

Report on:
EDUCATION PROGRAMS
In
Ohio Department of Youth Services Schools

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INTRODUCTION

This report addresses progress in reviewing and revising policies and procedures related to education (Stipulation 30) as well as providing an overview of progress in each of the areas listed below.¹ Because the settlement agreement is a five-year plan, the progress made on these Stipulations is very impressive. It reflects an unprecedented commitment of resources and attention at the highest levels of DYS, a much enhanced cooperative effort at all levels of the agency and conscientious devotion by Bureau of Education (Bureau) officials. Facilities staff and school officials have worked diligently together to ensure progress in the education field, and the teachers union and site representatives have been encouraging of DYS' efforts to improve its school programs. As required by the Stipulations (Stipulation 29), DYS has treated education as a priority area, and results can already be seen. Major strides have been made in providing a full school day, in improving special education, and in many other areas. Much diligence will be required to not only maintain the current improvements but to push on through to full compliance with the Stipulations of S. H. v. Stickrath.

For purposes of monitoring visits and reporting, the S. H. Stipulations (Stipulations) have been grouped as follows:

- Leadership and Communication
- Full School Day
- Staffing, Hiring and Retention
- Classroom and Student Management
- Curriculum, Classroom Instruction, and Reading
- Middle Schools
- Special education
- Professional Development
- Career-Technical Education (Career-Tech)
- School Space, Physical Plant and Safety
- Transition and Re-entry
- Ancillary Computer Support Programs and Access for Staff and Students

DISCUSSION

Education Monitoring, Meetings and Visits May 2008-February 2009

After settlement of S. H., the education team members were invited to meet the Director and Deputy Director. That meeting occurred July 31, 2008, and separately, on that date, the school superintendent and general counsel presented information regarding work in progress in addressing the Stipulations. In addition, the Director and education team member met March 19, 2009, and on April 30, 2009, the Deputy Director and education team members met. The education team members also met with the

¹ Not every effort by DYS will be discussed in this report. This is not to denigrate the value of unmentioned efforts but, rather, is a reflection of the amount of work that has been accomplished this year.

Deputy Director and some Bureau of Education central office staff on November 26, 2008, to discuss issues with the special management units at the Marion and Ohio River Valley (ORV) facilities; on January 28, 2009 to discuss special education and to meet the two recently retained education lawyers for DYS; and on March 19-20, 2009 to obtain supplemental monitoring information. The education team members met with the Ohio Education Association (OEA) representative and attorney and Kim Brooks-Tandy, representing class members, on July 28, 2009. Additionally, the education team members attended an OEA-sponsored one-day presentation by Thomas O'Rourke on the Georgia Department of Juvenile Justice school program. (Commendably, there was also a significant presence by top DYS officials at this seminar, including the Director, Deputy Director and General Counsel.) The team members also participated in meetings convened by the Monitor, Fred Cohen, Esq. in March 2009.

In the fall of 2008, monitoring visits were conducted at each of the eight juvenile correctional facilities (facilities). The visits lasted from one and one-half days to three days, depending on the size of the school and the complexity of the issues presented. In January and February 2009, visits were again conducted at six of the facilities. Omitted from the second round of visits were the Freedom Center and the facility at Marion, both of which are scheduled to be closed in mid-2009. As with the first visits, these visits lasted from one and one-half days to three days. Because of the breadth of Stipulations related to education, progress on some critical Stipulations was carefully reviewed, with a less systematic, more preliminary review of other Stipulations. Provisions that were focused on relate to leadership and communication; development of the middle school program; full school day; staffing and hiring; space, safety and physical plant conditions; and curriculum, delivery of instruction and reading. Areas of importance that received a more preliminary review are those related to ancillary computer support programs and access for staff and students; classroom and student management; career technical education; professional development; special education; and transition and reentry.

In mid-December 2008, class counsel initiated the dispute resolution process pursuant to Stipulation 256. A central issue was the education of students assigned to the Special Management unit (SMU) at ORV. This necessitated substantial fact-finding, and as additional issues around the SMU were identified, the education team member accompanied team members Orlando Martinez, Dr. David Roush, Sr. Cheryl Wills, and Steve Martin for another visit to ORV on February 9-11, 2009. This visit resulted in a team report to DYS. Separately, recommended findings of fact related solely to the education issues were submitted to DYS and class counsel, and subsequently, draft Recommendations to resolve the education dispute were submitted to the parties. Although this dispute has not been completely resolved, both parties continue to work in good faith to reach an agreement that will bring closure to this education issue at ORV.

Policies and Procedures (Stipulation 30)

All existing policies and procedures have been reviewed and revised, with the exceptions of discipline, records, and granting academic credit. The discipline Standard Operating Procedure (SOP) has been reviewed, but DYS is developing a facility-wide SOP on discipline that will encompass discipline in the schools. This facility-wide policy reflects an unprecedented DYS-wide cooperative effort, and the SOP has not yet been finalized.

Additionally, the schools' SOP on access to student records has not been finalized. The Family Education Rights and Privacy Act (FERPA) is a highly restrictive federal statute related to student records, and the existing policy required changes. DYS has referred this policy to retained counsel for revision. The policy will be difficult to revise to comply with FERPA and still accomplish other valuable goals of DYS. Revision is not complete.

Finally, the policy on granting credit has not been finalized. As noted *infra*, DYS has computerized student learning in its classrooms. The Buckeye United School District² is attempting to seek an appropriate balance, for grading purposes, between this computerized instruction and other, more traditional instruction. This is a process that should not be rushed, but consequently, the SOP on grading has not been finalized.

Stipulation 30 requires consultation by class counsel on the policy revisions. DYS' procedure has been to forward all SOPs by subject to class counsel, and the Department anticipates forwarding the education policies upon completion of the three noted above.

Leadership and Communication (Stipulations 181, 183, 184, 203, 204)

An important goal addressed in the Stipulations is to improve planning, coordination and cooperation between central office staff and the schools, as well as between the facilities' and unit administrators and the individual school administrators and other staff. The DYS Director, Deputy Director and other central office officials have long acknowledged that "silos" exist in DYS, and efforts to date in the education arena suggest that their efforts to destroy the silos are being effective.

Bureau of Education officials indicate that they are now being included in discussions at central office from which they have been historically excluded. For example, when facilities were closed in the past, youth were moved based on security status, facility size, and other such matters, without regard to the ability of the receiving facility's school to serve them. This year, for the first time, Bureau of Education administrators are included in these decisions, and whether there is room in a particular facility's school is a factor being considered before youth are moved from Marion.

During the visits in the fall 2008, all school principals favorably reported on communication between the school superintendent and the schools. The school superintendent has monthly principals' meetings. Agendas for some of these meetings have been provided, and the meetings now address substantive topics. This is a part of the protocol being used to seek input from the schools, and principals generally report that the meetings are helpful and dialogue flows both ways. On a quarterly basis, there are additional meetings that include school additional school administrators and pertinent Bureau officials. Principals report that the Superintendent's weekly schedule is accessible on the internet, and she posts her mobile telephone number. With the closing of two facilities, there were isolated complaints during the January-February 2009 visits that the Bureau was not involving school administrators in decision-

² Prior to the current school superintendent, the DYS schools were referred to as "the DYS schools." The official school district name has provided an identity to the schools, and the school district is referred to as BUSD in this report.

making affecting the schools, but at this point, it is believed that these complaints are situational problems and do not represent a systemic issue. DYS central office officials have been attentive to any concerns expressed by the education team members related to communication and cooperation.

