported vacancies for 2 multiple subjects teachers, 1 high school teacher, 1 emotionally learning handicapped teacher, 1 physical education teacher, and 1 school psychologist.

There were no credentialed mathematics and science teachers. Individuals teaching in these slots were teaching outside of their credentialed areas.

The physical education teacher was not certified.

The principal stated that the staffing ratio at this site is not consistent with CYA policy. She further stated, "Clinics are different and need special staffing considerations."

Recommendations:

1. Organize efforts to recruit and employ more teachers in the core academic areas, especially dually credentialed teachers, capable of instructing both regular and special education wards.
2. Take the necessary steps to fill teaching vacancies with credentialed teachers. Consider employment of teachers with emergency credentials. Work to provide a competitive salary scale, comparable to the local school districts, in order to recruit and retain teachers and administrators.
3. Address the issue of credentialed teachers leaving the CYA due to overwhelming paperwork by reviewing the data collection system to eliminate redundancy.
4. Provide a pool of qualified substitute teachers at each site to help offset current teacher shortages. Individual sites located on the same campus should be encouraged to jointly develop a shared pool of substitute teachers.

Area of Inquiry #3

Is the attendance rate in the CYA educational classes appropriate?

General Education and Special Education Findings:

A six month review of the Monthly ADA reports indicated that an average of 20-30% of the wards were absent from school each day. Attendance records provided by the CYA central office after completion of the site reviews showed improvement in attendance for some facilities. Even though there is improvement, this is an area of concern.

Due to inaccuracies identified on attendance reports at Chaderjian and Nelles, it is difficult to determine the number of wards actually in classrooms. On the day of the review, actual class counts at Chaderjian, Nelles, and Egan had inaccurate entries. For example, at Lyle Egan on the WINN 96 report, one class count was reported as having minus three (-3) wards scheduled for the class; a second auto painting class reported a negative one (-1) enrollment.

Wards in all main high schools were observed being pulled from general and special education classes to attend other programs, including Board mandated activities, without regard to their educational needs. It is evident that education is not the primary focus during the school day.

In order to increase school attendance and move toward making education a central focus of the school day, the center director at Nelles established a collaborative team building effort. Comparable efforts were noted at Perry and Johanna Boss. Similar efforts, however, were not evident at Chaderjian and Lyle Egan. These two facilities fail to adequately address absences and school closures as they relate to attendance rates. Because of frequent lockdowns at Chaderjian and Egan, general education and special education wards are routinely prevented from attending the main high school programs.

Site Specific Findings:

Johanna Boss

When the number of wards attending each class exceeds 18, the excess wards are routinely returned to their living units and deprived of an opportunity to receive 240 minutes of teacher directed instruction. On the day of the review, two groups of approximately eight wards were observed being returned to the living quarters because of overcrowded conditions. This practice contributes to lower attendance rates.

N.A. Chaderjian

Interviews with 5 general and special education teaching staff as well as individual interviews with 11 wards indicate the perception that school attendance

is optional. Attendance records reviews (N=22) and unit staff interviews indicate that wards are allowed by unit personnel to elect to attend school or not.

A review of disciplinary report information on four wards indicated that dorm personnel did not write up reports within the required 24-hour period for wards refusing to go to school. This practice would appear to encourage ward absences.

General and special education wards are routinely pulled from school or simply held back from school when counseling or other living area activities are scheduled. Compensatory services for classes and instruction missed are not provided.

Fred Nelles

A six-month review of the Monthly ADA report (7/02 – 1/03) indicates that on average 27 % of the wards are absent from school each day.

Wards are prevented from attending school for reasons not related to their behavior in the classroom (green light status, gang affiliation, mental health pull outs). Individual classroom attendance data documents that entire groups of general and special education wards are held back from school for Board mandated classes.

Security procedures require that wards are not allowed to leave their dorms to attend school during the morning if their first period teacher is absent. These general education and special education wards are also held in their living units during second period, even when the second period teacher is present and ready to teach. As a result, wards are required to miss multiple hours of school.

Ward attendance at the main school program is at times considered "optional". Teachers and administrators at this site report living unit staff offers wards the opportunity to "elect" to attend school or to stay on their living unit.

Lyle Egan

On a routine basis, wards are held back from school for counseling by mental health or dorm staff and/or for Board mandated classes. The program does not provide compensatory services to special education wards for the IEP services missed during these routine absences.

Both general and special education wards scheduled to appear in court or administrative hearings are held in their dorms for the entire school day. Many of these hearings occur in the afternoon.

Two wards were reported refusing to get out of bed in the morning and being allowed by dorm staff to "sleep in". Program policies and procedures require that

in such instances a disciplinary report be completed within 24 hours. After waiting the required 24 hours, a second check was made. Disciplinary reports had not been written for the wards' refusal to go to school. Interviews with the school principal and five individual wards indicate that this is a common and accepted practice at this facility.

In one instance, a ward was observed being removed from his classroom by security and taken to get a haircut. The ward was not reported as absent from class despite the fact that he was gone for the entire period of instruction.

Mary B. Perry

A seven month review of the ADA report (10/02- 4/03) revealed that an average of 12% of the general education and 26% of the special education wards were absent from school each day.

General education and special education wards are routinely pulled from school for Board mandated classes, mental health counseling and other non-school related activities.

Recommendations:

1. There is an need to develop an agency wide committee made up of institutional administration, security, living unit staff, and educational staff to develop a workable plan to eliminate the competing interests that infringe on the instructional day resulting in increased ward absences. This committee should exchange ideas and focus on a clear understanding of the roles of each area and the teamwork needed to provide a quality program to meet the needs of the wards. CYA leadership must establish priorities to ensure that wards attend all assigned classes each day.
2. School attendance should not be considered an option. Enforce existing policies on school attendance and ensure that disciplinary reports are completed on wards refusing to attend school. Provide appropriate consequences for wards refusal to attend school.

Area of Inquiry # 4

Does the CYA have a sufficient number of general and special education classes?

General and Special Education Findings:

If all wards assigned to the six sites reviewed were to attend classes at the main high school programs simultaneously, some wards would have to be sent back to their rooms because of class numbers far exceeding current allowable limits. (See Attachment B). There are an insufficient number of credentialed teachers allocated to each site to meet the general education staffing ratio of 15:1 or the special education ratio of 12:1. The formula uses a baseline developed many years ago that must be updated to meet the changing ward population. The funding formula is not designed to provide enough teachers and classes to serve all of the school eligible wards at one time.

All sites report an inability to employ and maintain the number of credentialed teachers needed to provide a sufficient number of general and special education classes. Teacher positions are vacant for extended periods of time due to staffing cutbacks and the inability of administrators to recruit credentialed individuals. All sites reported difficulty recruiting and retaining teachers due to salary inequities.

Site Specific Findings:

N.A. Chaderjian

According to the schedule provided by site staff, the main high school meets the minimum standard of at least 240 minutes of instructional time. The schedule indicates that the 5th period class will be held on the living units, but this is not occurring. Interviews with 5 teachers indicate that only one went to the living unit on a consistent basis.

The fact that multiple school programs are housed in separate sites within the facility prevents the school from providing sufficient general and special education classes to meet the wards' needs. Since general and special education wards are spread throughout the main high school program and multiple secure units, the teachers' abilities to provide services are limited. The CYA funding formula reduces teacher positions when the facility fails to maintain the required minimum number of wards in classes. This funding formula does not provide for differential staffing patterns and is viewed as a contributor to the program's inability to provide a sufficient number of classes.

Fred C. Nelles

The principal reports that when the number of wards attending school exceeds the allowable class limits, the excess wards are sent to the library for "educational

activities". If any of the excess wards are special education eligible and being mainstreamed, they are assigned back to their special education teacher for that class period.

Special education resource teachers serving as primary service providers have to traverse significant distances (10 minutes plus walking time) to serve small numbers of wards. It is unlikely that the teachers are able to consistently provide the required service hours indicated in the ward IEP's and teacher monthly service reports. Class numbers reported by the facility appear to meet CYA funding requirements.

Lyle Egan

General education teaching vacancies referenced in Inquiry # 2 reduce the facility's ability to provide a sufficient number of needed classes in the core subject areas. There were surplus vocational teachers, while vacancies in mathematics, science and special education remain unfilled.

The excessive number of special education teacher vacancies (6) has resulted in the reduction of teacher contact hours for both general and special education wards. The program has resorted to reducing the number of classes for regular education wards in an effort to provide the minimum special education contact hours. The practice of reducing required special education hours was noted in eleven special education records reviewed on site.

Mary B. Perry

The program's failure to employ a needed mathematics teacher prevents them from offering a sufficient number of mathematics classes for general and mainstreamed special education wards.

Jack B. Clarke/Southern Clinic

Several staff vacancies (as stated in Inquiry#2) prevent them from offering a sufficient number of general and special education classes to permit the wards to advance in their HSGP's.

Area of Inquiry # 5

Are classes cancelled too often?

General and Special Education Findings

Frequent class cancellations contribute to the fact that all facilities fall short of the targeted 90% attendance rate set by the CYA Education Services branch. This was evident from the review of a sample of the 2002/2003 monthly ADA reports for all sites. Class cancellations also contribute to the failure of all six CYA sites reviewed to provide special education wards with access to a full 240-minute instructional day.

