



## SCDC POLICY

Change 1 to PS-08.03: [3.2](#)

NUMBER: PS-08.03

TITLE: SPECIAL EDUCATION AND TITLE *I* EDUCATIONAL PROGRAMS

ISSUE DATE: August 22, 2017

RESPONSIBLE AUTHORITY: DIVISION OF EDUCATIONAL SERVICES/*PALMETTO UNIFIED SCHOOL DISTRICT*

OPERATIONS MANUAL: PROGRAM SERVICES

SUPERSEDES: PS-08.03 ( January 1, 2008); (October 1, 2001)

RELEVANT SCDC FORMS/SUPPLIES: NONE

ACA/CAC STANDARDS: 4-4464, 4-4465, 4-4474, 4-4475, 4-4479

STATE/FEDERAL STATUTES: S.C. Code Ann. § 24-25-10 et. seq.; SC Code Ann. § 59-26-10, et seq.; SC Code Ann. § 59-33-10, et seq.; SC Code Ann. § 59-43-10, et seq.; The Elementary and Secondary Education Act 20 USCA 6301, et seq.

PURPOSE: To provide information on the assessment, evaluation, and reporting requirements that must be met to place inmates in Special Education and Title *I* Educational Programs.

POLICY STATEMENT: The South Carolina Department of Corrections will identify inmates who meet requirements for placement in the Enrichment Supplementary Educational Program and the Individuals with Disability Act Education Program. Appropriate educational programming will be provided to these inmates pursuant to applicable state and federal statutes and regulations. (4-4464, 4-4465, 4-4475)

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### SPECIFIC PROCEDURES:

#### 1. RESPONSIBILITIES:

1.1 The Division of Educational Services/*Palmetto Unified School District* will develop and administer *educational services for inmates who qualify for* Special Education *and Title I* programming for the Agency in accordance with federal and state statutes and regulations. (4-4464, 4-4465, 4-4475)

1.2 School **leaders** are responsible for ensuring that an Individualized Education Plan is developed for each participating **student** inmate. The school **leader** or designee will ensure that **student** inmates who require supporting services are referred to the appropriate responsible authority in the Agency.

1.3 The Division of **Finance** will ensure that all financial accounting relating to state and federal funds for Special Education **and Title I** programming is conducted in accordance with federal and state statutes and regulations.

## **2. *TITLE I EDUCATIONAL PROGRAM (Title I):***

**2.1 *Eligibility: The Division of Educational Services/Palmetto Unified School District will establish a Title I Supplemental Educational Program for students twenty-one (21) years of age and under who do not possess a high school diploma and who are identified as educationally disadvantaged or at risk of failing to meet the state standards in reading/language arts and mathematics. This program will adhere to the requirements of Title I of the Elementary and Secondary Education Act (ESEA).***

**2.2 *Student Assessment, Evaluation, and Reporting: Student referrals to the Title I programs will be based on TABE reading and mathematics test scores. Priority for placement will be given to students with the lowest academic achievement levels in TABE reading and mathematics and have less than 2 year sentences.***

**2.3 *Record Keeping: The school leader will ensure that the student's assessments, progress reports, transitional projects and other pertinent information relative to the student's participation in the program are maintained in the student's permanent folder. When students are transferred to another institution, school leaders are responsible for forwarding and retrieving students' school records within 5 working days of notification. When the student is released from the Agency, his or her record is kept in the school leader's office for up to five years and is retrievable through the SCDC's Educational Services Application (ESA) if the student returns to SCDC within this time period. (4-4479)***

**2.4 *Attendance Reporting: School leaders will monitor and ensure that attendance is taken for students assigned to Title I classes. Title I teachers/instructors will submit class attendance rosters and cumulative reports to the school leader and the District's Title I Program Coordinator monthly.***

**2.5 Programmatic and Financial Monitoring and Reporting: *After the completion of a Title I project, required program records will be kept in accordance with the Agency's retention schedule or until any pending audits have been completed, and/or until all findings and recommendations arising from any audits are resolved. Required financial and programmatic monitoring and records are:***

**2.5.1 *The Division of Educational Services/Palmetto Unified School District's Title I Program Coordinator will:***

- Make on-site visits to each school's Title I program to assess and evaluate the program's effectiveness and to provide supervisory support services to the school leader and instructional staff;***
- Maintain records of significant project experiences and results;***
- Monitor the expenditure of funds to ensure that the SCDC complies with all Title I funds requirements.***

**2.5.2 Financial Records: The Division of **Finance** will ensure that information required by the South Carolina Department of Education is maintained as follows:**

- Total allocation of Title I funds received by Division of Educational Services/Palmetto Unified School District (PUSD);***
- Other funds used to provide these educational services;***

- Records that are needed to facilitate an effective audit of this program;
- Records that show the *PUSD's* compliance with Title *I* fiscal requirements.
- *Records of itemized expenditures;*

**2.5.3 Financial Reports:** The Division of *Finance* will provide the following information to the *Division Director/ Education Superintendent or designee* on a monthly basis *as requested*:

- Expenditure Report of Title *I* Program;
- Statement of Current Balance (previous month's balance minus current month's expenditure report equals current balance).

