



Washington Office of Superintendent of  
**PUBLIC INSTRUCTION**

REPORT TO THE LEGISLATURE

# Institutional Education Comprehensive Plan

*2020*

**Authorizing Legislation: E2SHB 1646, JR and Various Provisions**

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# EXECUTIVE SUMMARY

While the number of youth being incarcerated has been steadily declining over the past 10 years, the acuity of needs has increased dramatically. The needs of students in juvenile institutions are complex and require more intensive services in order to achieve positive outcomes, making this a group of students whose need for a quality education is more acute. Given the role a quality education can play in future success makes this a critical area for educators and lawmakers to closely examine for system-wide improvements. It is our job as leaders and educators to ensure we engage these students with a holistic, whole-child, and trauma-informed approach that is grounded in research and best practices.

While there are aspects of institutional education (IE) that are working well; there are significant system challenges that need to be addressed to create equitable outcomes for youth with juvenile justice system involvement. As a state, we have an opportunity and an obligation to improve outcomes for students receiving education in an institutional setting. The recommendations outlined in this report provide a pathway to system improvements that carefully consider the impact of trauma, the importance of social emotional learning, and the need for adequate funding to support those furthest from educational justice.

## INTRODUCTION

[House Bill 1646 \(2019\)](#) required the Office of Superintendent of Public Instruction (OSPI), in collaboration with Department of Children, Youth, and Families (DCYF), to create a comprehensive plan for the education of students in DCYF Juvenile Rehabilitation. In 2020, the Legislature also passed [House Bill 2116](#), which established the Task Force on Improving Institutional Education Programs and Outcomes. This task force will examine educational programs located in the DCYF Juvenile Rehabilitation Facilities and develop recommendations for improving the delivery of education services, and associated outcomes, for youth in these facilities.

OSPI is submitting this report in order to meet the requirement of House Bill 1646, while also complementing the considerations of the [Improving Institutional Education Programs and Outcomes Task Force](#) as it considers recommendations due December 15, 2020.

## Background

Institutional education is part of basic education; the state is responsible for providing enrolled students across all six programs with a fully funded education. Washington state provides K–12 basic education services to incarcerated and previously incarcerated

juveniles. The goal is to provide these students the opportunity to meet the same learning standards that all students in the state are expected to meet.

OSPI supports all nine educational service districts (ESDs) and 25 school districts that provide these services to six programs:

- Residential habilitation centers (RCHS) provide 24-hour-a-day care of children with disabilities. The student population includes those who are profoundly intellectually delayed, physically impaired, and/or who have severe behavior disorders.
- Long-term juvenile institutions (LTJI) provide 24-hour-a-day diagnosis, confinement, and rehabilitation of juveniles committed by the courts.
- Community facilities (CF), previously referred to as group homes are facilities operated by DCYF Juvenile Rehabilitation, which provide 24-hour-a-day services for adjudicated youth.
- County detention centers (CDC) provide 24-hour-a-day treatment and care for juveniles who have been placed under protective custody or have committed a criminal offense. This includes day reporting students who are court ordered to receive educational services at the county detention centers during the day, even though they reside at their home.
- Department of Corrections (DOC) provides 24-hour-a-day incarceration of adults and juveniles committed as adults. Institutional education funding is provided for the education of juveniles under the age of 18.
- County and city jails (AJL) provide 24-hour-a-day holding, detention, or incarceration of adults and juveniles committed as adults. Institutional education funding is provided for the education of juveniles under the age of 18.

As required by House Bill 1646, this report focuses on the long-term juvenile institutions operated by DCYF (Echo Glenn Children’s Center, Green Hill School, and Naselle Youth Camp), and the seven Juvenile Rehabilitation (JR) Community Facilities that offer classroom instruction.

## **About the Workgroup**

The workgroup convened by OSPI consisted of representatives from various school district institutional education programs, OSPI School Apportionment staff, as well as selected staff from ESDs and DCYF/JR. A full list of workgroup members can be found in Appendix A. The workgroup met several times in 2019 and 2020. A full list of meeting dates can be found in Appendix B. A sub-committee focused on updating the institutional education funding model, comprised of representatives of four different types of institutional

education programs, OSPI School Apportionment staff, and staff from ESDs during this same time period.

