

An Update on Specialized Treatment Centers (STCs)

Board Work Session

April 11, 2019

Daniel Boyd



Agenda

- Overview of Specialized Treatment Centers
- Historical Information
- Classification/Designations
- Issues Regarding STCs
- Solution Options
- Timeline

Overview

To Date:

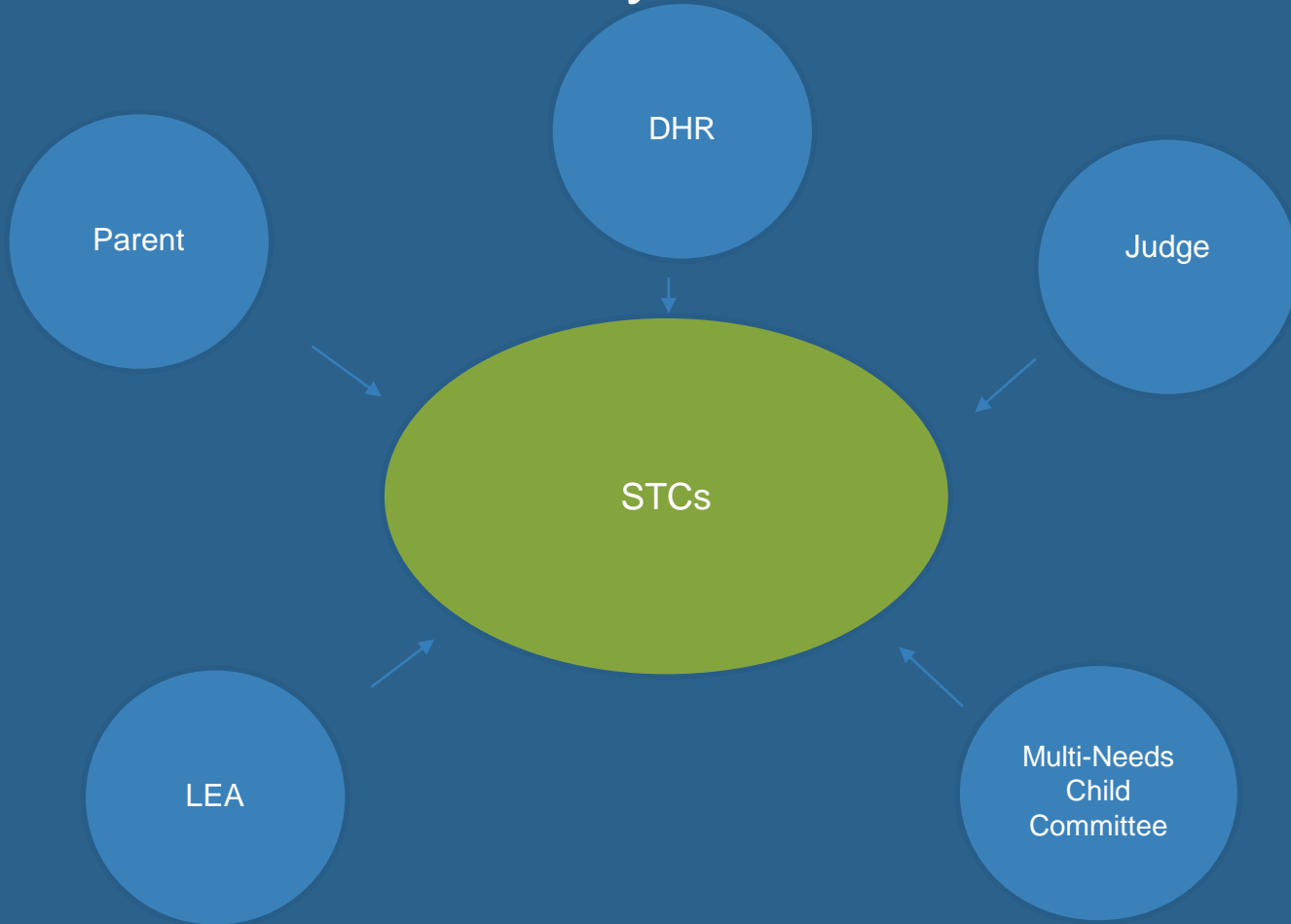
■ 63 STCs

■ 37 Local Education Agencies (LEA) serve as fiscal agents for payment to STCs.