Teacher absences, maintenance issues and security concerns significantly impact class cancellations at all facilities. The lack of substitute teachers (discussed in Inquiry #2) is also frequently a cause of cancelled classes. Classes are cancelled due to counseling sessions scheduled during the school day. No evidence was produced at any of the facilities to indicate that wards are required or allowed to make up lost instructional time caused by these routine pullouts. None of the facilities reviewed provided special education wards with compensatory services for the classes missed.

When classes exceed their allowable numbers, the excess wards are sent back to their living units on a rotating basis. This practice, which is followed at all the facilities, is an effort to prevent class closures due to overcrowding.

Site Specific Findings:

Johanna Boss

Classes are routinely canceled when teaching staff are sick or on vacation.

A review of the class closures for the facility indicates that during December 2002, 48% of all classes were canceled due to a broken alarm system.

On the date of the review, the school principal reported that all classes were on "over flow status". Wards were rotating back to their dorms to prevent class closures.

N.A. Chaderjian

A six-month review of the monthly ADA report (7/02- 1/03) indicates that an average of 27% of the classes were closed each day for a variety of reasons.

School closings were routine and often not school-related. Class cancellations due to security issues, teacher absences and lack of available substitute teachers constitute a significant problem. As verified by teacher interviews and records review (N=22), classes are closed for extended periods of time when teachers are

absent or take annual leave. A review of one special education teacher's attendance file revealed that a classroom had been closed for almost one month while the teacher was on vacation. No compensatory efforts were noted.

Fred C. Nelles

A six-month review of the monthly ADA report (7/02- 1/03) indicates that an average of 28% of the classes were closed each day for a variety of reasons.

Administrators confirm that living unit staff routinely pull wards out of school for non-school related reasons. Groups of general and special education eligible wards are not allowed to attend school for some or all of the day when counseling sessions by mental health staff and Board mandated classes are scheduled during the school day. This results in class cancellations. No evidence was produced to indicate that wards are afforded the opportunity to make up missed work or provided compensatory services when they have missed extended periods of instruction.

Classes are cancelled when an entire unit is placed on lockdown status and wards (general and special education) are not permitted outside their rooms for educational screenings, instruction or other related educational activities.

When the teacher(s) assigned to the first period are absent, groups of wards are held back in their dorms for both the first and second periods, even though the second period teacher is present and ready to teach. This results in unnecessary class cancellations.

Lyle Egan

School administrators and teachers acknowledged that class closure rates exceed current CYA expectations.

Classes are frequently cancelled because of teacher vacancies, absences and the inability to employ substitute teachers.

Mary B. Perry

A seven-month review of the monthly ADA report (10/02- 4/03) indicates that more than 25% of the classes were closed each day for a variety of reasons.

There is an excellent system to minimize class closures due to case conferences. The school is closed on a monthly basis so that teachers can attend case conferences. The system, however, is not fully operational. Institutional staff cancel case conferences with little or no advance warning. The lack of communication results in unnecessary class cancellations.

Recommendations:

1. There is an immediate need to develop an agency wide committee made up of institutional administration, security, living unit staff, and educational staff to develop a workable plan to eliminate the competing interests that infringe on the instructional day resulting in class closures and increased ward absences. This committee should exchange ideas and focus on a clear understanding of the roles of each area and the teamwork needed to provide a quality program to meet the needs of the wards. CYA leadership must establish priorities to ensure that wards receive 240 minutes of uninterrupted educational programming each day.
2. Establish a uniform school calendar to be followed by all CYA school programs. Define the school year with specific dates when the semesters begin and end. A 220-day school year is recommended, with two 90-day semesters and a 40-day summer session. The schedule would also indicate state and national holidays, ward and teacher breaks, and planning and training days. The calendar should be correlated with school calendars of the state of California and local school systems. The scheduling of breaks (winter, spring and summer) would allow teachers to plan vacations and reduce the teachers' absences and class closures during scheduled school sessions. A standard school calendar would facilitate the planning of agency wide in-service training for teachers. It would also allow the CYA to schedule Board mandated courses and other activities for the wards at times that do not conflict with the school schedule.

Area of Inquiry #6

On a system wide level, do an appropriate number of wards receive high school diplomas or general education degrees while in the CYA?

General and Special Education Findings:

This is a very difficult question to answer. Each of the CYA sites report varying numbers of wards receiving high school diplomas and general education degrees. These figures alone do not provide a means to determine whether the numbers are appropriate. The concept of the **High School Graduation Plan** and the use of **Case Conferences** involving multi-disciplinary representation demonstrate the CYA's commitment to providing quality educational opportunities for each individual ward. Consistent implementation of these policy directives, however, is essential in order to enable wards to make educational progress.

One way to address the issue of whether an appropriate number of wards receive high school diplomas or general education degrees is to monitor the wards' progress on individual High School Graduation Plans. A review of 20 High School Graduation Plans at each of the six sites visited indicate that 25 % of the plans were not being implemented as written. This is a result of many factors, including scheduling problems, class size limitations, lack of available credentialed teachers in the required course areas, security and safety issues.

The most systemic factor continues to be the CYA's failure to consistently provide all wards access to a full 240-minute instructional day. Wards at Chad and Egan were receiving less than 240 minutes of instruction each day due to gang affiliations, security concerns, mandated treatment, housing assignments or other factors. Wards at Chaderjian, Egan and Perry scheduled for a 240-minute day receive less instruction due to delays caused by ward movement. As a result, wards in these facilities are not attending school for a full day and are earning high school credits at a reduced rate.

It was sometimes difficult to determine whether wards were making appropriate progress towards receiving high school diplomas or GED's due to problems in record keeping. For example, 25% of the ward schedules reviewed at Fred Nelles (5 out of 20 randomly selected schedules) did not reflect actual class enrollment, making it difficult to draw conclusions on individual ward progress towards high school graduation requirements. (This included schedules for 4 general education wards and IEP implementation for 1 special education ward).

The issue of wards with disabilities graduating with regular high school diplomas is not currently addressed in IDEA regulations. The 1997 revision of IDEA, however, places significant emphasis on the involvement of disabled wards in the general curriculum and in state assessment programs. Special education wards have been limited in their ability to make progress towards graduation due to the denial of access to general education classes (Jack B. Clarke) and reductions in service hours (Chaderjian and Egan) caused by extended disciplinary isolation.

The review also identified wards with disabilities that were failing to meet minimal progress expectations. IEP information reviewed at Boss indicated that one special education ward had earned 5 credits in a 7-month period. A second 18-year-old special education ward at Nelles had been in the CYA system for over three years. He had earned a total of 72.5 credits towards high school graduation and was currently only enrolled in two classes. Similar instances were documented at Chaderjian and Egan.

The IEP is the primary tool for ensuring the special education ward's involvement and progress in the general curriculum, according to IDEA 97. There is little evidence to indicate that full access to the general curriculum is being provided. Only 26 of the 55 identified special education wards enrolled in the girls' program at Perry attend the full four period school day.

Recommendations:

1. In order to increase the number of wards receiving high diplomas and GED's, the school administration must take steps to reduce class cancellations, resolve scheduling problems, and increase the number of available credentialed teachers in the required course areas.
2. Wards in restricted programs for extended periods of time must have full access to core curriculum materials and receive 240 minutes of daily instruction in order to make satisfactory progress in their High School Graduation Plans.

Area of Inquiry # 7

On a system wide level, is the quality of education offered in the CYA adequate?

General Education and Special Education Findings:

General comments on the quality of the CYA educational program are found in the response to Inquiry # 1. This response addresses specific areas of the educational programming noted by the reviewers.

There are CYA curriculum guides for the areas of mathematics, language arts, and social studies. There is a need to complete the guides in the area of science. The CYA curriculum standards from each course need to be aligned with the Expected Schoolwide Learning Results at each site and the California Department of Education academic content and performance standards. The CYA has begun to make efforts to align IEP goals and objectives with the CYA core curricular requirements.

Policy 4130: Instructional Practices calls for unit instructional plans to include the following: course syllabi, units of instruction and lesson plans. Many (55%) of the teachers visited were not using lesson plans. These teachers did not have standards posted and/or a course syllabus available for review.

Policy 4100: Guidelines for Curriculum Development calls for curriculum subject area departments to oversee the development and implementation of program standards and ward achievement. Chaderjian, Lyle Egan, and Clarke did not document existence of such committees.

Policy 3300: School Daily Schedule calls for wards to be enrolled for at least an average of 240 minutes of instructional time each day. The site reviews found that this is not being provided at all facilities, particularly in the restricted programs.

The vocational programs observed at Chaderjian, Egan, Nelles and Perry met the needs of the ward population. Wards enrolled in vocational classes were actively engaged in programming provided by vocational teachers.

Services for special education wards are often not provided in the least restrictive environment. Special education and related services are often limited by staffing restrictions, security concerns and inadequate funding formulas. Special education and related services are not provided in the amount and type indicated in the individual wards' IEP's. Educational materials provided to wards at Chaderjian and Egan are primarily related to general instruction, as opposed to specific areas of deficit as indicated in the ward's IEP. At all sites, general education staff do not consistently provide accommodations for the special education wards' instructional needs in mainstream classrooms.