This work was guided by best practices outlined in the following resources:

- [The United States departments of Education \(ED\) and Justice \(DOJ\) Five Guiding Principles for Providing High-Quality Education in Juvenile Justice Secure Care Settings](#),
- [Blueprint for Change: Education Success for Youth in the Juvenile Justice System](#), and,
- [Washington’s Every Student Succeeds Act \(ESSA\) Consolidated Plan](#) for Title I, Part D: Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent, or At-Risk.

It is worth noting institutional education funding was previously addressed by two OSPI reports, first in 2011 (see Appendix C: Institutional Education in Washington State) and again in 2016 (see Appendix D: Institutional Education Funding). This earlier work provided a strong foundation for the workgroup to evaluate the adequacy of the state’s institutional education funding model in addressing the unique needs of students being served in juvenile institutions.

Using these reports as a starting point, the workgroup concluded that:

- Institutional education program funding formulas are not transparent, and the funding model has not been adjusted in response to either changes in juvenile justice policies or considering best practices in juvenile justice/basic education for high needs students.
- Neither the lack of transparency in the funding model nor an assessment of whether the program allocations either align with or are adequate to meet the needs of the students were addressed as a result of the 2011 or 2016 report.

## **Work Group Recommendations**

These issues were forefront in the House Bill 1646 workgroup’s conversations and development of the following recommendations and an updated funding model that accurately supports the needs of this important student population.

### **Create an Equitable Funding Model for IE**

The acuity of student’s needs attending institutional schools, combined with the high percentage of students requiring special education services, requires an adjustment to the current funding formula. Students have significant academic challenges, are

disproportionately likely to require special services and are more likely to have a mental health diagnosis.

### *Actions the Legislature Can Take*

- Implement a prototypical funding model for institutional education programs to provide funding similar to what is provided for students in a general education setting (Please see Appendix E to access a statewide summary report or detailed reports by institution).
- Align institutional education “materials, supplies, and operating costs” (MSOC) with the MSOC provided in the prototypical model—excluding costs for utilities/insurance, facilities maintenance, and security and central office.

### *Actions State Agencies Can Take*

- Review current rules for barriers to fully claiming students for apportionment, including the special education multiplier and other student-specific federal funding.

### *Actions IE Schools and School Districts Can Take When Properly Resourced*

- Ensure that students who qualify for special education are receiving the services they are entitled to and are properly counted and reported. Institutional education programs must be funded to provide comprehensive special educational and related services for students with disabilities under [Individuals with Disabilities Education Act \(IDEA\)](#) and/or [Section 504](#). Schools determining that a student is eligible under Section 504 must provide appropriate services and supports. The goal of a 504 plan is to remove barriers to learning for students with disabilities. Schools must meet the needs of these students just as they meet the needs of students without disabilities.

Components of an effective, comprehensive institutional special education program:

- Access to comprehensive evaluation;
- Curriculum that meets the youth(s) individual needs, including social, daily living, and vocational skills;
- Specially designed instruction that is evidence based, measurable and delivered using varied instructional strategies, that are adaptable to student need;
- Vocational training opportunities;
- Transition services;
- Full range of educational and related services; and
- Professional development for educators and staff.

- Ensure English language learners are properly identified and have equal access to rigorous, grade-level content instruction and effective English language development instruction provided by qualified staff.
- Develop a transparent accounting system to ensure the correct level of funding is being directed from the school district or ESD to the institutional school.

## **Develop and Retain Trained Educators**

Institutional education students have complex needs that can only be addressed through well-trained and supported educators. These educators need to have access to professional learning that emphasize cultural awareness and responsiveness, SEL supports, and trauma-informed teaching, in the context of teaching inside of institutions.

Experienced teachers in the facility may take advantage of professional learning aligned with the facility's chosen instructional framework. Resources for this are available from the Teacher and Principal Evaluation Program (TPEP) district grants. ESDs provide opportunities regionally; large districts may develop their own programs of professional learning.

Teachers who are new to teaching in a juvenile justice system facility should participate in a high-quality induction program. This program includes an instructional orientation as well as the "nuts and bolts," mentoring by a carefully selected and trained mentor, ongoing professional learning, and feedback for growth. Support for providing these services can be accessed from the Beginning Educator Support Team (BEST) program.

### *Actions the Legislature Can Take*

- None identified at this time.