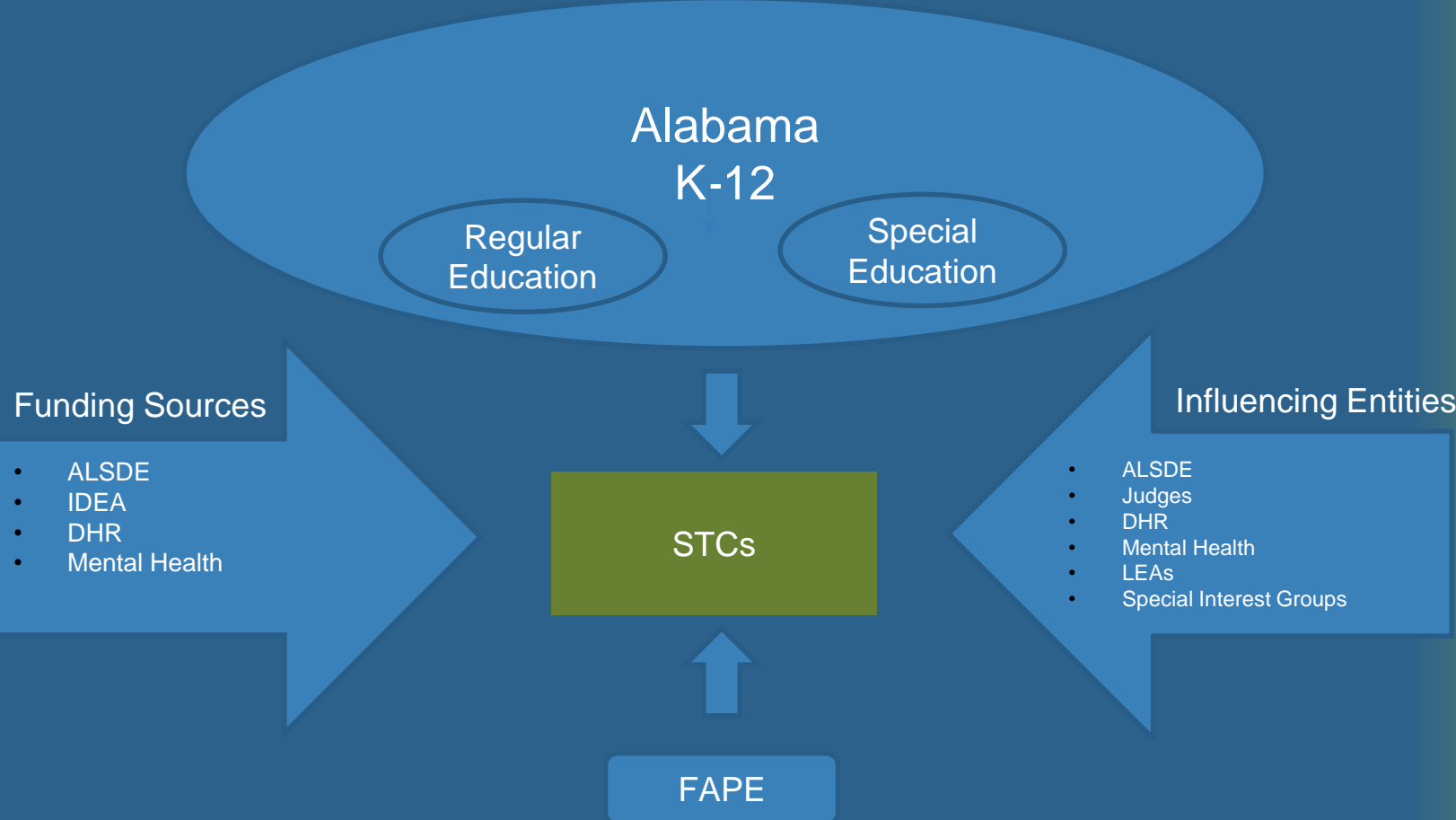
■ Information regarding STCs:

- Approximately 5 Different Types of STCs across the state.
- Student population encompasses Regular Education and Special Education
- Multiple placement entities
- Funding comes from multiple sources

Pathways to STCs



Factors Contributing to the Complexities of STCs



Statutory Authority

■ US Department of Education

■ FAPE guaranteed under Federal Law

- Special education and the specific services are tailored to meet the unique needs of students with disabilities.
- The rights of the students and their parents are to be protected by the law, under the Equal Protection Clause of the 14th amendment.
- Students with disabilities are required to have an individualized education program.
- Students with disabilities should receive instruction in the least restrictive environment along with nondisabled peers.
- If a student is identified as having a disability, appropriate services for their needs must be provided by the state.
- Students with disabilities are entitled to a free and appropriate public education.

Center Rules and Regulations

SBOE adopted January 2014



290-8-8-.01 **NEW CENTER RULES IN ALABAMA** 290-8-8-.02(3)

STATE BOARD OF EDUCATION
STATE DEPARTMENT OF EDUCATION
CHAPTER 290-8-8
SPECIALIZED TREATMENT CENTERS IN ALABAMA

TABLE OF CONTENTS

290-8-8-.01	<u>Specialized Treatment Center Endorsement.</u>
290-8-8-.02	<u>Definitions.</u>
290-8-8-.03	<u>Funding.</u>
290-8-8-.04	<u>Assurances.</u>
290-8-8-.05	<u>Initial Endorsement Procedure.</u>
290-8-8-.06	<u>Endorsement Renewal.</u>
290-8-8-.07	<u>Minimum Center Rules.</u>
290-8-8-.08	<u>Monitoring.</u>
290-8-8-.09	<u>Specialized Treatment Center Closing.</u>
290-8-8-.10	<u>Operation Fees.</u>
290-8-8-.11	<u>Appeals Proceedings.</u>

290-8-8-.01 Specialized Treatment Center Endorsement.