Site Specific Findings:

Johanna Boss

The school has a very clear mission and vision based on their beliefs as well as ward needs. General and special education classroom instruction in the main high school program is very good. Wards were observed to be focused and on task. The administration has organized the school program into four departments responsible for six subject areas. Teachers at this facility are assigned four classes daily. The principal made every effort to limit subject area preparation for teachers to two subject areas, which supported quality instruction and lesson planning. Teachers at the facility are required to develop and follow formal written lesson plans. An observation of 6 classes indicated that all of the teachers had appropriate lesson plans.

The educational staff employs test data to make informed decisions involving ward placement. The staff has developed comprehensive High School Graduation Plans for the wards. Wards are routinely assigned academic advisors who assist them with their academic programs. The case conferences were well organized and involved all staff that worked with the ward population. There is strong evidence of collaborative efforts between the teachers, medical staff, housing staff and others in order to better meet the wards' educational needs. At the 3 case conferences observed, teachers were well versed in the needs and progress of each ward represented.

A review of academic assignments given to the wards returned to their dorms when their total class enrollment exceeded 18 indicates that the assignments were not directly related to the classes missed and were generic in nature. The quantity of the materials failed to meet the CYA requirements of three hours of independent study materials.

The school provides a wide array of multicultural activities designed to enhance the learning process.

Library media services were evident to support the instructional program through the use of print and non-print materials. Wards were encouraged to use the library.

Technology has been introduced and is in use in nearly all of the classes observed. Wards are provided the opportunity to engage in keyboarding skills.

Vocational education has been downsized and replaced, in part, with programs emphasizing academic and character education. There is a need to provide vocational programming for the wards to enable them to have the work skills necessary to become employed once they leave the CYA.

Fred C. Nelles

The school has a clear mission and vision that provides direction for the educational program. The school is using "expected schoolwide learning results" as the learning outcomes predictor for the wards. This information provides the foundation for the school's WASC self-study and school improvement plan.

A review and observation of 8 teachers revealed that they were striving to meet the unique needs of the wards by using a variety of instructional strategies to address the different learning styles. Teachers posted ward work samples in the classrooms and encouraged the wards to actively participate in classroom activities.

The orderly movement of wards during class changes allows classes to begin on time and wards to receive allotted instructional time.

An adequate number of courses is provided for the general ward population; however, circumstances such as gang affiliation, safety and security concerns, the green light phenomenon and other sub-cultural factors prevent many wards from enrolling in appropriate classes as designated in their High School Graduation Plans.

Library media services were evident to support the instructional program through the use of print and non-print materials. Wards were encouraged to use the library.

The administration and staff is complimented for the implementation of the mandated homework/study hour five days a week in each cottage.

A records review indicated that wards were enrolled in college level classes offered through Rio Hondo College, once they graduate or complete GED requirements.

The Student Council and the Cadet Program were evidence of ward involvement. They provide opportunities for leadership and self-discipline and offer personal, social, and academic experiences not found in the regular classroom.

The Foster Grandparent program provides support to the teachers for the instructional program.

N.A. Chaderjian

The CYA policy on daily school schedule calls for wards to be enrolled for at least an average of 240 minutes of instructional time each day. The site review found that this is not the case. Many wards were receiving only 120 minutes of instruction each day. Wards scheduled for the full 240-minute day, in reality,

only receive 210 minutes, due to extended movement activities. Valuable teacher time that should be devoted to instructional activities is spent participating in ward movement. Teachers at the facility spend up to 90 minutes per day standing at their classroom doors observing wards as they transition across campus.

The facility has a fragmented school program. The facility operates five separate high school programs due to the segregated ward population: the regular high school, SMP school, treatment, protective custody, and temporary/long term detention. These schools were inadequately staffed and offered limited instructional programming.

To ensure educational opportunities for the wards, the 5th period has been designated as the time to conduct case conferences, IEP meetings, SCT, HSGP and educational advisements. The review indicated that teachers, for the most part, were not involved in these activities. A records review indicates that no SCT meetings occurred from November 2002 through January 2003. The SCT at this facility is essentially non-functioning.

The vocational offerings at this facility were meeting the needs of the ward population. Wards in these classes were actively engaged in the programming and taking advantage of the training opportunities provided to them.

Lyle Egan

Wards were found to be receiving 120 minutes or less of instruction each day, due to staffing shortages, gang affiliations, treatment concerns, housing issues, and other factors.

Special education and general education wards are served on "abbreviated" school schedules at the main high school program. During the three-day review, observations of morning movement revealed that the school day begins 10-15 minutes later than the posted schedule indicates. A second 15-minute delay was observed during mid-day movement. School administrators report that these delays are typical and expected. The ward movement related delays shorten the number of minutes of instruction by 30 minutes each school day.

Competing facility programs reduce ward school attendance. Wards' progress towards meeting their HSGP's is inhibited by mandates of their incarceration (e. g., victim, gang, or anger management groups) that are scheduled during the school day.

A review of the 2002 SMP Ward Credit Report indicates wards seldom received academic credit while on SMP.

Observation of all of the vocational programs indicated that the teachers were providing quality instruction that was meeting the needs of the ward population.

Wards in these classes were actively engaged in the programming and taking advantage of the training opportunities provided to them.

Mary B. Perry

Teachers and administrators at the facility were found to be both dedicated and capable. The program has a history of staff stability. Lesson plans, as well as a course syllabus for all subject areas, were evident. Standards were posted as required. The school staff was found to be very knowledgeable of the ward population and the instructional program.

Shrinking resources limit the number of classes the facility is able to offer. Often wards are forced to wait extended periods of time before being allowed to enroll in courses required in their HSGP. The site employs only one mathematics and one science teacher, which limits the ability to provide adequate academic courses for the ward population.

Movement of the wards to and from school is extremely slow. School opening is routinely delayed due to this ongoing problem. Morning and mid-day ward movement delays shorten the actual school day by approximately one hour each day for all wards attending the main high school program.

The vocational program was outstanding. Broad program offerings were found to meet the needs of the wards. Programs include computer skills, culinary arts, and animal grooming skills. Although considered a coeducational facility, males and females are separated for all daily activities. Males were not provided access to any vocational classes.

The wards had access to Ventura Community College, which provided an outstanding transition program for the older wards.

The Citizens Advisory Committee provided support through tutorial services to the wards.

Jack B. Clarke/Southern Clinic

Wards were required to attend physical education classes but they were not issued credit for this academic period. As a result, wards were not provided 240 minutes of instruction each day in prescribed academic courses.

There is only one vocational offering (site maintenance), for a small number of wards.

Recommendations:

1. All curricula and IEP goals/objectives should be aligned with the CYA core curriculum objectives in order to maximize the impact of instruction on the wards' academic achievement.
2. When all curriculum guides have been completed, a system of electronic access should be developed to ensure that all staff have immediate access to the guides and related instructional information. This system would also allow staff statewide access to any revisions of curriculum materials.
3. A careful review should be conducted to insure that CYA wards are not being held to higher grading and course standards than public school students. The mathematics requirements for graduation from the CYA should be examined. Wards are being required to pass Geometry to get a high school diploma; this exceeds the requirements for public school students.
4. A greater emphasis should be placed on the GED and vocational programming for the older wards. This emphasis would reduce the need for teachers with credentials in the areas of mathematics and science, since general credentialed teachers can be used to teach the GED.
5. All sites should be held accountable for a yearly inventory of textbooks and educationally related non-consumable supplies and equipment. There is a need for library books and textbooks in the living units at all sites. Efforts should be made to provide an adequate number of books for wards to do homework.
6. Technology hardware and software should be added at all sites to address the wide range of learning modalities. Technology can be used to enhance the curriculum and to provide more varied learning experiences for the ward population.
7. Trade Advisory Committees, as outlined in the Education Branch Manual, should be implemented at each site. It is important to involve the trade community in the operation of the CYA vocational programming in order to insure the real world relevance of the instructional program.
8. The CYA should conduct a vocational program and employability study to determine the effectiveness of each of its vocational programs. It is important to determine how well wards are transitioning back to the community with the skills provided in the CYA. The study needs to address whether wards are gaining successful employment as a result of the training programs.
9. All educational leaders must possess appropriate credentials and skills. The high turnover rate of building level administrators necessitates ongoing training. The knowledge, skills and actions of the CYA site principals and assistants need to be refined to improve the quality of instruction to wards. Specific training should be provided in these areas: vision/mission/goals and

objectives, leadership responsibilities, balance of instruction as viable part of the general and special education process, utilization of personnel with multiple responsibilities, communication, and special education instructional requirements for both regular and special education teachers.

10. Consideration should be given to developing an Educational Leadership Academy to internally train potential educational leaders for the CYA. This academy would be used to provide potential leaders with the skills necessary to administer the educational program.

Area of Inquiry #8

Does the CYA have appropriate testing for learning and other cognitive disabilities?

General and Special Education Findings:

The CYA facilities conduct testing utilizing a three-tier system that includes: 1) evaluation and formal records review during intake; 2) administration of achievement tests; and 3) observational data collection after the ward is placed in class. In Chapter 5 of the California Education Authority Special Education Policy and Procedures Manual, there is a comprehensive outline of both general policy and assessment procedures. Very clear policy expectations on assessment team responsibilities and extensive information on assessment report content are provided.