Stipulation 183 requires that the school superintendent is to supervise educational service delivery and evaluate principals. It further requires that the superintendent be responsible for the assignment of school employees. It requires all of this to be done in a way that permits the facility administrators to retain their ownership interest in the schools and share responsibility for the performance of the principals and the schools.

Relationships between the school superintendent and facility administrators have improved since the investigation report was issued (it is noted that the current superintendent was not in office when the prior report was prepared). With few exceptions, facility administrators speak highly of the current superintendent's efforts to communicate, cooperate and improve coordination between the schools and the facilities. One facility deputy referenced training the school superintendent provided to assist the deputies in their supervision of the principals. Two other superintendents referenced specific assistance provided to them by the superintendent, and others spoke of their frequent interactions with her. All positively reference the evaluations of principals that are now being jointly conducted by the school superintendent and the facility administration.

All facility superintendents understand they are invited to teachers' meetings, and several have attended these meetings. Principals are routinely invited to facility superintendents' meetings and usually attend these meetings. Additionally, several individual schools and facilities report substantially enhanced communication and coordination with the individual living units and the schools.

Consistent with Stipulation 184, monitoring visits reflect that DYS management has freed school principals of the vast majority of their institutional responsibilities so that they can focus on school improvement and development of their instructional leadership skills. The school superintendent is now working with facility and school administrators to sharply focus the attention of school administrators on improving the schools—reducing violence, assisting challenged teachers, and improving student performance. The evaluation tool for principals is being rewritten in some cases by deputies and the school superintendent to more clearly focus on tasks related to instructional leadership, and higher educational expectations are being set for the school principals. Additionally, in an effort to reduce violence, at least two schools report substantially improved relationships and communication with unit staff resulting from intersession activities. While school was closed during intersession, staffs report a series of planned activities directed by teachers and unit staff, including chess club, speakers, pie-baking, book clubs, and speech club, all of which allowed the students to get to know the teachers on a different level and allowed the unit staff and teachers to work cooperatively together.

Full School Day (Stipulations 189, 190, 193, 196, 197, 198, 216)

DYS has made substantial progress on the Stipulations in this area. When school began in January 2009, almost every student in Scioto, including the Reception students, was receiving 5.5 hours of school, and

the isolated exceptions were of concern to the school principal and facility deputy. Both very credibly stated that the exceptions would be addressed.

Virtually every school indicated that students in protective custody and students on suicide watch are out of school only for a very limited time. Most schools report that students are no longer being kept out of school because of Special Management Plans that limit educational services. The Special Management Unit (SMU) at Marion was not visited during January and February, 2009 because of its imminent closure. However, with great credit to the acting facility superintendent and to DYS officials for ensuring sufficient staffing, students in the ORV SMU have been receiving a full school day since January 2009, with isolated exceptions that appear to be justified.

The Stipulations require that the ability of the school to provide educational services be considered when specialty units are created and that IEPs be fully implemented in these units. Implementation of IEPs in the mental health units was not reviewed this year; however, SMU IEPs were reviewed. At the time of the last visit in February 2009, IEPs in the ORV SMU were being implemented. Again, great credit should go to the acting superintendent of the facility and to DYS and Bureau administrators for ensuring sufficient staffing for the unit.

Of concern are students placed on "unit instruction" either by the school or by the facility. Although very few facilities continue to do this, there are exceptions. Further, Tecumseh High School, the ORV school, was placing numerous students on extended unit instruction during the January 2009 visit. Because this results in students receiving, at best, an hour a day of instruction, this matter was called to the attention of DYS General Counsel and other DYS and Bureau of Education officials. This issue will continue to be monitored. Similarly, facility placement of students on unit instruction at Indian River has been discussed with central office staff, and this unit instruction will be carefully reviewed in the upcoming years.

Also of concern are students who do not receive a full school day because of an inability to fully staff classrooms. Although there is a significant decrease district-wide in the incidence of students receiving a shortened school day for this reason, it still continues to be a substantial problem at ORV which continues to be plagued by teacher vacancies.

Stipulations 197 and 198 require the Department to maintain a system to provide the schools with information about students in specialty units so education services can follow the student without interruption. It also requires consideration of placement of a highly qualified Intervention Specialist (special education teacher) for each unit to ensure appropriate services for special education students and to facilitate students moving to a less restrictive setting. DYS reported in September 2008 that the Table of Organization had been expanded to allow at least one Intervention Specialist in each specialty unit. These Stipulations were not systematically monitored, particularly with the mental health units, but this will be reviewed during the upcoming year. There is an effective communication system between the school and the SMU at ORV, and in January 2009, a full-time intervention specialist was assigned there. A fairly ineffective communication system exists at Indian River for identifying students placed on unit instruction by the facility.

The Stipulations require that all school rooms be made available for education classes to allow more scheduling options and additional electives, and that schools should consider extended school hours. Further, DYS is required to consider academic credit for treatment programs in order to provide more options and class credit for students, and to consider male participation in Administrative Office Technology (AOT) classes at Scioto-William K. Willis High School. These requirements were designed to address investigative findings that numerous students were not in classes because of a shortage of teachers or classroom space. This was particularly problematic at ORV-Tecumseh High School and at Scioto Reception-Scioto River High School. The school day has been extended at Scioto to ensure that all students, including Reception students, receive a full school day. Further, through increased staffing and a decreasing population, this issue was resolved at ORV-Tecumseh, and no students were on the unit because of lack of space or teachers during the January 2009 visit. Although all students are in school at Cuyahoga Hills-Luther Ball High School, it is extremely crowded, and a construction plan has been approved to add additional classroom space. DYS has opened discussions with the Ohio Department of Education (ODE) to determine whether they can sufficiently align some aspects of the treatment programs with academic programs so that academic credit can be awarded for work completed in treatment.

In general, DYS, including upper management, Bureau officials, principals and teachers, facility administrators and facility unit directors are to be commended for their attentiveness to the requirement to provide a full school day for all students. Limited school for many, many students was a substantial problem during the investigative stage of the litigation, and the Department has assiduously worked to address it. The problems are not fully resolved, but huge steps have been taken. This area, including unit instruction, will continue to be closely monitored as students are moved to other facilities.

Staffing, Hiring and Retention

(Stipulations 191-192,194-195, 202, 209, 231)

Staffing was identified in the investigative report as a significant impediment to providing all students a full school day and to ensuring that special education students receive the educational services to which they are entitled under the Individuals with Disabilities Education Act (IDEA). DYS has made substantial and important commitments in this area. The task is not completed, but DYS is to be commended for its efforts to date.

Stipulation 194 requires DYS to analyze vacancies and teacher absences at each facility over a period of time and staff according to these data. It calls for staffing ratios required by law, and a plan for meeting education staffing needs that is subject to review by class counsel and the Monitor. This plan was to be completed within 60 days of the effective date of the agreement. The timeline on this Stipulation has been extended several times, and on April 29, 2009, this Stipulation was discussed at a meeting with DYS management and the Monitor's education team members. An analysis and draft plan has been prepared by the Bureau, but DYS has requested additional time because of several complications, including those caused by facility closures and by Ohio's severe budget crisis.

