

DATE: May 29, 2015

TO: Dallas County Juvenile Justice Alternative Education Program (DCJJAEP) –  
Governance Committee Members  
Dallas County Juvenile Board

FROM: Arzell Ball, Region 10 Education Service Center (ESC) - Program Coordinator  
Dallas County Juvenile Justice Alternative Education Program (DCJJAEP)

RE: 2015 – 2016 Memorandum of Understanding (MOU) regarding the Dallas County  
Juvenile Justice Alternative Education Program (DCJJAEP)

Attached you will find the *Dallas County Juvenile Justice Alternative Education Program (DCJJAEP) 2015 – 2016 Memorandum of Understanding (MOU)*, including *Attachment A – Procedure for Students Receiving Special Education Services*.

In addition to minor cosmetic updates, i.e., effective and end dates, the major changes are as follows:

<u>PAGE</u>	<u>SECTION:</u>	<u>PARA:</u>	<u>CHANGE / UPDATE:</u>	<u>NEW LANGUAGE:</u>
Title	-	-	Cosmetic: Dates	<b>August 1, 2015</b>
10	<b><u>FOUR: STUDENT PLACEMENT IN DCJJAEP</u></b>	4.11 (C)	Addition	(C) For discretionary placements, enrollment in the DCJJAEP should minimize academic disruption of the DCJJAEP program: <ol style="list-style-type: none"> <li>i. There will be no admission to or enrollment in the DCJJAEP in the seven-day period preceding the administration of state-mandated assessments;</li> <li>ii. There will be no admission to or enrollment in the DCJJAEP in the ten-day period preceding the last day of classes of the either the first or second semester; and</li> <li>iii. A student whose enrollment in the DCJJAEP is delayed under this section shall continue to receive educational services in a disciplinary placement provided at the home district pending enrollment in the DCJJAEP. Days served in the home district's disciplinary placement shall be considered the same as days served in the DCJJAEP.</li> </ol>
17	<b><u>TWELVE: FUNDING FOR DCJJAEP ANF FISCAL AGENT</u></b>	12.2	• Cosmetic: Dates	<b>July 31, 2016</b>
19	<b><u>THIRTEEN: TERM OF MEMORANDUM OF UNDERSTANDING</u></b>	13.1	• Cosmetic: Dates	<b>July 31, 2016</b>

Furthermore, **Attachment A - Procedures for Students Receiving Special Education Services** changes / update are as follows:

PAGE	PARA:	CHANGE / UPDATE:	NEW LANGUAGE:
1	I.	Update language	B. The expellable behavior falls within one of the special circumstances recognized by the IDEA (drugs, weapons, or serious bodily injury) and the length of placement in the DCJJAEP does not exceed 45 days; or
1	II	Reformat paragraph for clarification	<p>II. The following procedures shall serve to establish a mechanism whereby DCJJAEP staff can communicate with, and provide input to, the ARD Committee regarding placement and the continuation of special education services to students while at the DCJJAEP.</p> <p>Nothing in these Procedures shall be construed to relieve the DCJJAEP or the local education agency of its statutory obligations under Texas law to students eligible for special education services under the (IDEA). Likewise, nothing in these Procedures shall be construed to create a duty on the participating sending districts to indemnify the DCJJAEP for any failure to provide services that the DCJJAEP is required to provide under this MOU.</p> <p>DCJJAEP, pursuant to the Memorandum of Understanding Regarding Dallas County Juvenile Justice Alternative Education Program (the "MOU") as it may be modified from time to time and IDEA, shall provide special education instructional services in a full continuum of arrangements, as specified as appropriate in the student's IEP.</p>
2	II.A and II.B	Reword paragraphs for clarification	<p>A. The sending school district will be responsible for the provision of Speech and any related services as specified in the student's IEP.</p> <p>B. The sending school district will conduct any required evaluation or re-evaluation and hold IEP meetings as appropriate.</p>
3	V.	Reword paragraphs for clarification	<p>The DCJJAEP Special Education Designee shall notify the special education administration of the sending school district at least three weeks prior to the return of a student to the district. The sending school district shall convene an ARD committee meeting including DCJJAEP general and special education staff and other required members to consider exit and transition to the sending school district. The DCJJAEP shall provide to the ARD committee:</p> <ol style="list-style-type: none"> <li>1. Present levels of academic achievement and functional performance</li> <li>2. Updated goals and objectives based on progress monitoring reports</li> <li>3. Proposed goals and objectives</li> <li>4. Student's current report card and transcript</li> <li>5. Summary of successful behavioral interventions</li> </ol>

These documents have been

- Reviewed for legal compliance and have been concurred on by Sara Leon of Powell & Leon, LLP, 1706 West 6th Street, Austin, Texas 78703.
- Voted on by the DCJJAEP Governance Committee and unanimously accepted as the official Memorandum of Understanding Regarding the Dallas County Juvenile Justice Alternative Education Program (MOU) for the school year 2015 - 2016.
- Updated to reflect the changes noted.

With the above certifications in place, please hold the attachments as a suitable documents for presentation to your individual District Boards for approval.

For your convenience, also attached are the marked – up copies of the 2014 – 2015 MOU and *Attachment A - Procedures for Students Receiving Special Education Services* tracking the changes and updates.