Teachers and administrators at Boss, Chad, Egan, Nelles and Perry, report that it is common for a ward to be transferred from the diagnostic facility with partially complete assessment data. When this occurs, the resource specialist, and when appropriate the school psychologist, at the receiving facility must complete the educational assessment. Incomplete evaluations result in increased workloads and additional assessment responsibilities for receiving site personnel. On the day of the review the school administration at Johanna Boss reported that forty-six files were missing Home Language Surveys, typically part of the assessment battery provided by the CYA Diagnostic Center.

Evaluations must be up-to date, thorough and adequate before appropriate IEP's can be developed. Educational assessments (N=10) developed at the Southern Clinic were sometimes lacking information necessary to make informed educational decisions. In one instance, the only instrument used to re-evaluate a ward identified as learning disabled was the Matrix Analogies Test (MAT). It should be noted that significant progress is being made in this problem area at the Southern Clinic, beginning with the January 2003 reports written by education diagnostic staff. Interviews with staff and the CYA Special Education Program Specialist assigned to the center confirm that extensive staff development activities had been provided at the facility during this same time period. It is felt that this effort significantly improved the quality of diagnostic center produced educational evaluations.

The SP-MIS Placement data for RSP, SC/INT and SDC (7/26/02) reports 796 of a total special education population of 1254 served in CYA facilities as Specific Learning Disabled. As indicated by a sampling of ward information obtained from files at five CYA sites visited prior to the Clarke review (SLD = 32 files), the CYA diagnostic centers identified nine of the wards in the sample (21%) with reading problems, classified them as learning disabled, and placed them in special education based on limited assessment. Diagnostic evaluations provided by the regional diagnostic clinics rely heavily on base measurements. Many of the curriculum-based assessments utilized reading and writing samples that the CYA staff did not consider age appropriate for the population. Consideration should be given to reviewing the evaluation materials currently

being used for learning disability assessments and expanding the available evaluation instruments to include more accurate and age appropriate materials.

Site reviews of CYA clinic assessments for wards identified as intellectually impaired (N=4) were found to contain all necessary components, including the use of multiple assessment information as well as adaptive behavior scales. Psychological information provided in assessments for wards identified as emotionally or behaviorally disordered (N=11) for the most part was viewed as well written and comprehensive. Two of the 11 reports failed to address family history and contained marginal background information.

Educational evaluations conducted by the CYA place much emphasis on determining eligibility for special education services through formal and lengthy assessments. There are prescribed lists of assessment instruments provided by the CYA to be used by the evaluators at the diagnostic clinics. Site reviews revealed that mandated assessment instruments were missing parts, or in one case, could not be located. Interviews with assessment staff at the Southern Clinic revealed that two of the individuals responsible for evaluating wards had never seen the CYA required assessment list.

The concept of assessment is emphasized in IDEA 97 by references to identification, diagnosis, review, observation and testing. IDEA requires documentation of efforts to assess and to use the results of the assessments to ensure the effectiveness of efforts to educate wards with disabilities. The testing and assessments provided to wards is of questionable value due to the inadequate consideration given to improve educational performance based on assessment information. Compliance with IDEA requires documented efforts to attempt to improve wards' performance in addition to attention to rights and protections.

Recommendations:

1. It is recommended that a review of the available assessment instruments used by clinic educational diagnostic staff be conducted to insure that the methods and instruments are appropriate for the age, language, and cultural background of the wards being assessed. Emphasis should be placed on identifying and utilizing assessment tools that provide age appropriate writing and reading components.
2. All clinic educational diagnostic assessment materials should be examined. Any components missing from the assessment kits should be replaced.
3. The regional special education specialist should provide in-service training on assessing wards using the CYA adopted instruments. Additional staff development in the area of assessment report content is also recommended.
4. It is recommended that the diagnostic clinic staff be required to maintain documentation regarding all partially completed assessments forwarded to the CYA facilities. This documentation should include: date of ward enrollment, date(s) of clinic assessment(s), and explanation of reason(s) for the incomplete

assessment. This information should be reviewed by the Clarke principal and by the regional special education specialist on a monthly basis.

5. Training should be provided in the use of standardized testing to identify wards' academic weaknesses and the appropriate strategies to meet the identified instructional needs.

Area of Inquiry # 9

Are the Individualized Education Plans (IEP's) appropriate for the individual wards?

Special Education Findings:

The CYA makes clear its intent to maintain federal and state compliance and to provide mandated services. During the 6 site reviews a total of 145 IEP's were examined, which represents a sample of slightly more than 10% of the total special education population. The special education population on June 30, 2002 was reported to be 1,255, which was 21.4% of the total ward population. Site special education teachers, special education administrators and clerical personnel provided additional specific information from 101 special education files. The development and implementation of over 1200 IEP documents on an annual basis can be an overwhelming task. Although they have demonstrated the ability to comply with special education regulations, the CYA has not been able to ensure full compliance at each site on an ongoing basis.

IEP's are required to include educational goals and objectives. All educational staff actively involved in the ward's education must implement the goals, objectives and benchmarks. A total of 103 IEP's did not contain documentation of benchmark review. The failure to keep the IEP's current infers that the CYA programs do not consistently monitor individual educational benefits or measure instructional gains.

Courts and federal agencies are clear that IEP's and other relevant paperwork should document options considered on the continuum of alternative placements and why less restrictive options were rejected. The rationale must be clearly and appropriately stated. Thirty-four IEP's of wards placed in restrictive placement in excess of thirty days at Chaderjian, Nelles and Egan were found to lack clarity on this issue. The documents reviewed at Chaderjian, Egan, Nelles, Perry and Clarke (N=28) indicated that when reviewing wards on administrative lockdown status, the school teams consistently started with consideration of placement in the most restrictive environments and then moved backwards along the continuum. In some instances, it appeared that the CYA IEP team inferred that the ward needed to be maintained in a segregated environment because it would be "best" for the ward. One IEP document at Egan stated that full educational services specified in the IEP should be immediately re-implemented upon the ward's release from the extended restricted placement. The IEP, however, failed to address how these "needed services" would be provided during the restricted placement.

The special education regulations require that transition services be defined in several areas of the IEP by the time a ward turns 16. By age 14, the IEP team must define needs for transition services that will actually be provided when the ward reaches age 16. If providing transition services is not appropriate, the IEP team must state that they are not and give the basis on which the determination is made. A number of the IEP's (N=29) failed to provide complete information. The transition plans reviewed were so similar that individualization based on the ward's needs seemed questionable.

The CYA does not currently have the ability to adequately monitor compliance at each site and take corrective measures when a site fails to meet departmental expectations. The CYA central office employs two individuals to monitor and maintain special education compliance. One serves the northern California area, while the second works with programs in the southern portion of the state. These individuals should be commended for their efforts; however, geographic distances and the large number of special education wards limit their ability to monitor each program and to correct the deficiencies noted in these findings.

Site Specific Findings:

Johanna Boss

A review of 25 active IEP's, information supplied by program staff and staff verification of information contained in 15 additional ward IEP files indicates that 20 of the documents contained IEP benchmarks that had not been reviewed or honored. The program failed to document monitoring of progress on the IEP.

Three IEP's were identified that were out of date. Additionally two triennial evaluations were identified as over due.

The goals and objectives written for one ward identified as legally blind state that "The student will attend school full-time and earn credits for graduation; pass CASAS writing test." The benchmark states, "Pass all classes with a c or better". The remaining second IEP goal is written to address his ability to manage feeling in an appropriate manner. The single academic goal for this ward would certainly be simple to monitor, but it is viewed as inadequate to address the ward's educational needs.

A comment written in the IEP for one ward stated that the required counseling would not be provided due to "staff cut backs".

Specific areas of concern identified in the individual IEP reviews include the following:

Failure to adhere to the required 50-day timelines as identified in CYA policy. (1)

Failure to document review of IEP benchmarks (20)

Failure to indicate date of intended IEP benchmark review (2)

Failure to address IEP transition areas involving interagency responsibilities and/or linkages for wards aged 17 and over (4)

IEP completed without general education teacher present (1)

A total of 3 IEP's contained documentation of periodic progress reviews.

None of the IEP's contained documentation of general education notification or receipt of needed accommodations

N.A. Chaderjian

During the Chaderjian visit a total of 35 ward IEP files were formally inspected. Verification by facility staff of information in 15 additional files provided the basis for the following findings:

Progress reports indicating implementation and review of IEP goals and objectives are not being completed on a regular basis. The California Youth Authority Operations Manual, Section 7240, provides that a principal/coordinator shall carry out procedures to schedule, on an annual basis, reviews of all individual education plans (IEP's). The special education file review indicates that one teacher was serving six special education wards with expired IEP's. The IEP annual reviews for all six files had not been held. Only one file could be considered a relatively new admission; the remaining five wards had been residents at the facility for varying extended periods of time. Records indicate that three additional triennial reviews were overdue.

Special education and related services outlined in the IEP's of wards assigned to restricted placements are routinely reduced (16 files/verifications)

Classroom assignments do not align themselves with specific IEP goals (21 files/verifications). Observations in two Special Day Classes indicate inconsistencies in the alignment of classroom assignments with IEP goals and objectives.

Specific areas of concern identified in individual IEP reviews include the following issues:

Failure to document review of IEP benchmarks (25)

Failure to indicate date of intended IEP benchmark review (4)

Failure to address IEP transition areas involving interagency responsibilities and/or linkages or failure to complete or respond to all areas of transition for wards aged 17 and over (9).