DYS has made efforts to address staffing issues by significantly adding education employees and by committing dedicated staff effort to recruitment and retention. In September 2009, DYS approved 48 new education positions, including a substantial number of new teachers, a psychologist, two additional guidance counselors, three guidance counselor assistants, and eight instructional assistants. Many of these positions have been filled. An additional substitute teacher was added on the Table of Organization for the larger schools, as required by Stipulation 195. The need for additional instructional assistants is being considered by DYS. Stipulation 192 requires hiring to reflect strategic planning, including outcomes required under No Child Left Behind and IDEA. The establishment of these new education positions was an effort to begin addressing this Stipulation during the first year.

The Stipulations require DYS to increase efforts to recruit and retain competent school employees, including enhancing efforts at minority recruiting (Stipulation 191).³ The DYS Bureau of Education has assigned these tasks to two senior employees whose full-time efforts are focused on recruitment and retention of diverse staff. These staff members have attended job fairs that reach students in at least 29 colleges and universities, and they report they are visiting teacher education classrooms in some schools to stimulate interest in correctional education opportunities. Web-based career placement sites are being reviewed, and a distribution list of internet links has been provided to DYS Human Resources so that the links can be used to request the colleges and universities to post DYS school vacancies. Efforts are underway to improve communication between DYS central office human resources and the Bureau of Education. ORV-Tecumseh High School has been a particular challenge in getting positions filled, and special efforts were made to recruit for that school. Sixteen public school districts in close proximity to the facility were contacted in an effort to identify potential applicants. Twenty-eight possible applicants were identified, and approximately 20 were interviewed for ORV-Tecumseh positions in the summer of 2008.

Next year, a goal is to develop a process to retain teachers once they are employed. Because school climate is one significant factor in whether teachers remain at a school, a school climate survey is being prepared to provide information that might assist in retention efforts.

Visits were made to all schools in January and February 2009, and those visits reflect continued staff shortages at ORV-Tecumseh with 12 vacancies, including seven in special education (not counting two other special education teachers on extended leave) and three science vacancies (although two were staffed with substitute teachers); six vacancies at Cuyahoga Hills-Luther Ball, two of which were in special education (as noted *infra*, this school had an uncommonly high number of special education students pass through it this year), and one each in career-tech, Title I, the reading grant, and speech therapy; and less significant numbers of vacancies at all but one of the other schools. Additionally, several of the schools referenced a need for additional instructional assistants and school psychological services. A limited number of instructional assistants have been added to the Table of Organization. Additional assistants are included in the staffing analysis previously discussed and will be addressed in that plan.

³ It is likely that lessons can be learned from the Cuyahoga Hills-Luther E. Ball principal who has recruited and retained a significant number of diverse applicants.

In partial response to the need for school psychologists, DYS has extended the hours for some school psychologists currently on contract with DYS, but schools still report the need for a school psychologist or behavior management person to assist in developing Functional Behavioral Assessments and Behavior Intervention Plans and to work with teachers and students in the classrooms. DYS reports that the employment of school psychologists is complicated by a position description for psychologists that is incompatible with the qualifications and certification requirements of school psychologists. DYS is pursuing a Memorandum of Understanding to resolve this issue. This area will be carefully monitored.

The Stipulations require DYS to negotiate with the teacher's union for a contract clause that would limit teachers' ability to resign mid-year. DYS worked with the Ohio Education Association to develop a contract clause applying the penalties set forth in ORC 3319.15 to DYS teachers (this provision, on its face, does not apply to DYS because the Department has not historically used the traditional school calendar to which this statute applies). To the great credit of OEA and as evidence of its commitment to assisting in addressing the Stipulations, it agreed on behalf of its members to such a contract clause. Unfortunately, ODE, after legal research, concluded that it could not apply the statute, despite the contractual agreement. The Bureau of Education has now creatively begun to align its year-round calendar so that its school year start date aligns with the starting date of the traditional school year. Once the dates are aligned, ORC 3319.15 will apply on its face to BUSD teachers. However, changes to the calendar need to be made incrementally, and thus resolution will not occur immediately.

The length of time required to actually get new teachers in the classroom continues to be a substantial problem. Classrooms continue to be unstaffed and students miss class periods because of this multi-month pre-employment lag time. Efforts are being made in Human Resources to streamline the process, and coordination and cooperation between Human Resources and the Bureau staff have improved. A liaison in Human Resources now works directly with the Recruitment and Retention staff in the Bureau of Education. With regards to the extended training time, DYS upper management indicates that this is a recognized concern, but that the need for competently trained staff is a competing interest. Management is not insensitive to the problem, and this is an area that needs creative thinking and continued review.

Full staffing is vital to effective implementation of the Stipulations, and there are roadblocks that have, to some extent, impeded progress on important staffing Stipulations:

- The Governor and Ohio legislature were generous to DYS as the state's budget was drafted in difficult economic times, but nevertheless, the budget situation has impacted the entire Department. Staff members report that the Ohio budget crisis has been an additional factor slowing down the hiring process.
- The closing of Marion, and to a lesser extent, the Freedom Center, have affected staffing vacancies. These Marion employees have a contractual right to access vacancies that may exist in the district. Some Marion employees have identified positions they would like to fill, but they

will be unable to do so until they are relieved of their responsibilities at Marion. This has slowed the filling of vacancies.

- Even after Marion and Freedom Center staff members are reassigned, it is anticipated that staffing will remain a moving target for the foreseeable future. The settlement agreement contemplates that the DYS juvenile correctional facilities will contain fewer students as Ohio's regionalized continuum of care becomes more highly developed. It is also expected that these students will be more challenging than many of the current students who will be expected to be placed in the community-based facilities. Both of these factors will impact the number and type of staff required in the schools, but it is impossible at this point to predict how and to what extent each facility will be affected.

Classroom and Student Management (Stipulations 182, 205-207)

Stipulation 182 mandates the training of JCOs and all education staff in classroom management techniques. Training that provides the same consistent message to JCOs and education staff is based upon all staff members having the same expectations and implementing the same behavior management strategies. The JCO position description is currently being revised. One goal of the revision is to broaden the JCOs' role so that they are a more significant factor in proactively managing student behavior. Ideally, the JCOs will become a part of the education teams, stationed in the schools and classrooms and under the supervision of the school principal.

In addition to revising the JCO Position Description, DYS is cooperatively working on an institution-wide discipline code, and this may also impact training. Monitoring for this stipulation will be focused in the 2009-10 school year.

Stipulation 205 requires that principals and assistant principals intensify efforts to identify teachers who are ineffective classroom managers and to assist teachers in developing goals and objectives to improve performance. During monitoring visits, instructional leadership was noted to be improved in all but one of the schools. Most principals had identified teachers that needed assistance in improving their skills. Improvement plans were in place and in several cases challenged teachers had noticeably improved lesson planning and general classroom management. However standards for student behavior varied widely from classroom to classroom. It is anticipated that required P. D. and the promised unified facility discipline policy will assist teachers with behavior management decisions. However, a significant number of challenged teachers need intensive individualized work in the area of classroom discipline. Education team members will continue to follow the evaluation and improvement plans of all teachers with particular scrutiny on efforts to assist the most challenged teachers in their improvement efforts.