**2.5.4 Inventory, and Equipment:** *The Agency's Palmetto Unified School District's Title I Program Coordinator or designee will ensure that equipment purchased with Title I funds will be properly marked and inventoried. The school leader will be responsible for safekeeping of equipment and ensure that a record of Title I equipment is kept on file for state audits.*

### **3. INDIVIDUALS WITH DISABILITIES EDUCATION *ACT (IDEA)*:**

**3.1 Eligibility:** The Agency will provide appropriate educational programs and related services to *student* inmates under the age of 22 who have disabilities. These *student* inmates must meet requirements set forth by the South Carolina Department of Education and applicable state and federal laws. *Student* inmates with disabilities will have access to a variety of educational services/activities and, wherever possible, will be *mainstreamed* into the regular education program.

**3.2 Student Assessment, Evaluation, and Reporting:** *Student inmates must meet the requirements set forth by the South Carolina Department of Education Office of ~~Exceptional Children~~ Special Education Services (OSES) to qualify for this program. A student may be referred if s/he had special education while in public education. An IEP team will determine the need for appropriate services and will consist of: the special education teacher, a regular classroom teacher, district psychologist and the student. The team will:* (Changes in *BLUE* amended by Change 1, dated July 16, 2019, and signed by the Director on August 8, 2019.)

- *~~Develop~~ Request an Individual Education Plan (IEP) for the student inmate;*
- *Conduct an annual review of each student inmate's IEP;*
- *Make placement decisions based upon the student inmate's progress in his/her IEP; and*
- *Ensure that special educational placement is voluntary on the part of the student inmate who is ~~18-22~~ 17-21 years of age (4-4475)*

**3.3** To the maximum extent possible, *student* inmates with disabilities will be educated in the least restrictive educational environment appropriate with their custody and security level.

**3.4 Programmatic and Financial Monitoring and Reporting:** *The Division Director/ Education Superintendent and Special Education Director will ensure that Individuals with Disabilities Act (IDEA) funds are expended only for eligible student inmates under the age of 22.*

**3.4.1 Financial Records:** *The Division of Finance will ensure that information required by the South Carolina Department of Education is maintained as follows:*

- *Total allocation of IDEA funds received by Palmetto Unified School District (PUSD);*
- *Records of itemized expenditures;*

- *Other funds used to provide these educational services;*
- *Records that are needed to facilitate an effective audit of the program;*
- *Records that show PUSD's compliance with IDEA fiscal requirements.*

**3.4.2 Financial Reports:** *The Division of Finance will provide the following information to the Division Director/ Education Superintendent/designee on a monthly basis:*

- *Expenditure Report of IDEA Program;*
- *Statement of Current Balance (previous month's balance minus current month's expenditure report equals current balance).*

**3.5 Educational Records:** The *Special Education Director* will ensure that educational records of *student* inmates participating in this program include the following:

- Current and any previous IEPs;
- Current psychological evaluation or reevaluation;
- Records from public schools including transcripts or transcript requests;
- Other relevant data or records;
- Permission for screening;
- Vision, hearing, and/or speech screening results;
- Permission to evaluate;
- Evaluation schedule (or waiver signed by student);
- Temporary permission to place; and
- TABE scores and date tested.

**3.6 Access to Educational Records:** The *Special Education Director* will ensure that educational records of *student* inmates participating in this program are confidential and are only available for review by Agency personnel who have legitimate reasons to have access to this information. Agency personnel with access may include:

- School principal/*school leader*;
- Guidance counselor;
- Special education teacher;
- Administrative support personnel;
- District or state education department audit representatives;
- Classroom teachers; and
- Other SCDC personnel with specific reasons for access upon approval of the school principal/*school leader*.

**3.7 Maintenance of Educational Records:** The *Special Education Director* will ensure that educational records of *student* inmates participating in this program are archived or destroyed as provided for by state and federal regulations and SCDC procedures pertaining to inmate records management. (4-4475)

#### **4. DEFINITIONS:**

Individualized Education Program (IEP) refers to a specific written plan of educational instruction/activities for an inmate participating in special educational programming.

Test of Adult Basic Education (TABE) refers to a standardized test administered to inmates to determine their current academic abilities.

SIGNATURE ON FILE

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**s/Bryan P. Stirling, Director**

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**Date of Signature**

**ORIGINAL SIGNED COPY MAINTAINED IN THE OFFICE OF POLICY DEVELOPMENT**