IEP contains IEP goals and objectives that are not considered measurable or are not in the stated area(s) of need (4)

IEP completed without general education teacher present. (2)

None of the documents reviewed contained documentation of periodic progress reviews.

None of the documents reviewed contained documentation of general education notification or receipt of identified accommodations.

School administrators were unable to provide documentation that general education teachers are aware of required classroom modifications and accommodations. Interviews with three general education and two special education teachers provided verbal information indicating that general education teachers do not consistently make accommodations and/or regularly implement IEP goals and objectives. All general education teachers interviewed (6) indicate that after an IEP is written for a ward, they are provided copies of the document from the special education teacher assigned to the ward. All teachers stated that when the ward transfers from their class, the IEP information might not be transferred to the next teacher serving the ward. Information obtained from three general education teachers at the facility indicates that they do not accommodate for individual needs as indicated in the ward IEP's.

Fred C. Nelles

During the site review a total of 20 IEP's were examined. Sampling information was provided by the special education staff from an additional 10 ward special education files and records.

Observation and participation in an annual review conference for a ward conducted by education staff provided the following information: The ward was over 18 years of age. The IEP committee failed to provide him with information and/or copies of his procedural rights during or after the meeting. He was, however, required to sign the informed consent section of the IEP documenting that this had occurred. Team members had checked the section acknowledging receipt in advance. The ward was not informed of his rights, and he was not provided with the information necessary to make informed consent decisions.

In a second instance, an original IEP was compared with copies of the document reportedly made after the IEP meeting had occurred. The copies of the document were to be distributed to team members and participants, including the ward. Examination of the copies revealed that they were lacking goals and objectives for two areas identified as significant needs. The missing information on the original document appears to have been written by someone other than the author of the original goals section. The copies suggest that the goals and objectives were completed after the IEP meeting had been held. This means that the ward was not afforded his guaranteed right to participate. The addition to or alteration of the original IEP documents outside of the formal IEP team meeting is prohibited.

Review of five IEP's written after wards had been placed on lockdown status for more than ten days revealed that the program incorrectly reported the revisions as

annual reviews. The express purpose of these meetings was to review ward behavior management plans. This is not an annual review. Essentially, the program is “resetting” the IEP clock each time they conduct these meetings. For example, a ward whose annual review was conducted six months ago participates in the behavior management plan meeting and staff reports this as a new annual review. They then change the review date for the ward’s next “required” annual review from the original date to one that is one year (12 calendar months) from the date of the behavior management meeting. This has extended the IEP from its original 12 months to 18 months.

IEP Benchmarks are not being reviewed when due (11 files). There is no systematic process for monitoring goals/objectives per the IEP. The program fails to provide documentation of periodic progress reports.

A review of IEP’s revealed two instances of IEP meetings being conducted without a required member present (regular education teacher).

Classroom assignments do not align themselves with specific IEP goals (9 files/verifications). Observations in three general education classrooms providing services to special education eligible wards also revealed inconsistencies in the alignment of classroom assignments with IEP goals and objectives.

One ward file contained two statements of need in two specific areas but did not list have any goals or objectives addressing these identified needs.

Several of the randomly reviewed IEP’s contained minor errors that confuse intent or compliance. For example, one IEP failed to address the impact of the disability in the Present Level of Performance section. The benchmarks had not been reviewed on this IEP. A second IEP failed to report the number of regular education hours the ward was to receive on the first page of the document and also did not indicate the benchmarks had been reviewed. A third IEP lists the ward as receiving 2 hours of resource services and 1 hour DIS counseling weekly; this IEP then indicates that the ward will not be in regular education 10% of the time. A fourth IEP indicates that a ward will receive 5 hours of resource services per week plus one hour of DIS counseling and will receive zero (blank) % regular education services.

It was difficult to document implementation of IEP provisions and classroom modifications for wards placed in general education classes. A system has not been developed for documenting that general education teachers are provided with information on classroom modifications and accommodations indicated in the IEP. General education teachers do acknowledge that they are provided with copies of wards’ IEP’s. Evidence was lacking that general education teachers honor individual provisions, modifications and/or accommodations. When questioned, one general education teacher at Nelles remarked that she “treats all of her wards the same way, and that they had to do the same work in order to

pass". A second Nelles general education teacher remarked that he expects his entire classroom, both regular and special education wards, to be able to "do the same work or they will fail". Both teachers, however, acknowledged that they had been provided with copies of the wards' IEP goals and objectives.

Lyle Egan

A total of 25 active special education files were formally reviewed. Program staff provided information from 13 additional special education files and documents.

The Monthly Special Education Report submitted on 04/2/03 reports a backlog of 52 IEP's on the date of the review (28 Annuals, 1 Initial, 15 Triennials and 12 special reviews). Five reviews were considered to be on timeline while 6 were reported as off timeline.

Interviews with school administrative staff indicate that wards placed on O&R and SMP routinely have service hours reduced based on the availability of special education staff and not on identified needs indicated in the individual IEP's. Services to wards placed in lockdown units are limited and sometimes sporadic. Special education, and when required, related services are not provided in the amount specified in the individual ward's IEP.

Specific areas of concern identified in individual IEP reviews include the following issues:

IEP goals, objectives, and benchmarks are not reviewed within specified time limits. (17 files/verifications)

Failure to document review of IEP benchmarks (17)

Failure to indicate date of intended IEP benchmark review (2)

Several of the randomly reviewed IEP's contained minor errors that confuse intent or compliance. The IEP for one ward was written on 11/19/02 and was scheduled to expire on 11/19/03. The special education and related services listed on the same page of the document are scheduled to run from 11/19/03 to 11/19/04. The goals and objectives on the IEP have not been reviewed since 11/19/02. A second IEP written for a ward who had been in restrictive placement for more than one calendar month for behavior did not contain any behavioral goals or Individualized Behavioral Plan. A third IEP calls for the goals to be reviewed one time (the same date as the next annual review). One file contained an IBP written by the program's school psychologist with the ward present, but the ward did not sign it.

Observations in three general education classrooms providing services to special education wards revealed inconsistencies in the alignment of classroom assignments with IEP goals and objectives. Interviews with four general

education teachers confirmed that they do not implement the required accommodations identified in the individual ward IEP's. All four teachers interviewed acknowledged previous receipt of individual ward IEP's when they were "mainstreamed" into general education classrooms.

Mary Perry

During the site review a total of 20 IEP's were examined. Sampling information was provided by the special education staff from an additional 18 ward special education files and records.

Data reviewed for a total of 91 male and female wards indicated that 24 had expired IEP's (1 initial, 15 annual reviews, 6 triennial reviews, and 2 special program reviews).

The program fails to maintain records of individual progress reviews of IEP goals, objectives and benchmarks. The CYA Special Education Director indicates that she has provided all programs with approved forms; however, they are not being used at this facility.

Observations in two general education classrooms providing services to special education wards revealed inconsistencies in the alignment of classroom assignments with IEP goals and objectives. Observations and interviews with two additional teachers indicated that they were provided the identified classroom modifications, including extended time to complete work and shortened assignments.

Jack B. Clarke/Southern Clinic

During the site review a total of 20 IEP's were examined. Sampling information was provided by the special education staff from an additional 10 ward special education files and records.

It was evident that two IEP's had been developed outside of the actual meeting. The completed IEP's were signed by education staff and predated prior to the actual meeting date.

Progress reports indicating implementation and review of IEP goals and objectives are not being completed.

Three instances were found of wards newly admitted to the facility not being placed in classes or provided educational assessments within the 5 calendar days specified in CYA policy. A review of ward files indicates that the program has failed to implement wards' IEP's within 5 calendar days. Interim IEP's are not being developed within the required 30 calendar days. (N=2)

Wards classified and served as diagnostic placements are placed in self-contained classrooms and are not afforded access to regular education. This method of

programming violates wards' rights of access to a free and appropriate education with regular education peers. This practice also fails to take into account the educational placements outlined and required in the individual ward's IEP.

The program fails to follow prescribed procedures for decertifying or exiting wards from special education services. In two files, IEP goals and objectives were found that had been erroneously developed for wards that were no longer eligible for special education. One file failed to document graduation and/or completion of IEP goals as required.

Recommendations:

1. All sites should be required to review current IEP's developed for wards assigned to restricted placements for more than 10 days. This review should be made to ensure that they contain the necessary documentation to support the changes in placement. Behavioral intervention plans developed for these wards must be revised to provide interventions addressing specific behavioral issues and justify any changes in service hours.
2. Special education personnel at each site should receive training emphasizing documentation of benchmark review, including periodic progress reporting.
3. The CYA should clarify the roles and responsibilities of both general and special education administrators and teachers to ensure compliance with IDEA regulations. Staff development should be provided to all teachers on the importance of alignment of instructional programs and curriculum with the development of the IEP's.
4. The CYA must expand its internal monitoring efforts to include more evaluation of IEP development and implementation. This internal system should include a minimum of quarterly compliance reviews at all sites. The reviews should address IDEA regulations, including IEP implementation, CYA policies and procedures, and other relevant special education standards.
5. It is recommended that the CYA take immediate steps to identify additional staff or experienced educational consultants to review compliance and provide technical assistance and training.

Area of Inquiry #10

Is the CYA providing adequate education to wards in restricted programs?