Stipulation 206 requires that an expert in classroom management and instructional practices be contracted to work with teachers in the classroom setting. Consideration has been given to bringing in various experts but as yet this has not occurred. This Stipulation is critical to classroom success and will be watchfully monitored in 2009-10.

Stipulation 207 requires DYS strive to increase compliance with the progressive discipline policy, such as using Saturday school as a step preceding exclusion from school. No real progress has been noted in this area. Cuyahoga Hills-Luther E. Ball High School had made arrangements to have Saturday school staffed on a rotating basis by administrators volunteering their time. This intervention was not initiated, reportedly due to an objection that, contractually, the Saturday School should only be staffed by paid teachers. This objection shut down discussion of the Saturday school. It is hoped that completion and implementation of the unified discipline policy or simply revisiting the Saturday school proposal will address this Stipulation at Cuyahoga Hills. This area will be monitored with great interest in the coming months.

Stipulation 207 requires the Bureau to carefully monitor implementation of character education and other positive behavior management strategies to ensure that the schools' efforts are directed toward creating a positive culture. A preliminary review established that all schools have some level of positive behavior management. Consistency and standards vary from school to school. In the coming months education team members will look for stronger leadership from the Bureau and the school principals in this area.

Curriculum, Classroom Instruction, and Reading

(Stipulations 107, 143, 208, 217, 219)

Stipulation 208 requires DYS to evaluate the scope and reliability of current assessment procedures and instruments being used at Reception. During the fall 2008 visit, few, if any, changes were noted in the assessment process. However, there was considerable conversation about moving most of the assessment process to the receiving facilities, rather than holding students in Reception to accomplish this. During the January 2009 visit, the focus was primarily on the full school day, and this particular stipulation was not reviewed. However, in April 2009 conversations with central office officials, it was noted that the assessment process is being evaluation. Intake procedures will be monitored in the upcoming year.

During the 2008-09 school year, DYS instituted a massive change by computerizing every school classroom and initiating the process of delivering grade-appropriate curriculum to every DYS student. While computerized education can be controversial, DYS is attempting to implement the program in a manner designed to improve learning for its students.⁴ In addition to computers in the school buildings, Stipulation 217 requires that all classroom space on units be wired for this computerized system. The SMU units at Marion and ORV and the medical unit at Scioto were visited, and all are wired, although additional computers may be needed at the medical unit. Mental health unit classrooms were not specifically reviewed for computers, but this monitoring will occur in the upcoming year.

Stipulation 219 requires DYS to provide access to a computerized software package designed to teach reading to students with pre-literacy skills and to provide training to staff. *My Reading Coach* is a highly

⁴ Additional research into this computerized learning system will be conducted. The complexities of implementation of the program will not be discussed in this report.

recommended reading program recently purchased by DYS. Staff members who will be working with the program were trained in March 2009. They are already reporting substantial gains in reading levels by individual students. The Bureau and special education director are to be commended for getting this program in place. The success of this program will be followed during the upcoming years.

Stipulation 219 also requires DYS to encourage speech therapists to work with students at-risk in reading and requires DYS to expand contract time for speech therapists working with these students. In September 2008, DYS reported that the Table of Organization had been expanded to add a half-time speech therapist at each of four facilities, and some speech therapists reported during visits that their contract time had been increased. At least some speech therapists stated during visits that they were working with pre-literate students, but this area was not methodically monitored this year.

Stipulation 219 also mandates reinstatement of the Title I reading teachers in the schools. This area was not specifically monitored this year, but will be reviewed in the upcoming year.

Stipulation 107 requires DYS to ensure that its SOPs address educational opportunities for students on suicide watch. It appears these SOPs may originate with Mental Health rather than with the Bureau of Education, and those SOPs have not been reviewed by the education team members. However, this will be reviewed in the upcoming year.

Stipulation 143 requires consideration of specific health education components in the science or health curriculum in the schools. This area was not specifically monitored this year, but will be reviewed in the upcoming year. In September 2008, the school superintendent reported that she had met with the DYS health team to determine what information could be taught in health classes. She reports that a curriculum should be in place in spring 2009.

The computerized Customized Student Learning System (CSLS) has become a significant tool in the delivery of instruction to DYS students. Classroom observations were conducted and students and teachers were interviewed about the system at each facility. During classroom observations, one difficulty noted with CSLS implementation was the clarity with which the students understood the course requirements. Also, some teachers were having difficulty motivating students to complete note-taking and study prior to taking the test. Teachers were also observed to have difficulty motivating some students to remain on the designated course of study for that particular class. The Bureau and teachers must grapple with these challenges and devise methods of focusing and managing students so that they appropriately complete the entire learning process. Future reviews will note these efforts.

Classroom success on CSLS was observed to be on a continuum. Successful classrooms shared many of the same traits. Teachers controlled the classrooms, successfully directing the students to work on lessons appropriate to their individual level. Often, teachers had prepared hard-copy study guides for the students. Of significant importance and consistently observed in successful classrooms, teachers were on their feet, constantly working with individual students at the computer, and they used student questions as instructional moments.

Collaboration among teachers was noted in each school but more structured efforts will be required to achieve across-the-board instructional competence in some areas and classes. Examples were noted of teachers sharing methods and materials that improved the implementation of CSLS. Teachers at each school share ample planning time during the middle of the school day, and it is desirable that teachers use this daily opportunity to work individually and collaboratively on lesson planning for individual students and project-based teaching. Education team members look forward to observing the fruits of these planning periods in the classrooms.

Middle School (Stipulation 220)

The Stipulations require the Department to develop a middle school program for 12- and 13-year-old students. During the investigative stage of the litigation, these students were being educated in high school classes where the students ranged up to 21 years old. The Department has now developed two middle school programs—one in Circleville-Ralph Starkey High School for sex offenders and one at Indian River High School for all other middle school students. Commendably, the Bureau of Education sought to establish total separation for these students from the high school students, but this has not occurred. However, both middle schools are functioning, with the students currently encountering high school students only when they change classes. During visits, the middle school students were being taught by appropriately certified teachers and with a couple of isolated exceptions at Circleville-Ralph Starkey High School, the students were all being grouped only with other middle school students for classes. The exceptions were discussed with the guidance counselor whose scheduling was limited by the number of seats in specific classes. The issue was also called to the attention of the school Superintendent, and she reports that she has addressed the issue. Reportedly, all middle school students are now being served together. This area will continue to receive close monitoring.

Special Education (Stipulations 221-230)

Because of the significant, and sometimes almost overwhelming, number of special education students in the BUSD, special education is a critical component of the district's school program. The investigative report identified numerous and substantial problems in this area. However, a determination was made to delay comprehensive, intensive review of the program until 2009-10 and subsequent years. In early meetings with DYS officials it was established that the Department had initiated contacts with ODE to arrange for focused monitoring of the school district's schools by the ODE Office for Exceptional Children. As is apparent from the term "focused monitoring," ODE reviewed only specified areas of compliance, but these areas are some of the underpinnings of a compliant special education program. The areas being reviewed are:

- The process for writing Individualized Education Plans (IEPs);
- The content of the IEPs;
- Actual IEP writing; and
- Transition planning.

The monitoring process includes an extensive self-review, followed ODE's intensive review of specified components of each school's program, training by Ohio's state support teams, and follow-up visits to the schools to evaluate understanding and compliance. All of BUSD's schools are a part of this process, and the schools are being visited sequentially, with the visits to be completed this calendar year.

