

VIRGINIA COMMISSION ON YOUTH
Study on Education in Local Detention Centers
Draft Recommendations

Recommendations requiring legislation:

Amend the *Code of Virginia* to update and modernize § 22.1-209.2 and § 22.1-17.1 of the *Code of Virginia* to accurately reflect current practices in the provision of public educational services in local and regional detention homes in the Commonwealth by:

Recommendation 1

Remove an outdated and obsolete reference (1984) to certain local detention homes in the first paragraph of the statute;

Recommendation 2

Clarify that State Operated Programs' educational services are provided pursuant to agreements between the Department of Education and the relevant school boards and that it is the responsibility of such school boards to select and employ the necessary licensed administrative and instructional personnel;

Recommendation 3

Require school boards and the Board of Education to prioritize cost savings measures in State Operated Programs' educational services by pursuing creative staffing solutions such as employing part-time licensed teachers and administrators and licensed teachers with endorsements in multiple areas;

Recommendation 4

Update the student-to-teacher ratio requirements to more accurately reflect enrollment trends and educational needs of students who reside in local and regional detention homes;

Recommendation 5

Identify the applicable federal and state laws and regulations that should be considered in providing education;

Recommendation 6

Clarify that the requirement that juveniles in residence or in custody of State Operated Programs shall be provided education and training that is at least comparable to that provided in the public school system applies to local and regional detention centers;

Recommendation 7

Require school boards to make all reasonable efforts to provide for the seamless and expeditious reenrollment of local and regional detention home residents into their local school divisions of residence pursuant to Board regulations established in accordance with § 22.1-17.1 of the *Code of Virginia*;

Recommendation 8

Provide an enactment clause to require the Board of Education to examine the feasibility of waiving the teacher certification and Standards of Learning requirements for juveniles residing in local or regional detention homes for a period of less than 10 days. In this review the board shall identify steps needed to ensure that such juveniles continue to receive high quality instruction. Findings and recommendations shall be reported to the House Appropriations Committee and the Senate Finance and Appropriations Committee by December 15, 2021; and

Recommendation 9

Provide an enactment clause directing the Board of Education to determine the appropriate staffing and funding levels for State Operated Programs' regional and local detention centers, taking into consideration the decrease in the Average Daily Population in these detention centers. Cost savings of 5, 15, and 25 percent should be identified. Findings and recommendations shall be reported to the House Appropriations Committee and the Senate Finance and Appropriations Committee by December 15, 2021.

Recommendation requiring a budget amendment:

Recommendation 10

Clarify the expectation that the Board of Education be involved in the oversight of State Operated Programs as required by 8VAC20-81-320 and § 22.1-209.2 of the *Code of Virginia*.

Recommendation requiring a letter:

Recommendation 11

Request the Department of Education to determine the feasibility of offering year-round education at regional and local detention centers and provide an update to the Virginia Commission on Youth prior to the 2022 General Assembly Session.