General Education and Special Education:

The most systemic factor impacting wards placed in restricted programs is CYA's failure to consistently provide all of these wards access to a full 240-minute instructional day.

Educational services to wards on the restricted programs were limited. Instances of general education wards placed in the unit at Egan who were receiving 1 hour of education per week were noted; special education wards in the same unit were provided with one hour of academic instruction per day. Staff at Chaderjian and Egan were unable to document that wards were receiving full academic credit for work completed during extended stays in the restricted units. Wards were identified who had been required to enroll in elective courses not related to their HSGP (N=11). The amount of instructional hours provided for both general or special education wards (an average of 120 minutes daily) fell below the CYA policy requirement of 240 instructional minutes at all facilities.

Wards assigned to lockdown units do not attend classes on a regularly scheduled basis. CYA policies require that in situations such as extended lockdowns, wards are to be provided one hour of formal academic instruction and three hours of "independent study" materials. Documentation of adherence to these policies was not available at Chaderjian, Egan and Perry. Since general education and special education wards in lockdown at these facilities have limited access to books and writing instruments, they consistently fail to meet this standard. Boss, Chaderjian, Egan, Nelles and Perry provide only limited course offerings on their lockdown units. They have failed to develop and expand the use of core curriculum instruction on these units, despite written assurances made in their Site Plans.

Restricted programs at all facilities visited reduce ward instructional hours and class offerings without adequately addressing educational need in the IEP. Under IDEA, the CYA is not required to provide educational services during the first ten days in a school year that wards are removed from school for disciplinary reasons. During any subsequent removals for ten days or less, the facility must provide services to the extent necessary to enable the ward to progress in the general curriculum and advance toward achieving IEP goals. This has not been done. Special education wards placed on restricted/lockdown status for extended periods of time routinely have required service hours reduced and are not afforded compensatory services. The academic instruction offered to wards in restricted placements for more than 10 days (N=19) failed to relate to the individual ward's IEP goals and objectives and did not appear to be directly related to course content and curriculum objectives.

The reviewers had concerns over the length of time wards spend in the restricted programs and the impact on their educational opportunities. School administrators at Chaderjian, Egan and Nelles report that the restrictive programs in their facilities lack clear-cut exit criteria. It was the general consensus at all sites that exit from the restricted programs is a security decision and input involving manifestation or educational need was not solicited. Behavior Management Plans (N=9) in IEP's developed at Chaderjian and Egan, for wards who were placed in restricted placements in excess of 10 days, either were not implemented, or when successfully implemented, had no impact on the length of placement.

Site Specific Findings:

Johanna Boss

Ward interviews and file reviews for five wards (general and special education) assigned to the restricted units for more than 10 days indicate that wards are routinely denied access to the full 240-minute school day based on security concerns. It is noted that often rule violations occurring outside of the school program result in these restricted placements. There was a lack of adequate review of potential manifestation issues by the IEP teams in all files reviewed.

Samples of academic work provided to wards failed to comply with CYA recommendations that they be provided with 1 hour of academic instruction and three hours of independent study materials. The quantity of materials provided to the five wards reviewed was inadequate for this purpose. Interviews with unit staff, the attending psychologist and teacher indicate that ward requests for "extra" schoolwork were routinely denied.

Mathematics materials provided to one ward in the restricted unit consisted of algebraic equations; the mathematics work sheet was titled Algebra. The ward indicated that he had completed algebra and was enrolled in geometry. He also stated that he had completed the same work sheet on two previous occasions. A review of the ward's transcript confirmed that he had completed algebra and was enrolled in geometry.

For special education wards, it is common practice to reduce the number of service hours provided when they transfer from the regular school campus to a secure unit. This reduction in service hours was not found to be based on the needs of the individual ward as indicated in the IEP. Wards assigned to lockdown units were not provided adequate educational opportunities, including access to needed academic courses. Materials provided to these wards were limited and unrelated to the class or course content.

On the day of the secure unit review, the teacher assigned to provide instruction to the special education wards stated that the teachers at the high school unit had failed to provide him with daily assignments and work sheets. He also stated that

when this occurred, he copied work from the textbooks he has available. Three of the textbooks used by the unit's teacher were out of date. Examination of academic assignments provided to five wards indicated that they were not related to the posted course standards.

Services currently provided to wards housed in the lockdown units fail to meet minimum requirements for education in the least restrictive environment. Special education service delivery varies. Although the services provided by teachers in the Special Day Classes (SDC) at the main high school program were excellent, services offered to wards in lockdown were viewed as deficient.

Some special education wards are provided services through locked doors, with materials and assignments passed to them through an opening. Special education wards were observed receiving their "work" from the teacher assigned to the unit, who returned later during the "instructional hour" to pick up and grade the assignment. Interaction and conversation were minimal. The teacher reported contact hours for each individual ward visited. The instructional effort and actual ward contact observed did not warrant or justify reporting one hour of instruction.

Special education wards were not observed receiving identified classroom modifications and/or accommodations.

N.A. Chaderjian

During the past two years, the facility appears to have attempted to broaden the continuum of service delivery options for wards placed in the secure programs.

The security lockdown practices significantly impact the ability to provide instructional services. Both special education and general education wards on extended lockdown receive abbreviated 120-minute blocks of instruction.

Wards in the lockdown units are often not provided textbooks. Five of the nine worksheets spot-checked in the units did not appear to be related to the course standards. Instruction observed in two of the restricted unit programs did not appear to be related to the course descriptions. There was minimal access to library services (monthly).

To date, the facility has failed to make any significant progress in providing education to special education wards in the "least restrictive environment". Wards have been restricted to these limited services for periods of up to 18 months, due to administrative lockdowns at the facility. Wards assigned to the lockdown units are not receiving appropriate and/or adequate educational services as defined by IDEA.

When a disabled ward is excluded from school for disciplinary purposes, the school must ensure that it is not excluding the ward based upon behavior that is a manifestation (causal factor) of the ward's disability. Routine and lengthy

placement of wards in high security units without regard for manifestation was found to be a common practice, particularly for wards eligible for special education due to emotional or behavioral issues. The program fails to adequately provide supplemental aids and to use a cascade of behavioral interventions prior to or during the extended restricted placements. They routinely deny educational services to wards that have violated general program rules.

Specific components of the IEP's have not been fully implemented for many of the wards placed in restrictive lockdown settings. Behavior intervention plans, functional behavior assessments and IEP identified classroom modifications have not been developed, employed or observed as required. The program fails to maintain adequate documentation of efforts in these areas.

Service hours, as indicated in the ward's IEP, are routinely shortened after the ward has been placed on lockdown status in excess of ten days. Reducing service hours due to limited class space in the program areas or to lack of teachers is a violation of the intent of IDEA. Educational decisions involving the provision of required services must be based on actual ward need and not on program convenience.

Teachers assigned to wards locked in their rooms provide only limited interaction and these exchanges do not support the service hours reported to the CYA. Observed interaction between teachers and wards locked in their rooms involved the teacher giving the ward an assignment, then returning later in the hour to pick up the assignment. This practice fails to provide the one hour of instruction and three hours of "independent study/work" as described in CYA policy. Verbal interaction is hampered by the fact that the solid steel door requires shouting by both parties in order to be heard.

The facility's secure programs do not adequately ensure that all wards with disabilities have access to a free and appropriate education, which emphasizes special education and related services to meet their unique needs.

Lyle Egan

Ward interviews with the teacher present indicated that general education wards in one of Egan's lockdown units receive 1 hour of instruction per week in cages. The unit teacher reports that he was instructed by his supervisor to only issue elective credits to wards placed on the unit. When requested by the review team, documentation of this reported directive was not produced.

Wards in cages were not provided textbooks; they were provided ditto sheets that did not appear to be related to the written curriculum or course standards. Review of a sample of academic assignments indicated that they were not directly related to course content or specific IEP goals.

Restricted unit records revealed that some wards housed in the lockdown units for extended periods of time are denied access to school programs. It was observed

that one ward had been in the unit from November 2002 through April 2003 and had not been provided any school assignments. A second special education eligible ward who was receiving reduced service hours while on the SMP was removed from all services when placed in the I&J unit.

Interviews revealed that wards placed on restricted status routinely have IEP service hours reduced, based on the availability of special education staff and not on need indicated in the individual IEP. Wards' IEP instructional hours are routinely reduced (N=11); access to FAPE requirements is routinely ignored.

This special education program failed to conduct IEP reviews for wards placed in the special management program in excess of thirty days. A review of individual ward IEP's indicates that in some instances instructional hours have been reduced from 15 hours per week to 5 hours per week. These service reductions have taken place without timely IEP reviews.

The educational program fails to develop and implement mandated behavior management plans; therefore, it has failed to provide the wards with the required educational options and benefits.

Other specific findings with regard to the special education program are the following:

Review of 6 IEP's of wards placed in the O&R program in excess of thirty calendar days revealed that the interim IEP meetings for five of the wards were not held within the required 30 calendar day time limits.

Behavioral goals were not developed for 3 of the 6 wards.

Criteria for moving through the continuum of least restrictive environments, including a provision for returning to the prior IEP, had not been completed for 2 of the 6 wards.

Consideration given to the need for a determination of manifestation is missing for 3 of the 6 wards.