It seems appropriate to allow completion of the focused monitoring process prior to commencing intensive monitoring of the program. DYS voluntarily initiated this process and persons interviewed at schools where visits had occurred reported that ODE assistance has been extremely beneficial and that it is resulting in better IEPs. Additionally, other Stipulations such as full school day, leadership and communication, and staffing are critical for an effective program, and time was required to get these components in place. Although there was not intensive monitoring this school year, all school visits included a preliminary review of the special education Stipulations and, as noted previously, a much more intensive review of special education students at the ORV SMU as a part of the dispute resolution process.

Stipulation 222 requires Bureau oversight of special education programs at the facilities, including the development of policies, procedural manuals and training programs. It also requires a quality assurance program and Bureau monitoring to determine whether there are sufficient resources and staffing to ensure adequate services and compliance with the Stipulations. A new director of special education was named after the new school Superintendent took office, and this director is doing an impressive job. The SOPs were revised as a part of the general SOP revision. The new director has identified training needs and is attempting to meet these, in addition to those associated with the focused monitoring effort. DYS's internal school auditing process has been substantially revised, and special education is a part of that process. DYS officials believe that the new process which involves self-auditing and auditing by a sister school, in addition to central office auditing will be more effective than previous efforts. The focused monitoring provided by ODE at the behest of DYS is an effective adjunct to a newly developed quality assurance program.

The Stipulations require that "at all times" special education be provided to all DYS students, consistent with IDEA, the regulations and the Stipulations. DYS continues to improve on this, and has made substantial gains in the 2008-09 school year. With isolated exceptions, and to the great credit of all involved, all special education students at Reception are receiving 5.5 hours per day of instruction. They are in the school building for testing on the third day after arrival and are in classes on the fourth day.⁵

All identified students in BUSD's school buildings are receiving special education services. However, still of concern, as previously noted, are those students who are on "unit instruction" and not in the school building. Compliance with IEPs and the process by which special education students are placed on unit instruction are of substantial concern, in addition to the fact that during monitoring visits, these

⁵ The investigative report noted that Reception students entered school on the tenth day, but only for testing which occurred for one hour per day for the next five days. Finally, on the sixteenth day, the vast majority of them started school, receiving three hours per day of instruction. Education team members were told it was "impossible" to improve this situation.

students were receiving very limited instruction. This area will be very carefully examined in the upcoming year.

DYS's Child Find efforts⁶ are incorporated into its Intervention Assistance Team (IAT) program. Although SOPs have required active IATs in each school for many years, review establishes that most still remain at the nascent stage. In conversations with the DYS special education director, she had already identified this as a problem, and IAT training for all schools was conducted in March 2009. This will be an area for close review in the upcoming year.

A limited number of IEPs were reviewed at each school, and it generally appears that the schools have improved participation by appropriate team members at IEP team meetings. Parental participation has improved at meetings, and considerable credit goes to the special education administrative assistants in each school.⁷ Surrogate parents are being effectively recruited and several IEPs were reviewed where surrogates had participated.

Participation of appropriate team members at IEP team meetings is still problematic at Cuyahoga Hills-Luther E. Ball High School. This school has a highly transient population. In a six-month period, more than 300 IEPs had to be written, and this is an extraordinary number for a school currently designed to hold 220 students and running short staffed. There is one principal and two assistant principals and with their other substantial responsibilities, they are not always able to cover IEP team meetings. There is also a problem with general education teachers attending meetings, again because of the substantial number of IEPs that need to be written. This matter has been called to the attention of DYS central office which is taking steps to address it.

There are still schools where the IEPs are not collaboratively drafted, however this is likely a function, in part, of limited staffing. Training in this area has been provided by the ODE state support teams, and this will be a point for careful review.

A review of a limited number of IEPs at each school reflects improved IEPs at those schools where focused monitoring had already occurred. A small increase in the number of different modifications and accommodations written on IEPs is being seen in the reviewed documents, but there is still room for significant improvement in this area. Transition planning is being done on qualified students in the IEPs reviewed, and the plans are improved in schools where focused monitoring has occurred. A very limited number of functional behavioral assessments (FBAs) and behavior intervention plans (BIPs) are being written, but this is an area where professional development and the participation of a behavior specialist or school psychologist are critical. This will be a significant focus for review in upcoming years.

Stipulation 229 requires DYS to provide teachers with a progress data monitoring form, and DYS has done so through computerized programs. These forms have not been reviewed, but they also are not being widely or effectively used. In addition to the computerized forms, an ORV-Tecumseh High School

⁶ IDEA requires school districts to actively seek out students who are disabled but have not yet been identified, and this process is called Child Find.

⁷ The Scioto administrative assistant is particularly creative in her efforts to involve parents, and the special education director was using her to train other assistants.

intervention specialist has developed an excellent form, and some Tecumseh teachers are beginning to use it.

Monitoring of progress on IEPs, particularly the monitoring of behavioral goals, remains problematic. However, special education is a process, and a foundation must be laid before some of components can be effectively put in place. Logically, monitoring of goals is a step past writing effective goals, and this skill is a part of the focused monitoring referenced above. DYS has been advised that this will be an area of special focus for monitoring in 2009-10 and subsequent years.

With very limited exceptions, most of which are justifiable,⁸ students are receiving their triennial evaluations in a timely manner. No problems have been identified with the qualifications of the persons conducting these evaluations. At Mohican-Louis Bromfield, evaluations were overdue because there was not a psychologist available, but an emergency contract for psychological services was approved at central office and the school was becoming current on the evaluations at the time of the February 2009 visit. With few exceptions, virtually all of which are justifiable, annual IEP team meetings are held in a timely fashion. Stipulation 225 requires that IEP meetings be held "as necessary to develop, review or revise IEPs." Many students, particularly those with behavior problems, often require more than one meeting a year, and these additional meetings are not occurring. However, as with monitoring of IEP progress, a foundation must be laid before this requirement can be effectively imposed. It is expected that as behavioral and other monitoring improves, additional meetings will be held for students showing no or limited progress. Monitoring for these additional meetings will occur in the 2009-10 year and intensify in the 2010-2011 year.

Guidance counselors report that they have access to students' full IEPs. The schools were not methodically monitored to determine whether all teachers have electronic access to IEPs-at-a-Glance, but many teachers did report electronic access. This area will be carefully reviewed in 2009-10.

In sum, substantial improvement has occurred in the special education area. Many of the ongoing problems result from staffing or other such issues that make effective implementation difficult, if not impossible, in some situations. DYS began addressing the staffing issue in September 2008 and is attending to the other basic issues such as professional development. Progress with the special education Stipulations will continue to be reviewed each year, and it is anticipated that improvement will continue to occur.

Professional Development (Stipulations 199, 200, 201, 204, 217, 227)

Ohio education law does not require teachers to obtain professional development (P. D.) once they receive their permanent teaching certificate. Although DYS has historically required training of its staff, it has not always mandated continuing education training for teachers. Many DYS teachers with permanent certificates voluntarily made the effort to remain current, but others in the system were not

⁸Late evaluations and IEP team meetings are considered justifiable, for purposes of this report, when they result from a student arriving at a DYS school from another school district with an outdated evaluation or IEP or for other such reasons that are completely out of the control of DYS. It is to be noted that even with these IEPs and evaluations, DYS has been diligent in starting the evaluation or IEP-drafting process.

current on evolutions in teaching strategies, in delivering curriculum to students, and in special education. The Stipulations require substantial professional development for school staff, some of which is to be “continuous.”