### *Actions Agencies Can Take*

- Draft guidance about how to utilize existing certification laws/regulations to exercise flexibility in staffing and work to provide on-going professional learning opportunities to meet the needs of students in institutional education.
- Resource specific trauma informed training for educators working with incarcerated youth.

### *Actions IE Schools and School Districts Can Take When Properly Resourced*

- Develop a holistic, evidence-based strategy for recruiting and retaining more teachers of color and teachers that are prepared to effectively work with students in an institutional education setting.
- Provide access to professional development opportunities for education staff so they can develop the skills required to effectively address the unique needs of students in institutional education settings.

- Ensure current required professional development are accessed by IE educators (state and district required).

## **Identify and Provide for Differentiated Educational Supports**

Establish and resource clear expectations that differentiated instruction is provided through the development or full implementation of student learning plans for each student, paying close attention to supporting students who are English learners or identified as eligible for special education services. Institutional education programs must be funded to provide comprehensive special educational and related services for students with disabilities under IDEA and/or Section 504.

### *Actions the Legislature Can Take*

- Require school districts to provide training to teachers, counselors, registrars, and administrators to maximize opportunities for credit accrual to eliminate academic and nonacademic barriers for students to facilitate on-time grade level progression and graduation of students entering or exiting institutional education programs.
- Ensure the appropriate funding of students with disabilities who are served in IE schools.

### *Actions Agencies Can Take*

- Train educators and staff in institutional education settings to understand and apply state and federal requirements for the provision of education to specific student populations and support their implementation of those requirements (specifically students with disabilities, dependent youth, English learners, and students experiencing homelessness).
- Emphasize and support that every Washington teacher is required to use culturally and linguistically relevant practices in delivering core instruction for all students.
- Emphasize and support Title III and Transitional Bilingual Instruction Program (TBIP)-funded staff are supplementary and must work in partnership with classroom teachers to plan and deliver core instruction. The state TBIP and federal Title III address the unique needs of eligible students, who come from linguistically and culturally diverse backgrounds. Both programs share the same goal—develop language proficiency that enables meaningful access to grade level curricula and instruction.
- Emphasize and support full inclusion of all multilingual/English learners in grade-level, K–12 basic education curriculum. Articulate intolerance for segregation practices, including most pull-out practices, and other questionable and research-proven ineffective, damaging, and inequitable practices. In addition to requiring

access to dual language models, shift to more efficacious, research-based English-only models, such as collaboration, co-teaching, and combinations of content-based and sheltered instruction.

### *Actions IE Schools and School Districts Can Take When Properly Resourced*

- Conduct universal screeners upon entry to assess social emotional and academic needs.
- Continue to improve timely records exchange. Ensure existing student learning plans, including those required under [RCW 28A.655.270](#), high school and beyond plans ([RCW 28A.230.090](#)), IEPs for students with disabilities are in place, and student transcripts are communicated from the home district.
- Ensure federal requirements for students with disabilities and English learners are adhered to in support of student achievement.
- Ensure all components of an effective, comprehensive institutional special education program consistently include:
  - Access to comprehensive evaluation;
  - Curriculum that meets the youth(s) individual needs, including social, daily living, and vocational skills;
  - Specially designed instruction that is evidence based, measurable and delivered using varied instructional strategies, that are adaptable to student need;
  - Vocational training opportunities;
  - Transition services;
  - Full range of educational and related services; and
  - Professional development for educators and staff.
- Ensure student learning plans emphasize meeting graduation requirements and minimize the amount of credit which becomes deemed “elective.”

### **Ensure Social Emotional Learning and Trauma-Informed Supports**

Many students who are learning inside of institutions have experienced higher incidence of childhood abuse and trauma prior to engagement with the juvenile justice system. The trauma of juvenile justice involvement coupled with previous adverse childhood experiences (ACEs) create barriers to social emotional development for these students that must be taken into consideration in institutional education settings. Social emotional learning standards and benchmarks must be prioritized in all areas of educational delivery and teaching methods.

### *Actions the Legislature Can Take*

- Require the development of SEL standards and benchmarks specific to institutional education.
- Provide dedicated funding for IE School Counselors.
- Require cross-systems collaboration and training between school staff and DYCF/JR (or county detention) staff to develop a continuum of academic and behavioral supports and services to promote the long-term educational outcomes for students in institutional education settings.

