

**OFFICE OF CHIEF ACADEMIC OFFICER**  
**Summary of State Board of Education Agenda Items**  
**Consent Agenda**  
**May 26, 2022**

**OFFICE OF COMPULSORY SCHOOL ATTENDANCE ENFORCEMENT**

- S. Approval to revise Miss. Admin. Code 7-3: 30.6, State Board Policy Chapter 30, Rule 30.6 – Youth Detention Center Educational Provisions  
(Has cleared the Administrative Procedures Act process with public comments)

Background Information: The State Board of Education (SBE) approved on March 17, 2022, to begin the Administrative Procedures Act process to revise Miss. Admin. Code 7-3: 30.6, State Board Policy Chapter 30, Rule 30.6 – Youth Detention Center Educational Provisions in accordance with Miss. Code Ann. § 25-43-3.114. The public comment period was open through April 18, 2022, and two public comments were received.

State Board Policy Rule 30.6 paragraph 19 was revised to clarify how Juvenile Detention Center (JDC) costs will be shared between non-sponsoring districts and the sponsoring or host JDC district. Two (2) public comments were received.

Recommendation: Approval

Back-up material attached

The Office of Compulsory School Attendance Enforcement received the following APA comment(s) regarding revisions to Miss. Admin. Code 7-3: 30.6, State Board Policy Chapter 30, Rule 30.6 – Youth Detention Center Educational Provisions

Summary of Comment	MDE Response
<p><b>Dr. Tyler Hansford, Union Public School District</b></p> <ul style="list-style-type: none"> <li>Each district's share should be based on student enrollment instead of equally divided.</li> </ul> <p><b>Dr. Scott Rimes, Rankin County Public School District</b></p> <ul style="list-style-type: none"> <li>Requested clarification regarding the red-line revisions</li> </ul>	<ul style="list-style-type: none"> <li>MDE will continue to utilize equal share cost formula. MDE has determined this is currently the fairest way to fund the detention centers. MDE will continue to request additional funding from the legislature to help alleviate the costs to districts.</li>   <li>Revised the red-line version to be consistent with the final revision.</li> </ul>

## Danny Rochelle

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**from:** Tyler Hansford <hansfordt@unionyellowjackets.org>  
**Sent:** Wednesday, April 6, 2022 12:30 PM  
**To:** Danny Rochelle  
**Cc:** Kim Benton; jdslawyer1@gmail.com; J. Douglas Smith; Abby Winstead; Randy Rushing; Tyler McCaughn; Jenifer Branning  
**Subject:** APA Public Comments RE Miss. Admin. Code 7-3: State Board Policy Chapter 30, Rule 30.6 - Youth Detention Center Educational Provisions  
**Attachments:** SKM\_C368C022040613280.pdf; Rankin Co. Youth Detention Center (1).xlsx

Please find below public comments re:

*Miss. Admin. Code 7-3: State Board Policy Chapter 30, Rule 30.6 – Youth Detention Center Educational Provisions*

*Attachments are also provided.*

I have been trying to work through this issue since at least October of 2020. I have emailed everyone at MOE that I can think of including Dr. Wright and MDE's general counsel. When I've received a reply, no one has ever disagreed with my stance, and yet, this proposed rule change is being put forth to make an already bad policy even worse.

The current policy calls for the cost to be divided equally among member districts. For an organization like MOE that constantly uses talking points to discuss "equity" and "equitable programs," this is about the least equitable approach I can imagine to take. Equal and equitable are vastly different words with vastly different outcomes in this situation. I find no fault with Rankin County wanting to recoup the funding they have to invest to operate the facility. However, I believe each district's share should be based on student enrollment instead of equally divided. This is to say, larger districts with higher student counts should pay a larger share than smaller districts with smaller student counts. This only makes sense as student counts are directly correlated with funding. I have conveyed this same concern over and over. Clearly, it either falls on deaf ears or no one cares enough to do anything about it. It is difficult for me to understand how a reasonable person would decide this is the best course of action. It may be the path of least resistance, but it is absolutely NOT the equitable and fair way to solve a problem.

This rule change simply removes wording from the policy that I rightly used this year to decide that we would hold off on payment until a more fair and equitable funding mechanism could be devised, which I was promised. The proposed rule change does nothing to improve a bad policy. In fact, it makes it worse.

For your convenience, I am attaching a spreadsheet that illustrates a far more equitable way to fund the center based on enrollment, along with previous communication.