Professional development must be scheduled around the students’ school schedule. Several of the available P.D. days this past year were devoted to training necessary to implement CSLS. (Stipulation 217) All schools received training, with the training being provided on three different levels, depending on each teacher’s comfort level with computers. Surveys of school staff reflect satisfaction with the quality of training and substantial interest in follow-up P.D. (of 95 respondents, 53 note follow-up is “extremely” important, and 27 state it is “somewhat” important). The same numbers report that P.D. should be individualized in order to enhance the respondents’ ability to maximize the software.

The Stipulations require sufficient continuing education on CSLS to avoid the system becoming degraded. To that end, the Bureau plans additional activities to ensure effective implementation of the program. It plans to continue with P. D. on utilizing project-based learning in conjunction with CSLS.⁹ In the upcoming visits, the education team members will take note of the projects designed during these work sessions and how these projects were infused into the curriculum.

During the 2008-09 monitoring visits, classroom observations were made with the acknowledgement that teachers would need time to become familiar with the nuances of CSLS. It was noted that each teacher brings his or her own methods and strengths to the use of CSLS, and it will take time for the teacher to discover the best way to meld with the system.

Special education has many P.D. mandates in the Stipulations, and a substantial amount of training has already occurred or is scheduled. This includes:

- Roles of Staff and Content in Developing IEPs. This training address goal writing, modifications, special education and related services, and progress data collection (Stipulation 227) for teachers at all schools.
- Free and Appropriate Public Education: Behavior and Discipline (Stipulation 227). This was non-mandated training provided by ODE Office of Exceptional Children, at the Correctional Educational Association Conference.
- Developing Compliant IEPs (Stipulation 227), provided to Marion-Hickory Grove and Indian River.
- IEP, Co-teaching and Transition training provided by the ODE Office of Exceptional Children to Marion-Hickory Grove staff.
- Manifestation Determinations, Functional Behavioral Assessments and Behavior Intervention Plans (Stipulation 227) presented to Marion-Hickory Grove and scheduled for April-May 2009 for Scioto, Circleville-Ralph Starkey, and Mohican-Louis Bromfield.
- Special Education Processes Basics for all special education administrators.

⁹ Each school was required to develop two project-based learning packets, and these will be shared among the schools.

- IEP Technical Assistance training provided by the ODE School Support Team for Scioto and Indian River special education staff.
- Transition for Indian River, Scioto and Circleville-Ralph Starkey High School, presented by ODE's School Support Team.
- IAT Team Function presented to IAT Core Team members from each school by the special education director with assistance, and IAT training will be again provided to all schools by state trainers in January 2010.
- IEP and Transition Planning training will be provided in the spring of 2009 for Cuyahoga Hills-Luther Ball school staff.
- Manifestation Determinations training will be provided to all special education teachers in May 2009 by national P.D. providers.
- IEP Anywhere, the software package used by DYS will be a subject of training for all schools in June 2009.

The special education director is well on the way to providing the "continuous" professional development required by Stipulation 227.

An important P.D. stipulation not yet implemented is Stipulation 201 requiring DYS to provide professional development to guidance counselors, transition staff and teachers working with transition and reentry on the legal implications of students' juvenile records. The school superintendent indicated that this training would be provided in calendar year 2009.

Career Technical Education (Stipulations 212-216)

A DYS career-tech teacher was named the new career-tech central office administrator, and she walked into her new office on August 4, 2008, faced with multiple mandates from the Stipulations. Because this administrator was new and many of the career-tech requirements relate to district wide efforts, this area was not intensively monitored in the 2008-09 school year. More intensive monitoring will start in 2009-10.

Work has begun on the Stipulations. Stipulation 214 requires DYS to look at non-traditional careers and careers in the service industry, and DYS reports that the schools' programs will be evaluated on their offerings in these areas. DYS reported in the fall of 2008 that local business and colleges would be contacted to look at offerings in the community and opportunities for dual credit or post-secondary credit for career-tech classes.

Scioto now has a template for transition as part of the Scioto special education evaluation process. An employability skills and life skills evaluation has also been ordered to provide career-tech information about special education students that can be used for transition planning.

As required by the Stipulations, DYS has moved career-tech education from the finance office to the curriculum office in the Bureau. Teachers in the schools are issuing certificates of competencies mastered upon leaving career-tech classes. Several schools report that a protocol has been developed to ensure that even those students who depart abruptly will receive their certificates. Also, teachers are

actively pursuing their own competency certifications so that they can certify students in areas sought by employers. Funds have been made available to send all construction trades teachers to 40 hours of OSHA training so that they can OSHA-certify the students, making them more marketable to an employer. The wiring teacher is already certified. The framing teacher at Indian River High School has obtained his National Center for Construction Education Research (NCCER) certificate and can certify students in topics that are traditionally covered in the first year apprenticeship programs for the construction trades. When students leave the facility, they can continue their academic work for the apprenticeship online. Unfortunately, Stipulation 215 has not been implemented as it relates to certification for Microsoft Office through the Administrative Office Technology class, and students who are ready to take the test continue to graduate without this certificate that enhances employability. This requirement will be the focus of early and continuous monitoring in the upcoming year.

In at least one instance, DYS considered a student's status in career-tech as a factor in a transfer (Stipulation 212) and permitted the student to remain at ORV-Tecumseh for eight months, rather than transferring him, so that he could finish the wiring class.

Commendably, and with substantial credit to the acting facility superintendent, career-tech students at ORV-Tecumseh have gone off-grounds to wire a church, and other off-grounds activities have occurred. The value of this real-world training cannot be overestimated, both in terms of credentials and student behavior and self-esteem.

Several of the career-tech Stipulations are in the beginning stages of implementation. The ability to develop a cogent career-tech plan has been complicated by the closing of Marion and the consequent re-organization of the Marion programs. Some grants are being sought to supplement current career-tech offerings, but it appears that more effort could be devoted to Stipulations 213 and 214. A start has been made on expanding career assessment and counseling but this is in the infancy stages. These matters merit substantial review in the upcoming year.

School Space, Physical Plant, and Safety (Stipulations 185, 186, 187, 188, 216)

DYS was required to review current facility usage and take necessary action to ensure sufficient space to appropriately meet the educational needs of students. As previously noted, DYS management has taken the unprecedented step of ensuring that the Bureau of Education is represented in discussions related to the closings of facilities, to ensure that students are not placed in facilities that will result in over-capacity schools. Additionally, construction plans have been approved for ORV and Cuyahoga Hills to ensure sufficient school space for students.

With isolated exceptions, all school staff report that there are adequate cameras now installed in classrooms and common areas where needed and that all school staff, including contract service providers, have individual alert systems. Cameras were placed at Indian River High School and ORV-Tecumseh High School, and were to be hooked up in March 2009 at Cuyahoga Hills-Luther E. Ball High School (the visit occurred in February). Hallways at ORV-Tecumseh High School do not have cameras, but these are a part of the construction contract that is already underway.