Effective August 1, 2014, all specialized treatment centers that are licensed or certified by other state or federal agencies serving Alabama students in grades K-12 shall, before receiving any appropriation from the Education Trust Fund, be required to obtain an Educational Endorsement of Operation from the Alabama State Department of Education. The rules and regulations in this chapter are not designated for facilities regulated under Code of Alabama (1975) Title 14, Chapter 12.

Author: Dennis Coe
Statutory Authority: *Code of Alabama* (1975) §16-46-7 and §16-4-13.
History: Original rule filed.

290-8-8-.02 Definitions.

- (1) CURRICULUM. A group of organized programs.
- (2) DEPARTMENT. The Alabama State Department of Education.
- (3) EDUCATIONAL ENDORSEMENT OF OPERATION. A confirmation by the Alabama State Department of Education that an entity operating in the State of Alabama and licensed or certified by another state or federal agency has met requirements necessary to receive allocations from the Education Trust Fund.

290-8-9-.10 Administration.

Each public agency must develop and implement procedures that will ensure that FAPE is available to children with disabilities from ages 3-21.

- (1) **Residency.** For children with disabilities who are not residing with their parents or who are enrolled in a program outside the jurisdiction of their residence, the following rules apply:
 - (a) For children with disabilities who have been determined to be wards of the State or who reside in group homes, detention facilities, nursing homes, and private facilities, it is the responsibility of the LEA where the facility is located to ensure that FAPE is made available. This rule applies to students with disabilities who are incarcerated in local city and county jails. This rule does not apply to students with disabilities who are incarcerated in adult correctional facilities under the Department of Corrections.
 - (b) The LEA where a child with a disability resides is responsible for offering FAPE to a child with a disability. However, should a parent unilaterally place their child in a day-care center or other program outside of the jurisdiction of residence, the LEA of residence is not responsible for providing FAPE if appropriate services are available in the LEA of residence. If the LEA where the parent unilaterally placed the child has a policy of accepting children from outside its jurisdiction, it will be responsible for ensuring that FAPE is provided to these children in accordance with the LEA's out of district policies. If not, these children would not be entitled to receive FAPE from the LEA where the day-care center or other program is located.
 - (c) Refer to (8) of this section for specific requirements relating to children unilaterally placed in private elementary or secondary schools by their parents.
- (2) **Forms.** In the implementation of these rules, education agencies must utilize all forms required by the State Department of Education.
- (3) **Special Education Agency Plan for Children with Disabilities.** Public agencies must develop, according to state and federal requirements, a written plan for providing special education and related services. The LEA must make available to parents of children with disabilities and to the general public all documents relating to the eligibility of the agency under Part B of the IDEA.



Special Education Existing Rules and Regulations

Policy

- State Board of Education Adopted rule 290-8-8 on February 21, 2014
- Rule provides that all specialized treatment centers that are licensed or certified by other state or federal agencies serving Alabama students in grades K-12 shall, before receiving any appropriation from the Education Trust Fund, be required to obtain an Educational Endorsement of Operation from the Alabama State Department of Education
- The LEA of location of the STC is responsible for FAPE

(Administrative Code, 2014)

Types of Centers (Facilities Perspective)

- Adult correctional facility
- Youth detention facilities
- DYS (Department of Youth Services)
- Specialized treatment hospitals
- Treatment center

Issues (Student Services)

- Grading, credits, transcripts, and diplomas
- Free Appropriate Public Education (FAPE)
- Student needs
- Student records
- Effective student transition and placement

Issues (Curriculum and Instruction)

- Curriculum
- Student assessment
- Certified educators
- Professional development
- Materials, technology and equipment

Issues (Funding, Compliance & Other)

- Funding
- Oversight and accountability
- Effective communication
- Lack of LEA involvement

Goal of Changes

FAPE

- Clear delineation of who is responsible for FAPE and other student services

Funding

- Restructure payments not to be based solely on bed count

Curriculum & Assessment

- Utilize a curriculum consistent with LEA guidelines
- Assess all regular and special need students

Student Transitions & Placement

- Incorporate PowerSchool student management system to track STC students
- Incorporate SETS to monitor STC special needs student

Certified Educators & Professional Development

- Provide additional guidance on teacher certification
- Provide assistance and access to professional development

Accountability

- Implement comprehensive monitoring guidelines
- Implement a system that monitors a funding mechanism that best serves the needs of students and the STC

Possible Solutions

■ Option A

■ FAPE is the responsibility of the local LEA

■ Option B

■ FAPE is the responsibility of the LEA of student's residence

■ Option C

■ Hybrid of A and B

■ Option D

■ Quasi-LEA

Proposed Timeline