Tyler C. Hansford, Ed.D  
Superintendent  
Union Public School District  
417 S. Decatur St.  
Union, MS 39365  
hansfordt@unionyellowjackets.org

Follow me on Twitter at @tyler\_hansford

**Rankin Co. Youth Detention Center Education Cost Share**

Total FY19 Cost

<b>District</b>	<b>Enrollment</b>	<b>Equal Share Cost</b>	<b>Per Student Cost</b>	<b>\$261,519 .88</b>
Bay St. Louis	1,834	\$10,058.46	\$5,526.30	
Copiah Co.	2,535	\$10,058.46	\$7,638.59	
Covington Co.	2,773	\$10,058.46	\$8,355.74	
Enterprise	927	\$10,058.46	\$2,793.28	
Forest Municipal	1,682	\$10,058.46	\$5,068.28	
Hancock Co.	4,416	\$10,058.46	\$13,306.51	
Hazlehurst	1,496	\$10,058.46	\$4,507.82	
Lauderdale Co.	6,283	\$10,058.46	\$18,932.24	
Lawrence Co.	2,082	\$10,058.46	\$6,273.58	
Leake Co.	2,845	\$10,058.46	\$8,572.69	
Meridian	5,232	\$10,058.46	\$15,765.32	
Neshoba Co.	3,240	\$10,058.46	\$9,762.93	
Newton City	938	\$10,058.46	\$2,826.43	
Newton Co.	1,778	\$10,058.46	\$5,357.56	
Pearl	4,257	\$10,058.46	\$12,827.40	
Pearl River Co.	3,270	\$10,058.46	\$9,853.32	
Philadelphia	1,003	\$10,058.46	\$3,022.29	
Picayune	3,489	\$10,058.46	\$10,513.23	
Poplarville	1,839	\$10,058.46	\$5,541.36	
Quitman City	1,783	\$10,058.46	\$5,372.62	
Rankin Co.	19,206	\$10,058.46	\$57,872.46	
Scott Co.	4,095	\$10,058.46	\$12,339.25	
Simpson Co.	3,607	\$10,058.46	\$10,868.79	
Smith Co.	2,664	\$10,058.46	\$8,027.30	
Stone Co.	2,537	\$10,058.46	\$7,644.61	
Union City	979	\$10,058.46	\$2,949.97	
<b>Total</b>	<b>86,790</b>		<b>\$261,519.88</b>	



# Rankin County School District

TRADITION OF EXCELLENCE

BRANDON FLORENCE | MC LAURIN NORTHWEST | PELHAM/CHIEF | FROGAN | HUNTSVILLE | PEELANE

Post Office Box 1359 | Brandon, MS 39043 | p 601.825.5590 | f 601.825.2618 | www.rcsd.ms

April 5, 2022

Danny Rochelle  
Office of Compulsory School Attendance Enforcement  
Mississippi Department of Education  
359 North West Street; PO Box 771  
Jackson, Mississippi 39205-0771

Re: Proposed Revisions to Miss. Admin Code 7-3, State Board Policy 30.6

Thank you for the opportunity to respond to the proposed changes to State Board Policy 30.6 related to how Juvenile Detention Center (JDC) costs will be shared between non-sponsoring districts and the sponsoring or host JDC district.

Our comment relates specifically to the last sentence of provision 19, as excerpted below. Page numbers referenced are from Tab D. Backup document shared at the March 17, 2022, State Board of Education meeting.

Redline Version (page 4): Any remaining cost related to educational services, including the maintenance of computer labs, will be equally divided among the non-sponsoring school districts, ~~or districts of juveniles placed in a detention facility.~~

Clean copy version (page 7): Any remaining cost related to educational services, including the maintenance of computer labs, will be equally divided among the non-sponsoring school districts.

It appears that the intention of the revision is to continue the redline strike-through to the end of the sentence, which is how the clean copy version is written. As such, we fully support this change in policy. If, however, the intention is to retain the last part of the sentence "of juveniles placed in a detention facility," we respectfully request the Board reconsider the phrase, as such wording would perpetuate the confusion around funding from non-sponsoring school districts.

We appreciate the opportunity to respond to the proposed revision of the policy. If you have any questions, please feel free to contact us for more information.

Yours in education,

**Scott Rimes, Ph.D.**  
Superintendent of Education  
Rankin County School District

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Dr. Scott Rimes  
Superintendent of Education

*Rule 30.6 Youth Detention Center Educational Provisions*

In accordance with Miss. Code Ann. § 43-21-321, educational provisions are required for youth detainees in a juvenile detention center facility at a minimum during the sponsoring school district's academic school year.