A Scioto staff member reported feeling unsafe in the fitness center, and that teacher was moved. This space was not viewed during the visits but will be during the upcoming year. A Circleville teacher reported feeling unsafe in her somewhat-isolated classroom when a student engaged in non-violent but highly offensive behavior. She relied upon her individual alert system and stated that help arrived promptly, but this did not completely allay her fears. This classroom situation will be again reviewed. Cuyahoga Hills-Luther E. Ball High School needs six additional radios for staff, and the principal was confident that she would be permitted to purchase these.

In the investigative report, it was noted that classroom furniture was too big for some classrooms and presented a substantial safety risk because students were taking it apart and using the parts as weapons. Stipulation 187 requires "appropriate furniture," and the Department has heavily invested in new furniture for the classrooms. Furniture purchased for the SMU classrooms appears virtually indestructible. There are no current complaints about the furniture, although computer keyboards are presenting a safety challenge. However, teachers are currently managing this issue.

Specific repairs were required at Cuyahoga Hills-Luther E. Ball, and these have been made. A construction plan is in place to provide additional classroom space this calendar year. Crowding at Luther E. Ball was factored into the decision-making about transfers from the Marion closing, and it is planned that only graduates will be sent to the facility.

Crowding remains a problem at ORV-Tecumseh. At the January 2009 visit, the school had more students than the building was designed to serve, but DYS had decreased the population from an even higher number. A construction plan is in place, and DYS continues to evaluate other options. However, in January the assistant principal, speech and language pathologist and part-time contract psychologist shared a small office, and the chapel was being used as a classroom. The psychologist had no regular place to privately assess students. There were sufficient classroom seats for all students, but there were not sufficient seats to accommodate the new students expected the following week. Modular units are being discussed, and the population had been reduced at the time of the visit. Crowding at the school will continue to be reviewed.

Transition and Re-entry (Stipulations 210-212)

DYS has begun work on the transition Stipulations. The Department has prepared a draft of a Position Description for the Transition Specialist. These positions are to be split among the schools, with the exception of ORV-Tecumseh that will receive a full-time position. The transition specialists will assist students with portfolio organization so that all work completed by the student as well as various other educational information will be contained in the portfolio that the student can take upon release. In addition to the new Transition Specialist positions, it is planned that existing Career Based Intervention (CBI) teachers will be used to teach a 10-week Transition Skills curriculum to students who will soon be released. A model Student Transition system has been developed, and DYS has targeted July 31, 2009 for implementation at all schools. The model includes creation of an individual transition plan at intake, and early and ongoing contact with the Juvenile Probation Officers in the regional offices.

Stipulation 211 requires DYS to continue to explore options to permit students off-grounds for college visits and other postsecondary opportunities. Largely to the credit of the acting superintendent and the school's literacy coach, students at ORV are participating in "The Big Read" with the public library. Also, students were permitted to make a visit to the college to which they had been accepted with the assistance of ORV and Tecumseh staff. This area of transition and re-entry will continue to be reviewed in the upcoming years.

*Ancillary Computer Support Programs and Access for Staff and Students
(Stipulation 218)*

Students and staff report that student access to InfoOhio has been provided to students. After students broke through the firewall, access was terminated, but DYS reports it is trying to enhance the security so that access can be restored. School teachers report they have internet access, and many appreciatively state that classroom access has allowed them to supplement instruction to students. The status of computer hardware in the libraries was not systematically reviewed but will be monitored in the upcoming year.

RECOMMENDATIONS

Leadership and Communication

Continue:

- Ensuring Bureau of Education participation in all significant discussions about facility use and programming, including:
 - The role of JCOs in the school;
 - Placement of youth;
 - Development of a facility-wide unified discipline code; and
 - Development of a unified case plan.
- Inviting principals to facility meetings and inviting facility administration to all teacher meetings;
- Conducting monthly meetings between the Bureau and the principals and quarterly meetings between Bureau officials and school administrators;
- Involving school personnel in decisions to create specialty units while considering schools' ability to provide educational services and fully implement IEPs on such units;
- Conducting joint evaluations of principals and the school superintendent's efforts to ensure that program deputies and superintendents are informed about the educational expectations for school administrators;
- Improving intersession activities and cooperation at the facilities;
- Ensuring that in these challenging economic times all funds allocated to the school district be expended on services designed to meet these Stipulations; and
- Limiting the non-instructional duties of school administrators and elevating the instructional leadership expectations for them.

Full School Day

Continue:

- Providing a full school day to all students at Scioto, including those few exceptions identified during the 2008-09 visits;
- Providing a full school day to all students on the Special Management Units;
- Providing a full school day to all students in all DYS school buildings;
- Developing more efficient ways to quickly track the names and numbers of students not in school;
- Eliminating the ability of unit staff to restrict students from attending school as a consequence for behavior or for other inappropriate reasons;
- Enhancing efforts to hold unit staff accountable for students who “skip” or otherwise have unexcused absences;
- Completing the ORV-Tecumseh and Cuyahoga Hills-Luther E. Ball construction projects;
- Engaging in conversations with ODE about aligning treatment programs with academic programs to permit the awarding of academic credit for work completed during treatment; and
- Placing Intervention Specialists in specialty units.

Begin:

- Restricting schools’ ability to place students on “unit instruction” without following appropriate IDEA and other mandated procedures;
- Improving the communication system at Indian River between the units and the school so that the school can know which students are not being sent to school on a given day and why; and
- Placing suitably staffed classrooms on units for students temporarily not appropriate for school building placement.

Staffing, Hiring and Retention

Continue:

- Re-aligning the school year calendar with the traditional school calendar start date to minimize teachers resigning in mid-year;
- Conducting intensive recruiting efforts in colleges, universities and other settings;
- Recruiting efforts in bordering states;
- Placing special emphasis on recruiting special education teachers and teachers who would consider teaching at chronically understaffed schools;
- Adding staff as identified by need;
- Considering ways in which funding and allocated costs can be moved around so as to maximize all available grant and other funding to ensure sufficient staffing;
- Coordinating between DYS Human Resources and the Bureau to minimize the lag time between hiring of a new education staff person and the actual placement of the person in the school;
- Reviewing the pre-service requirements for creative solutions to minimize the lag time in placing school staff in the schools; and
- Negotiating for a Memorandum of Understanding on school psychologists so that they may be hired for DYS schools.

Begin:

- Considering non-traditional methods to ensure chronic staff vacancies are filled;
- Conducting “school climate” surveys to help identify ways to retain existing teachers; and
- Employing behavior specialists and/or school psychologists to work with teachers and students in classrooms and to develop functional behavioral assessments and behavior intervention plans.

Classroom and Student Management

Continue:

- Developing a facility-wide discipline policy, including a progressive discipline plan that incorporates such steps as Saturday school and includes the positive behavior interventions and supports called for by IDEA;
- Adding classroom aides to the Table of Organization with immediate priority given to special education students who require an aide as stipulated in their IEP;
- Intensifying the efforts of principals to identify teachers who need to improve their performance and assisting these teachers in those efforts;
- Monitoring of character education and other positive behavior management strategies in the schools, with an eye towards improving those schools where such programs are lagging;
- Redefining the JCO’s role in the facilities and the schools; and
- Providing professional development to teachers on effective classroom management.

Begin:

- Providing training to JCOs and education staff in classroom management;
- Contracting with an expert in classroom management and instructional practices to work with teachers in the classroom setting; and
- Enhancing the role of literacy coaches to provide systematic mentoring of and assistance to challenged teachers.

