Recently, the federal Office of Special Education Programs (OSEP) announced that a new focus for federal and state compliance monitoring for the implementation of IDEA will be in the area of services for students placed in juvenile correctional settings. In a “Dear Colleague Letter” from the Department of Education, OSEP Director Melody Musgrove and then Acting Assistant Secretary Michael Yudin described the obligations of federal, state, and local agencies to ensure the protections of the IDEA for students placed in correctional settings, including the requirement to provide a Free and Appropriate Public Education (FAPE) to students with disabilities in “…ensuring successful outcomes…” for all students (Dear Colleague Letter on Correctional Education, December 5, 2014).

The Utah State Office of Education (USOE), Special Education Services section, has asked the center for Technical Assistance for Excellence in Special Education (TAESE), one of the divisions of the Center for Persons with Disabilities at Utah State University, to conduct an independent review of services for students with disabilities who are placed in Youth in Custody (YIC) settings across the state. In cooperation with the state Juvenile Justice Services division (JJS), the intent of this project is to provide information to the USOE regarding the “State of FAPE” for students who are receiving their education in YIC or correctional settings.

The project involves a team consisting of educational program specialists from TAESE and program staff from the special education division of the USOE. The project will include the review and evaluation of local systems across the state that are representative of students placed in correctional facilities, residential placement facilities, as well as adult jail settings. The project should be complete later this spring.