1. The Mississippi Department of Education will collaborate with the appropriate state and local agencies, juvenile detention centers and local school districts to ensure that educational services are provided to every student placed in a juvenile detention center (JDC).
2. A certified teacher will provide educational services to detainees.
3. Teacher selection shall be in consultation with the youth court judge.
4. The sponsoring school district will pay the salary of the teacher, based upon actual certification, state (teacher) salary schedule and number of employment days.
5. The sponsoring school district in collaboration with the home school shall comply with the Individuals with Disabilities Education Act (IDEA) and comparable state laws for students with special needs.
6. After forty-eight (48) hours of detention during the calendar year, as determined by the sponsoring school district, the detainee shall receive the following services which may be computer-based:
  - a. Diagnostic assessment of grade-level mastery of reading and math skills;
  - b. Individualized instruction and practice to address any weaknesses identified in the assessment; and
  - c. Character education to improve behavior.
7. The sponsoring school district shall work in collaboration with detention center staff to ensure that educational records have been obtained for any student that will be detained for more than 48 hours during the sponsoring school district's academic school calendar. The sponsoring school district shall adhere to Child Find regulations throughout the calendar year.
8. Student assignments shall be provided to a juvenile detention center by the home school for completion during detainment if need by the Juvenile Detention Center (JDC). Student's records, including grades and attendance, shall be part of the student's transition process and submitted to the receiving school district for review, upon release. Grades received from the JDC's education program shall be incorporated into academic performance grades.
9. The sponsoring school district will provide instruction based on the academic needs of each detainee. When a youth has been receiving special education services in his/her school placement, and is admitted with an existing Individualized Education Program (IEP), it is the responsibility of the educational personnel, at the detention center, to ensure the continued

implementation of the IEP with modifications, if needed, due to the nature of the youth's detention.

10. School districts shall work collaboratively to develop a documented process for the continuation of related services. The school district of residence remains responsible for the student's access to related services while the student is in a juvenile detention center.
11. The sponsoring school districts shall maintain and update the computer labs.
12. Students in the youth detention center shall not be classified as absent by the student's home school and attendance data shall be reported to home district daily.
13. The sponsoring school district provides adequate substitute teaching staff to cover teaching duties of educational staff that are on sick or personal leave. The criteria for a substitute teacher shall be aligned with the district's policy for short and long-term placement.
14. The sponsoring school district shall provide 330 minutes of instruction per school day.
15. The sponsoring school district shall identify students with limited English proficiency and provide appropriate instruction to ensure meaningful access to the curriculum.
16. An Individualized Academic Plan (IAP) shall be written by the sponsoring school district for each student that has been detained for 10 days or more, during the sponsoring school district's academic calendar, and forwarded to the student's home school and shall be used as a transition component. An IAP does not need to be developed if the student has an existing IEP. The JDC educational staff shall follow all state and federal laws for revisions and modifications of an existing IEP to ensure appropriate services.
17. Student detainees who have received a High School Equivalency diploma shall be provided educational services, which may be computer-based on an academic screener. Instruction shall include an integrated career counseling component, and access to career and technical opportunities.
18. The sponsoring school district shall be responsible for providing educational and/or special educational services as required by state and federal law for youth detainees. At a minimum, educational services shall be provided during the sponsoring school districts academic school year and must include a six-week enrichment program. The enrichment program shall focus on mathematics and English language arts instruction, and may include other primary core subject areas, including character education. The sponsoring school district shall ensure compliance with all guidelines set forth by the IDEA. The summer enrichment program shall be at least four (4) hours per day and may be computer-based.
19. The non-sponsoring school districts will share equally in the additional cost of educational services. Once the Legislature has allocated funding for educational services, provided by the state's detention centers, the Mississippi Department of Education will disseminate the funding based on the need's analysis submitted by each of the sponsoring school districts.

Any remaining cost related to educational services, including the maintenance of computer labs, will be equally divided among the non-sponsoring school districts.

20. The Mississippi Department of Education has the authority to develop and promulgate policies and procedures regarding educational programming.
21. The MDE shall monitor each detention center's educational program in accordance with state law. Each sponsoring school districts shall be responsible for conducting a self-assessment of educational programs offered to student detainees. On-site monitoring may be conducted if specified risk factors are identified including, but not limited to:
  - a. Complaints by the Department of Public Safety Facility Monitoring Unit
  - b. Notification of non-compliance by the Office of Special Education
  - c. Sponsoring school district's self-assessment irregularities

Source: Miss. Code Ann. §§ 43-21-321, 37-1-3 (Revised 3/2022)



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3. Teacher selection shall be in consultation with the youth court judge.
4. The sponsoring school district will pay the salary of the teacher, based upon actual certification, state (teacher) salary schedule and number of employment days.
5. The sponsoring school district in collaboration with the home school shall comply with the Individuals with Disabilities Education Act (IDEA) and comparable state laws for students with special needs.
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19. The non-sponsoring school districts ~~that have students detained at a detention center,~~ will share equally in the additional cost of educational services. Once the Legislature has allocated funding for educational services, provided by the state's detention centers, the Mississippi Department of Education will disseminate the funding based on the need's

analysis submitted by each of the sponsoring school districts. Any remaining cost related to educational services, including the maintenance of computer labs, will be equally divided among the non-sponsoring school districts, ~~or district of residence, of juveniles placed in a detention facility.~~ \* Strike-through extended through end of sentence. Clean copy was correct.

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Source: Miss. Code Ann. §§ 43-21-321, **37-1-3** (Revised ~~7/2019~~; **3/2022**)