### *Actions Agencies Can Take*

- Provide professional development to train educators how to embed trauma-informed social and emotional learning into all areas of educational delivery and teaching methods.
- Require cross-systems collaboration and training between school staff and DYCF/JR (or county detention) staff to develop a continuum of academic and behavioral supports and services to promote the long-term educational outcomes for students in institutional education settings.

### *Actions IE Schools and School Districts Can Take When Properly Resourced*

- Require annual professional development and training specific to serving justice involved students.

## **Improve Transitions and Reentry**

Our students exiting institutions deserve more planning and support so that they can be successful and continue to progress towards graduation. Reentry plans need to center the educational needs of students in collaboration with the student, their family and community, and educators in the institution and the home district.

### *Actions the Legislature Can Take*

- Resource all JR Institutions to identify a transition coordinator/educational liaison to ensure educational goals are included in treatment plans, and the required [Reentry Team Meeting](#) process.
- Expand funding for educational advocates similar to the supports outlined in [House Bill 1999](#) (2015), *An act relating to coordinating services and programs for foster youth in order to improve educational outcomes*, for students in foster care.

Services would include:

- Advocacy for IE students to eliminate barriers to educational access and success;

- Consultation with JR staff to develop educational plans for and with participating youth;
  - Monitoring educational progress of participating student;
  - Providing participating student with school and local resources that may assist in educational access and success upon release from JR facilities; and
  - Coaching students and caregivers to advocate for educational needs to be address at the school district upon return to the community.
- Consider transitional schools or housing to help with reentry/stability, and ways to further accelerate students' readiness for on-time grade level progression.

### *Actions Agencies Can Take*

- Update the required elements of the JR Reentry Team Meeting process to include institutional education staff and the receiving school district to prioritize educational needs, including assessing the safest and most appropriate school, providing for immediate enrollment in a right to return to their school of origin.

### *Actions IE Schools and School Districts Can Take When Properly Resourced:*

- Maintain regular communication around academic progress with the school the student will return to upon release.
- Maintain and increase engagement with family/community/guardian and student throughout stay and prior to release.
- Follow up with receiving school to ensure enrollment and successful transmission of records and transcripts.

## **CONCLUSION & NEXT STEPS**

Superintendent Reykdal's letter to the Task Force on Improving Institutional Education Programs and Outcomes on September 3, 2020 summarizes the urgency and importance of these recommendations,

*"Over the past 20 years, the Legislature has continued to reform the juvenile justice system focusing on rehabilitation, not incarceration. These reforms have been successful at reducing the overall numbers of students who are learning in institutions.*

*At the same time, the needs of the students who are incarcerated are more complex than ever. Our state's approach has not been adjusted in response to these changes or in consideration of best practices for serving students in institutions. This is especially true in the funding models used to ensure students have access to their*

*basic education rights while in an institutional setting.  
We have shortchanged these students and the impacts are clear: our  
education and justice systems disproportionately impact young men  
of color in particular, setting them on a path to the adult prison  
system when they ought to be on their way to college and a  
meaningful career."*

*–Superintendent Chris Reykdal*

Students in juvenile institutional settings are among our most vulnerable and marginalized students, and we cannot fail them any longer. The recommendations in this report are grounded in practice and supported by research. We strongly believe these recommendations, combined with the efforts of the Task Force on Improving Institutional Education Programs and Outcomes, will help pave the way to needed system improvements, and have a positive impact on the lives and educational outcomes of juvenile justice involved youth in Washington state.