The IEP for one ward was found to contain transition goals scheduled to be reviewed 03/03. This had not been done.

A review and observation of wards housed on the Y&D unit revealed one special education ward placed on "red line" status in excess of thirty days. The ward had not been allowed to attend school during this time. There was a failure to review his IEP goals and objectives, develop behavioral goals and implement his required service delivery program during this period.

Observation of portions of an actual IEP meeting conducted in the SMP revealed that the ward, while present in the room (locked in a cage), was not afforded the opportunity to participate. The two individuals making up the team conducted the

meeting at a table located some distance from the ward seated at a desk inside a cage. The special education teacher listed as a participant was actually in the room teaching during the meeting. The team reduced the ward's special education service hours based on his placement in the unit, despite the fact that he had demonstrated his ability to successfully participate in the full continuum. IDEA regulations are clear on the requirements that an adult ward be an active participant in the IEP development and that input be solicited and considered. This was not done.

Fred C. Nelles

There is a lack of standardization of the instructional program between the main high school and the restricted unit.

Wards attending school in the secure/lockdown units are often not afforded the opportunity to access a full instructional day.

The special education teacher assigned to the SMP is not required to develop lesson plans. The materials provided to the wards did not appear to be related to the identified educational goals and objectives.

Special education wards placed on lockdown status in excess of ten days routinely have the number of service hours reduced. Often the reduction is significant, averaging 50%. These IEP driven instructional hours are reportedly reduced because the programs offered in the secure area provide 120 to 180 instructional minutes daily. When questioned about the reduction of services to these wards, the principal indicated that she had been authorized to do so in a memorandum from the central office of the CYA. She was not able to provide the team with copies of this document.

One ward's IEP, class schedule and supporting documents indicated that his class schedule was four classes (240 minutes of instruction) daily. The ward was classified as "green lighted" (placed on security restrictions due to safety concerns). The ward was withdrawn from two of the academic classes listed in January 2003; school personnel waited until March 10, 2003 to assign him to two new classes. When the ward was assigned two culinary arts classes, the school's administration was aware of his restricted status. The ward was immediately barred from attending those classes due to his high suicide risk.

The policy clarification memorandum involving Special Education Supplemental Services #2002-01 Students in Restricted Programs written on October 10, 2001 states in part:

"For a special education student, an Interim Placement meeting shall be scheduled and held within 5 consecutive days of assignment to a restrictive program (see attached YA 7.479). The meeting shall be held concurrently with the treatment team's Initial Case Conference whenever possible. A review IEP team meeting

shall be scheduled within 10 consecutive days and shall be held within 30 calendar days of assignment to a restrictive program. The review IEP team meeting shall develop an alternative education program revised IEP, appropriate to the alternative interim placement, that shall include: behavioral goals, criteria for moving through the continuum of least restricted environment including a provision for returning to the prior IEP goals and considerations given to the need for a determination of manifestation."

The files of four special education wards placed in the Special Management Program (SMP) in excess of thirty days were reviewed:

	Date Entered SMP	Date of last IEP meeting
Ward #1	02/24/03	03/20/03
Ward #2	12/30/02	07/16/02
Ward #3	03/26/03	03/27/02
Ward #4	03/03/03	11/06/02

The file reviews indicate that 3 out of the 4 wards (#2, #3, #4) placed in the SMP failed to meet the required thirty-day IEP meeting time limit imposed in the above referenced memorandum.

Mary B. Perry

Wards in the lockdown units were not allowed to have books or pencils in their cells. They were allowed access to educational materials during their 1-hour of exercise time in the large caged area. Staff report that wards often refused schoolwork and preferred to socialize or exercise in that area.

The general and special education resource teachers assigned to the restricted unit regularly prepare and deliver appropriate educational materials to the wards. The unit provided log documentation supporting the provision of required services. The quantity and quality of materials furnished was considered to be sufficient to need the wards' educational needs. As noted above, actual ward access to the materials is highly restricted and limited.

Jack B. Clarke/Southern Clinic

Wards sentenced to the facility as "parole violators" are not afforded the opportunity to attend school. During individual interviews, program staff indicated that they had on occasion identified wards with existing IEP's who were a part of this population. The wards were refused services due to their placement and not according to need.

The CYA has notified the review team that services are currently (post-review) being provided through a contract with the Franklin Outreach Program from the Orange County Office of Education. The contract provides teachers and instructors for the population described above.

Recommendations:

1. A system of individualized instruction based on the core curriculum should be developed, so that the full curriculum can be consistently delivered to general and special education wards in the restricted programs, including cages.
2. Quality instructional materials should be available to the wards in the restricted programs to ensure that their access to the curriculum is comparable to that of wards enrolled in the regular high school program.
3. Many wards receiving special education services in the CYA restricted programs are being left behind academically. Greater emphasis should be placed on ensuring that academic instruction, including IEP required classroom modifications and accommodations, is delivered to wards in restricted placements. The CYA must develop procedures to closely monitor full implementation of all IEP's to insure that they address academic achievement.

Area of Inquiry # 11

Does the CYA use cages to provide education to wards in an appropriate manner?

General Education and Special Education:

While not aesthetically pleasing, the use of cages as a part of the cascade of behavioral interventions may, at times, be necessary to provide services to aggressive and highly dangerous wards. While the use of a cage may be necessary as a "last resort", it is doubtful that its widespread use is the only appropriate behavior intervention available. Security or behavioral concerns are noted as the primary reason for denying wards access to less restrictive school placements. Other behavioral interventions should be available and employed by facility administrators and staff prior to placement in cages. When use of cages is authorized for extended periods of time, there should be clearly defined entrance and exit criteria. Wards in cages were found to be generally compliant, and according to teacher reports, were completing their assignments. General and special education teachers at Chaderjian and Nelles, who are assigned to teach wards in cages, report that often the wards continue to be confined in cages for extended periods of time, even when they consistently exhibit acceptable school behavior.

Without exception, wards assigned to cages for the school program are afforded only a limited school day. It is common practice to routinely reduce service hours in wards' IEP's due to lack of facilities (an inadequate number of cages). At Egan, wards report receiving one hour of instruction in the cages per week. The number of cages limits the number of wards that a teacher can teach at any one time. For example, when a facility has 6 cages, it results in a 6:1 staffing ratio that is far below the 15:1 staffing allocation. The significantly reduced student/staff ratio requires a greater number of teachers in order to provide each ward the mandated instructional hours.

The use of cages presents several issues with regard to the quality and quantity of the educational services provided. Observations of 21 wards receiving educational services while in cages at Chaderjian and Egan revealed that wards are primarily instructed through the use of individual work sheets. Textbooks are not allowed in the cage. Academic instruction was observed to be unrelated to the core curriculum content. The location of the cages limits the teachers' abilities to interact with the wards on an individual basis. At sites where cages are located in the open areas near the cells of locked down wards (Chaderjian, Egan), the high noise level of other wards was distracting and disruptive to the educational program.

Recommendations:

1. The provision of educational services to wards locked in cages is one of the most restrictive behavior control options available. More emphasis should be placed on prevention, early and accurate identification of behavioral problems and effective interventions, using research based behavior management

models. The lack of a continuum of behavioral interventions at Chaderjian and Egan results in cage placements for extended periods of time. It is recommended that the CYA restructure its continuum of behavioral interventions. They should begin with a structured behavior management system in the classroom and include short-term alternative class placements as part of the main high school program. The use of cages should be considered a last resort.

2. If the CYA continues the use of cages, differentiated staffing and/or the construction of more cages will be required to meet the requirement of 240 minutes per day of educational programming per ward.
3. When being served in cages, the wards must be provided access to the core curriculum and to the specific courses necessary to make satisfactory progress in their high school graduation plans.

Area of Inquiry #12

On a system wide level are wards with special education needs properly identified and provided appropriate accommodations?

General Education and Special Education Findings:

The CYA lacks uniformity in the identification and assessment of wards that have not previously received special education services or been identified as eligible for those services prior to their incarceration. The Student Consultation Team at Perry provides an excellent example of an operational SCT that routinely identifies wards in need of special education services. This SCT also provides needed educational interventions to support the wards' instructional needs. The SCT's at Chaderjian, Egan, and Nelles fail to provide sufficient early interventions to insure wards' academic progress. The intervention model employed by these three facilities (Chaderjian, Nelles, and Egan) focuses on waiting for the ward to fail, rather than early SCT interventions designed to prevent failure. At Chaderjian, Egan, Boss and Nelles, very few wards are identified as potentially eligible for evaluation for special education, and even fewer are served through SCT developed interventions. SCT data reviewed at all sites indicate that wards in restricted or lockdown placements for extended periods of time rarely receive early identification and referral services due to their limited contact with teachers.

School administrations at all CYA facilities reviewed treat special education and general education as separate programs. Formal and informal communication between general and special education staff is sometimes limited. Teachers fail to adequately align individual ward IEP goals and objectives with the required core curriculum. At the six sites, 52% of the general education teachers (N=40) interviewed or observed were making classroom accommodations designated in individual ward's IEP's. General education teachers at Chaderjian and Egan were reluctant to provide classroom modifications or accommodate for the needs of disabled wards. Documentation regarding the implementation of modifications and/or accommodations has not been adequately maintained system wide.