Curriculum, Classroom Instruction, and Reading

Continue:

- Reviewing science and health classes for opportunities to add specific health related items to the curriculum;
- Working with ODE to align selected treatment programs with curriculum requirements in order to grant academic credit for student work in these programs;
- Conducting the school improvement process with each school;
- Enhancing the role of literacy coaches to provide systematic modeling of project based learning, skill building and collaborative teaching;
- Placing teacher aides in selected classrooms to increase opportunities to individualize instruction;

- Working towards finalizing a grade policy;
- Seeking and utilizing all funding sources to provide PD, mentoring, and equipment necessary to prevent the degradation of CSLS into high tech work sheets;
- Convening subject groups to determine where CSLS is not in alignment with ODE standards and have groups provide direction where supplemental lessons are needed;
- Providing incentive for teachers who provide technical support to staff on CSLS;
- Providing hard copies of A+ lessons and other forms of individualized instruction to students who cannot work on computers;
- Emphasizing the role of school administrators in ensuring the successful implementation of CSLS in each school classroom;
- Institutionalizing practices and programs of the STARR grant in order that these initiatives continue when the grant ends;
- Utilizing and, if as effective as initial reports indicate, expanding “My Reading Coach” for students reading significantly below grade level;
- Employing Title I reading teachers in each school; and
- Utilizing speech therapists to assist students who are reading significantly below grade level.

Begin:

- Revamping the Reception assessment procedures at Scioto;
- Working with the mental health staff of DYS to ensure that its SOPs address educational opportunities for students on suicide watch;
- Providing student orientation to CSLS that may include a grading rubric on course requirements at the beginning of each term and for each student that enters during the term; and
- Considering placement of two or more additional terminals at the CMU at Scioto.

Middle Schools

Continue developing the middle school program, maximizing the separation of these students from high school students as much as possible.

Special Education

Continue:

- Developing a facility-wide discipline policy that incorporates the positive behavior interventions and supports called for by IDEA;
- Training upon and improving the IAT process;
- Partnering with ODE for focused monitoring;
- Providing all professional development offerings;
- Evaluating students in a timely fashion;
- Recruiting teachers to obtain the legally appropriate ratio for special education case loads and classes;
- Providing oversight of special education programs at the facilities, including developing policies, procedural manuals and training opportunities;
- Seeking ways to increase the availability of school psychologists and/or behavior specialists to work with students and teachers in the classroom;

- Implementing all necessary steps to ensure sufficient staffing so that IEP teams are appropriately constituted at Cuyahoga Hills-Luther E. Ball;
- Subscribing to Special Education Connection, if teachers find it to be helpful;
- Seeking to provide a full school day and an appropriate education to all special education students, including those held on the units by unit staff or by school staff;
- Expanding the range of accommodations, modifications and supports that are provided to individual students; and
- Improving transition goals and objectives on individual IEPs.

Begin:

- Revising of IEPs as needed, rather than on a routine, annual basis, for students who are making limited or no progress, including progress on behavioral goals or BIPs;
- Utilizing school psychologists or behavior specialists to assist in developing FBAs and BIPs, in devising data collection strategies, in evaluating monitoring data, and in revising IEPs and BIPs, as appropriate;
- Implementing collaborative drafting of IEPs in schools where this is not occurring;
- Providing appropriate, systematic behavior monitoring of IEP goals in all classrooms;
- Utilizing IDEA procedures by appropriately trained and appropriately constituted IEP teams if more restrictive educational changes of placement are being made;
- Obtaining FBAs and BIPs on all students that need them, but especially on students for whom educational changes of placement are being contemplated because of behavior; and
- Implementing and revising BIPs as necessary for students, using accurate and systematic data to evaluate the effectiveness of the BIPs.

Professional Development

Continue:

- Seeking and utilizing all alternative sources of funding for P.D.;
- Providing best practices P. D. from nationally recognized speakers, if funding is available; and
- Providing all Professional Development listed as “continuous” in the Stipulations.

Begin all professional development not yet initiated and called for by the Stipulations.

Career-Technical Education (Career-Tech)

Continue:

- Partnering with ODE, seeking waivers of restrictive requirements whenever possible;
- Expanding and improving the initial career-tech evaluations and assessments;
- Seeking out opportunities in the community and opportunities for dual credit or post-secondary credit for career-tech classes;
- Seeking collaboration with local businesses;

- Providing real-life, off-campus work experience, and institutionalizing and expanding these opportunities;
- Considering using space at Scioto-W. K. Willis to offer evening classes of AOT to Reception and Revocator students, and continuing efforts to flatten the Scioto schools into one school;
- Planning to add a visual design course to the career-tech curriculum at Circleville and coordinating these graphic arts products with projects in the student-run print shop at Indian River;
- Certifying teachers in their areas and OSHA so that they can provide additional certifications to students;
- Issuing competency certifications to students upon release;
- Expanding consideration of a student's career-tech status and interest as a factor in transfers and assignments;
- Completing the grant application for a hydroponics lab;
- Completing request to local Honda dealership to donate a car for the auto body repair class; and
- Evaluating schools' programs on their offerings in non-traditional careers and careers in the service industry.

Begin:

- Developing a cogent and expansive career-tech plan, utilizing existing and new programs, including those available through community resources;
- Utilizing all grant money fully, including Carl Perkins funds;
- Making Microsoft Office certification available to AOT students without delay;
- Exploring options to transport selected students to existing community career-tech or adult education programs;
- Repairing the greenhouse at ORV, making it usable;
- Expanding career-tech options through the use of satellite programs; and
- Planning to add floral design as a course offering.

School Space, Physical Plan, and Safety

Continue:

- Including the Bureau of Education in all facility meetings involving students, including the transfer of students to particular schools;
- Limiting the student component of facility populations to the maximum number for which the school is designed;
- Ensuring that Cuyahoga Hills-Luther E. Ball has sufficient radios for staff;
- Installing and maintaining appropriate classroom furniture, including keyboards; and
- Evaluating options to address the overcrowding at ORV-Tecumseh, pending completion of the construction project.

Begin:

- Construction projects at ORV-Tecumseh, expediting to the extent possible, the installation of all cameras, and Cuyahoga Hills-Luther E. Ball.

Transition and Re-entry

Begin:

- Training appropriate staff on the Brigance Employability and Life skills assessment;
- Using the Brigance and other assessments to develop an accurate and complete picture of the student for transition purposes;
- Having each student compile a portfolio that will be completed at the time the student is released;
- Teaching the ten-week transition classes in each school to each student before exit;
- Creating an individual transition plan at each student's intake;
- Adding three transition specialist to Table of Organization in 2009; and
- Having the transition specialists establish early and ongoing contact with the Juvenile Probation Officers for each student.

Ancillary Computer Support Programs and Access for Staff and Students

Continue:

- Providing Internet access to teachers, as requested; and
- Resolving the security issues so as to permit student access to InfoOhio in each of the school.

Conclusion

The Department, Bureau, facilities and schools have made major strides towards compliance of the S. H. v. Stickrath education Stipulations. This progress has been made in trying economic times, and the facility closings have added additional complications. The Department and Bureau and their employees have much of which to be proud. There remains much work to be done, and the education team members look forward to reviewing the already accomplished progress and to seeing even greater gains in the upcoming year.

Respectfully Submitted,

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