# APPENDICES

## Appendix A: Workgroup Members

**Table 1: Institutional Education Funding and House Bill 1646 Workgroup**

Last	First	Title	Organization
Allen	Jeff	Director of Youth Services	OESD 114
Chaplin	Dave	Principal, Stanton Academy, Yakima JDC, Ridgeview Community Facility	Yakima SD
Collyer	Lee	Program Supervisor Special Education Outcomes	OSPI
Dahl	Steve	Assistant Director of Special Programs and Services	NWESD 189
Daniels	Ada	Program Supervisor of Institutional Education and Title I, Part D N&D	OSPI
Dennis	Arthur	Director of Prevention & Reengagement Programs	PSESD 121
Ellis-Manning	Terry	Teacher, Remann Hall	Tacoma SD
Flood	Gary	Principal, Naselle Youth Camp	Naselle-Grays River SD
Gallo	Glenna	Assistant Superintendent of Special Education	OSPI
Gardner	Larry	Principal, SAC Day Reporting/Martin Hall	NEWESD 101
Hallum	Sonja	Senior Policy Advisor	Office of Governor Jay Inslee
Harvey	Kathleen	Director of Community Reentry and Parole Programs	DCYF
Hollimon	Cynthia	Budget Assistant to the Governor, K-12	OFM
Johnson	Kevin	Director of School Programs	ESD 112
Johnson	Roy	ALE Principal, Okanogan Detention Center	Okanogan SD
Kelly	T.J.	Chief Financial Officer	OSPI
Knight	Juliette	Legislative and External Affairs Liaison	DCYF
Krutsinger	Allison	Deputy Director of Government Affairs	DCYF
Lee	LaShae	Principal, Echo Glen School	Issaquah SD
Lewis	Jess	Director of Adolescent Programs	DCYF

Last	First	Title	Organization
Lowe	Haley	Director of Student Support	OSPI
Matakas	Michelle	Director of Apportionment	OSPI
McLean	Becky	Program Supervisor of Enrollment and Reporting	OSPI
Mueller	Martin	Assistant Superintendent of Student Engagement and Support	OSPI
Ordway	Frank	Director of Government Affairs and Community Engagement	DCYF
Queral	Marybeth	Assistant Secretary	DCYF
Shaw	Sullivan	Assistant Principal, Interagency Academy	Seattle Public Schools
Walsh	Brian	Senior Program Associate	Vera Institute of Justice

## Appendix B: DCYF and Educator Engagement

**Table 2: Meeting Dates Facilitated by OSPI**

Date	Location	Topic	Collaboration
8/27/2019	OSPI	Funding Model	Funding Workgroup
10/3/2019	NEWESD 101	Funding Model	IE Quarterly Meeting
11/25/2019	DCYF	E2SHB 1646	Funding Workgroup & DCYF Partners
12/18/2019	Virtual	Funding Model	Funding Workgroup
2/5/2020	Seattle Public Schools	Funding Model	IE Quarterly Meeting
4/27/2020	Virtual	Funding Model	Funding Workgroup
5/27/2020	Virtual	Funding Model	Funding Workgroup
6/17/2020	Virtual	Funding Model	IE Quarterly Meeting
8/12/2020	Virtual	E2SHB 1646	DCYF Partners
8/14/2020	Virtual	E2SHB 1646	Funding Workgroup

## Appendix C: 2011 IE Report

This workgroup recommended changes in three areas: program design/implementation, funding and accountability. The report can be reviewed here: [Institutional Education in Washington State: Policies, programs, and recommendations for improvement.](#)

### Recommendations

In order to take steps toward improving consistency in institutional education programs as implemented, building a system of funding programs that is transparent and aligned to state expectations, and holding districts accountable for meeting both state and federal requirements for the provision of educational services, it is recommended that OSPI:

- Adopt common academic standards for juvenile justice education programs that include consistent expectations for minimum school programming and the minimum skills/courses that should be taught;
- Evaluate the assumptions currently used to drive IE program allocations; and
- Adopt both short-term and long-term strategies for funding institutional education programs considering program costs and changes to the basic education funding formula.

## Appendix D: 2016 Institutional Education Funding Report

This workgroup recommended changes in the funding formulas for institutional education to more closely align with general education funding. This report can be found here: [Institutional Education Funding.](#)

The workgroup considered three options to align institutional education program allocations with the guiding principles and the legal requirements of the programs:

1. Implement a prototypical school funding model for institutional education programs, which governs staffing units for general education programs;
2. Increase the staff ratios of the existing allocation model, or
3. Transition to an allocation model currently utilized by another state. The workgroup recommends implementation of a prototypical school funding model for institutional education programs.

**Note:** An updated version of this report, with current funding amounts, can be found here: [2020 Institutional Education Funding Report.](#)

## **Appendix E: Institutional Education Apportionment, Enrollment, and Fiscal Report**

The School Apportionment & Financial Services department at OSPI allocates and distributes state funds to local education agencies as directed by Washington State Legislature. The statewide summary can be accessed [here](#), and to view full reports for each individual institution, please visit the [Apportionment, Enrollment, and Fiscal Reports](#) page on the OSPI website. Reports can be access by year (beginning in 2013–14 and ending in 2020–21) and by institution.

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