Site Specific Findings:

Johanna Boss

Special Education Compliance Report summaries provided by the CYA indicate that during 2002 Boss had a backlog of SCT meetings (approximately 20) dating back to late November/December due to the unavailability of SCT members.

Delays in evaluations for wards suspected to be in need of services were noted during the last months of 2002.

The program fails to document implementation of classroom modifications and accommodations by general education teachers.

N.A. Chaderjian

The functional operation of the SCT could not be documented at this facility. The most recent SCT documents and logs available for review were dated November 2002.

Accommodations necessary for wards identified as hearing impaired are of concern. The CYA provides interpreters for these wards. Observations of instruction revealed that the interpreters were being required to explain and essentially teach concepts during class. The classroom teacher deferred questions to the interpreter, indicating that he/she should explain the subject matter to the ward. The appropriate role and function of the interpreter does not include the assumption of actual instructional responsibilities.

The program fails to document implementation of classroom modifications and accommodations by general education teachers.

Fred C. Nelles

The School Consultation Team Assessment Sheet provided to facilities by the CYA states, “Who Will Attend School Consultation Meetings? The core team should always include: an administrator/designee, a facilitator/chairperson, a recorder, the student, the referring staff member, and treatment/custody staff (if behavior precluded student from attending school”. A review of the SCT log information indicates that during January and February 2003, three of four SCT meetings were conducted without the required number of personnel present. The SCT Coordinator, Assistant Principal and ward attended two meetings. The SCT Coordinator, Assistant Principal, Psychologist and ward attended one meeting. The SCT Coordinator, Assistant Principal, teacher, and ward attended the fourth meeting; only this meeting was considered to meet membership requirements.

March 7, 2003 CYA SP-MIS documents report that in December 2003, 20 wards were referred to the SCT, but only 5 of the referrals were reviewed; no wards were referred to special education. In January 2003, 18 wards were referred to SCT, only 3 of the wards were reviewed; there were no referrals to special education. In February 2003, 31 wards were referred, 8 were reviewed and only one ward was referred to special education.

The program fails to document implementation of classroom modifications and accommodations by general education teachers.

Lyle Egan

Minutes of plans developed for wards in restricted programs indicate that SCT meetings were held without the mandated members present.

The program fails to document implementation of classroom modifications and accommodations by general education teachers. Very few general education

teachers indicate a willingness to modify instruction to accommodate disabled wards' needs.

Mary B. Perry

The program maintains an excellent SCT; the committee is viable and fully functional. The SCT meets on a regular basis and routinely identifies wards in need of services. It is noted that SCT referrals for evaluations have been delayed for extended periods due to the vacant educational psychologist position.

School administrative staff strives to inform general education teachers of the needed classroom modifications and they maintain good documentation of their efforts. Isolated instances of failure to provide IEP identified accommodations for wards placed in mainstream classes were noted.

Wards identified as hearing impaired/deaf were appropriately served. The role and function of the interpreter is clear. The classroom teachers take an active role in instruction and accommodate for these wards.

Recommendations:

1. The designated members of the Student Consultation Teams should meet regularly at all sites and function according to policy to ensure appropriate identification and evaluation of special education eligible wards.
2. In-service training on classroom modifications of instruction and implementation of IEP required accommodations should be provided to general education teachers at all sites.
3. General education teachers serving wards in mainstreamed classrooms should be required to maintain a record of all instructional modifications and accommodations.
4. Principals and assistant principals should be accountable for monitoring the implementation of IEP required accommodations by general education teachers on a monthly basis.

Area of Inquiry #13

Are the CYA educational policies and procedures adequate?

The CYA has extensive policies to provide direction for the operation of the educational program. These policies as well as revisions and policy handbook drafts were made available prior to and during the actual site reviews. The CYA central office staff have made significant efforts to use written policy to guide and assist school level administrators on a daily basis. Materials that were made available during initial interviews at the CYA Central Office were sometimes found to be incomplete, missing, or outdated when inspected at the individual sites. Individual interviews with building level administrators, teachers, and support personnel indicate that educational policies are at times confused and interchanged with procedures and even the culture of the local site.

Comments and Recommendations Regarding the Youth Authority Education Services Branch Manual

3000 Education Site Plan Each site has an education site plan that meets this policy. The Deputy Director and his staff conduct annual site plan reviews.

3100 Accreditation All of the sites are seeking WASC accreditation. Sites are at varying degrees of completion of the process.

3110 School Accountability Report Card The report card does not exist and this policy should be removed from the Policy Manual.

3200 Attendance The policy requires each site to maintain a minimum average daily attendance (ADA) of 15 wards per class. The policy allows each site to return wards to the living units if more than 18 wards arrive at class on any given day; this section of the policy seems to discourage wards from attending the school program.

3225 Program Enrollment Standards This policy states that all wards are to be enrolled in the core program. This does not occur at all sites because there are not enough core academic teachers. The policy also states that services are provided to maximize inclusion for wards with special needs. Frequently this does not occur, as many teachers do not make accommodations for wards that have identified special education needs. The procedure states that wards are enrolled in an appropriate high school education program pursuant to the HSGP. Class closures and an insufficient numbers of credentialed teachers prevent this from occurring on a consistent basis.

3250 Staff Workday Schedule This policy states that teachers shall work an 8-hour day and a 40-hour week. It was observed at Egan that this policy is not followed as teachers are permitted to leave school after their last class period. Teachers who teach a 240-minute day have more than 1-hour preparation time for each 3 hours of instruction.

3300 School Day Schedule The policy calls for wards enrolled in the high school and middle school to have at least 240 minutes of instruction each day, not including movement and break time. Failure to consistently follow this policy at the sites visited has been noted in **Inquiry # 6**.

3410 Career Vocational Advisory Committees This policy states that all career vocational education courses will be accompanied by trade advisory committees. There was limited documentation at Chaderjian, Egan, and Nelles that this is occurring on a consistent basis.

4000 Curriculum Development and Standards Well-written curriculum guides were available in every academic area except science. Once the science curriculum is complete, they will comply with this policy.

4050 High School Program The High School Program is designed to provide a sequential course of study to meet the requirements for high school graduation adopted by the State Board of Education. Due to the lack of credentialed teachers noted in **Inquiry #2**, it is very difficult to provide a sequential course of study for the ward population to meet requirements for high school graduation.

4100 Guidelines for Curriculum Development This policy calls for a standing Education Services Branch Curriculum Committee, School Curriculum Committees, and Subject Area Departments for the purpose of developing, reviewing, and revising subject-area curriculum guides. Due to the shortage of academic teachers at some of the sites, subject area departments were not active at all of the sites visited.

4130 Instructional Practices This policy notes that instructional practices shall include course syllabi and lesson plans. This is addressed in **Inquiry #7**. The standard indicates that the methods and modes of instruction shall be modified as needed to accommodate individual ward learning needs. This is addressed in **Inquiry # 12**.

4300 Supplementary Services This policy says that the Student Consultation Team provides appropriate supplementary services so that wards have access to the core curriculum. Adherence to this policy is addressed in **Inquiry # 12**.

4340 Individuals with Exceptional Needs This policy requires that all non-high school graduates under 22 who are Individuals With Exceptional Needs (IWENS) have access to FAPE and receive services for the learning disabled through an inclusion model. This policy is addressed in **Inquiry # 12**. The inclusion model, when present, is rarely used. The special education procedures handbook has been in draft form for more than 2 years.

4400 English Language Learners This policy calls for services to be provided to English Language Learners. In some cases, the needs of these wards are not being met due to the need for more teachers in this area. Where and when teachers are available, they are meeting the needs of the youth.

4500 Career Advisory Teams Consideration might be given to incorporating this policy into Policy 3410.

4560 Library Services A library exists at each site visited. The policy states that wards will have access to the library at least 6 hours a day, five days a week. This is addressed in **Inquiry #2 and Inquiry # 10.**

4600 Student Records The Branch has the responsibility to establish, maintain, and retain adequate and accurate ward records. This is addressed in **Inquiry # 3.**

4650 General Education Development Test The policy is being followed at the sites visited.

4700 California High School Proficiency Examination The policy is being followed at the sites visited.

4730 Standardized Testing and Reporting Program The policy is being followed at the sites visited.

Recommendations:

1. CYA leadership needs to insure that all staff has access to current and complete educational policies. Consideration should be given to implementing a statewide system of electronic access to policies and procedures, making them available to all CYA staff. This system would also allow immediate staff access to any revisions of policy and procedure.
2. An agency wide monitoring process should be developed to insure continued compliance with all policies and procedures.
3. The draft of the Special Education Procedures Manual should be completed and approved by the CYA as soon as possible.

Additional Overall Recommendations:

1. Reassess the mission of the N. A. Chaderjian and Lyle Egan schools.
 - Consider decentralizing these educational programs and divide the campuses into smaller units to make them more manageable.
 - Adequate numbers of corrections officers should be assigned to supervise movement, assist in the lunch process and be stationed in individual high-risk classrooms.
 - Satellite the lunch program to the wards in the classrooms to minimize youth movement and reduce opportunities for disruption.
 - Since these sites have older wards, consideration should be given to differentiated programming, with an emphasis on GED and vocational training.
2. The CYA should pursue legislation permitting the referral of adult wards (over the age of 18) to adult institutions when they refuse to participate in educational programs and pose a danger to staff and others. These wards currently disrupt efforts to provide quality educational programming for the remainder of the population.