

Educational Services for Youth in County Jails County Jails Guidance

Purpose

1. Guidance noted in this document is meant as a suggestion only. Local Colorado county jails each have their own policies, procedures, and protocols when working with inmates in their specific facility.
2. Detained youth, 18-21, incarcerated in county jails, may be eligible for educational services from local school districts 34 C.F.R. § 300.1.
3. The Colorado Department of Education and local school districts desire to effectively collaborate with local county jails to support youth 18 - 21 incarcerated in county jails for specific educational services when appropriate.

Definitions

1. “Juvenile,” as noted in C.R.S. 22-32-141, also refers to “youth,” as identified in this document.
2. Eligible youth refer to any incarcerated inmate who meets the following criteria:
 - a. Is between the ages of 18 – 21 at the time of incarceration 21 C.R.S. 22-32-141(3)(a).
 - b. Has not graduated from high school and has not received a high school diploma. (GED does not count) 34 C.F.R. § 300.102(3)(iv); C.R.S. 22-32-141(2)(c).

Important Information for Local County Jails

1. Review C.R.S. 22-32-141.
2. As noted in C.R.S. 22-32-141, local school districts and county jails have a shared responsibility to ensure educational services are offered to eligible youth in county jails.
3. Please note, in Colorado, educational age of majority does not occur until age 21. Parents/guardians have educational rights until a youth turns 21. For this reason, local school districts need parent/guardian contact information.
4. Local school districts need the following information to determine if a youth is eligible for educational services.
 - a. Name
 - b. Date of Birth
 - i. For detainees ages 18 - 21
 - a. Graduated from high school?
 - b. Most recent school/school district?
 - c. Identified as a student with a disability (previously had an IEP?)
 - d. Parent/Guardian contact information
5. Local school districts need to collaborate with local county jails to effectively meet the needs of students 18-21 eligible for educational services.
6. Based on C.R.S 22-32-141, county jail officials have an obligation to notify the local school district when a youth enters the facility that may be eligible for educational services. It would be beneficial if local county jails collaborate with local school districts to determine a consistent notification process to meet the legal requirements set forth in C.R.S 22-32-141.

Recommended Next Steps for Local County Jails

1. Collaborate with local school districts to develop effective procedures for the local county jail and the local school district to meet the needs of eligible youth and meet the legal requirements set forth in C.R.S 22-32-141.
 - a. Collaborate with local school districts to establish a process to collect necessary information when youth 18-21 enter the facility.
 - b. Collaborate with local school districts to develop a consistent mode of contact for 18-21 youth detained in the facility.
 - c. Collaborate with local school districts on specific local jail policies for booking, visitation, etc.
 - d. Collaborate with local school districts to determine how educational services can safely be implemented when necessary.

Documents/Evidence Supporting this Guidance

1. [C.R.S 22-32-141](#)
2. [FAPE in County Jails Fact Sheet](#)
3. [CDE Youth in Correctional Facilities Website](#)