



Disability Rights Texas Juvenile Justice Education Advocacy Program

Student Success Stories from December 2020 Program Report

A partnership that began in January 2016 between Disability Rights Texas (DRTx) and the Harris County Juvenile Probation Department (HCJPD) is changing the life course of probation-involved youth. This unique program offers an opportunity for these young people to receive education advocacy services they desperately need but would likely not otherwise know existed. These are some of their stories.

Behavioral Support Needs/Discipline

- K.A. was a 13-year-old student with disabilities whose mother informed the school in the Fall of 2018 that K.A. had a disability and needed additional support, but the school failed to initiate an evaluation or provide 504 services. K.A. was repeatedly disciplined for behaviors related to his disabilities throughout the 2018 - 19 school year and eventually arrested and sent to DAEP due to terroristic threats made in response to pervasive bullying that had gone unaddressed by the school. The Supervising Attorney filed a TEA complaint on K.A.'s behalf in September 2019. Before TEA's investigation could be completed, Klein ISD agreed to resolve the complaint by transferring K.A. to another school, expediting an evaluation for special education services, and providing compensatory counselling services prior to completion of the evaluation. K.A. thrived at his new campus with no further disciplinary removals and successfully completed deferred adjudication.
- C.T. was a 16-year-old 9th grade student who was being placed at the district's DAEP for 90 days. The Education Specialist successfully advocated for C.T.'s length of placement at the DAEP to be reduced from 90 to 30 days. Based on the Education Specialist's advocacy, both district and campus level administrators agreed that, although C.T.'s offense justified a 90 day placement, they had the discretion to reduce the number of days and he should not have to spend a full semester at the DAEP.
- D.D. was a 17-year-old special education student who had recently been released from a Harris County juvenile facility. As a result of his offense, the school district proposed to place him at their DAEP. The Education Specialist accompanied D.D. and his parent to a Manifestation Determination Review (MDR) meeting and successfully advocated for the district to forego placement at the DAEP and instead

place D.D. in a behavior program at his home campus for 30 days to collect data and help determine how to transition him into general education classes.

- D.V. was a 17-year-old 10th grade special education student who was experiencing excessive disciplinary removals up to 3 to 4 days a week. D.V. was assaulted by an Assistant Principal after “not following orders” given in a crowded school hallway and was being expelled. D.V. is a student with an Intellectual Disability and a Hearing Impairment. He did not have any hearing aids, and therefore could not hear orders being given to remove his hoodie. His last full evaluation was over 6 years old. The Education Specialist successfully advocated for a full investigation at the district level; for D.V. to be transferred to a new campus of parent’s choice with transportation provided; for the school to provide an outside hearing test and hearing aids for D.V.; to have a new FIE conducted and expedited to provide updated evaluative data; for an appropriate program with the academic and behavioral support D.V. needed to make progress; for Individualized Unique Curriculum to address his specific IDD needs; and one full year of compensatory education services for time lost due to excessive and unwarranted school removals. D.V. successfully completed both his probationary term and his academic school year with no further disciplinary removals.
- J.G. was an 11-year-old 6th grade 504 student. Without a correct diagnosis or appropriate support services in place to address his behavioral needs at school, J.G. was placed at the district’s DAEP multiple times for behaviors caused by his disabilities. The Education Specialist successfully advocated for J.G. to be returned to his home campus on two separate occasions and for the district to conduct an expedited evaluation for special education services. J.G. was diagnosed with ADHD and met the criteria for a student with an Emotional Disturbance. J.G. was placed in an appropriate program that provides the academic and behavioral support services he needed to make progress at school. J.G. successfully completed both his probationary term and his academic school year with much success and no further disciplinary removals.

Inadequate Services

- D.B. was a 14-year-old 8th grade special education student who had been placed at the district’s therapeutic behavior program where he had attended school since the 3rd grade! The Education Specialist accompanied D.B.’s adoptive grandmother to an ARD meeting and successfully advocated for him to be returned to his home campus. D.B. received positive behavioral support at his home campus through the Positive Approach to Student Success (PASS) program. D.B. was promoted to high school for the 2020-2021 school year and successfully completed probation.
- S.O. is a 17-year-old special education student who receives services as a student with an Intellectual Disability. His mother was concerned that he was not receiving

the appropriate academic and behavioral supports he needed to be successful in school. The Education Specialist accompanied S.O. and his mother to an ARD meeting and successfully advocated for the committee to implement a Behavior Intervention Plan that would better serve S.O. With improved behavior at school, S.O. was recommend for early termination of probation.

- J.C. was a 12-year-old 7th grade special education student who was placed in a Behavior Support Services (BSS) classroom, a segregated classroom for special education students with mental and behavioral health needs. His mother wanted him to be educated in a less restrictive environment. The Education Specialist noticed that the school was not collecting concrete data to measure J.C.'s progress in the BSS setting. The Education Specialist accompanied the family to an ARD meeting where he successfully advocated for J.C. to transition out of the BSS classroom. A few weeks following the ARD meeting, J.C. was making great progress towards his goals without any real problems.
- J.A. was a 17-year-old 11th grade student who had been attending the district's DAEP since 2018. J.A.'s probation officer was concerned that her IEP was not being implemented at the DAEP and her mother confessed she never felt like she understood what was happening at the ARD meetings. The Education Specialist successfully advocated for improved counseling services from 45 minutes every 9 weeks to 30 minutes every week, as well as compensatory education services for the counseling sessions the district had failed to provide. J.A. successfully completed probation.

Child Find

- T.P. was a 14-year-old 8th grade student who was diagnosed with ADHD, Disruptive Mood Regulation Disorder, and had experienced several psychiatric hospitalizations, yet was not receiving special education services at school. T.P.'s mother had made several attempts to have him evaluated for special education services, but her requests were repeatedly ignored. Once the Education Specialist intervened, the school district immediately initiated the evaluation process. T.P. received an expedited evaluation for special education and services were in place just six weeks from the time the Education Specialist reached out to the district about their failure to serve T.P.

Truancy

- G.D. was a 15-year-old 9th grade special education student who lived with his adult older sister after the death of his mother. Although G.D. was receiving special education services, he was struggling with chronic truancy and excessive disciplinary removals related to his disabilities. The Education Specialist successfully advocated for G.D. to receive an updated evaluation and additional assessment. In addition to

current eligibility, G.D. was found eligible for services under Other Health Impairment for ADHD and a more appropriate Individualized Education Plan (IEP) and Behavior Intervention Plan (BIP), including an Attendance Intervention Plan, was put in place. For the remainder of the 2019-2020 school year, G.D consistently attended school and passed his classes.

Non-Disciplinary Alternative Education Program

- E.S. was a 16-year-old 10th grade student who struggled academically and had a diagnosis of ADHD, but was not receiving disability services at school. The Education Specialist successfully advocate for the school district to provide E.S. with Section 504 services and for her to be accepted into the district's school of choice that provides graduation opportunities for students struggling in the traditional school setting. E.S. made a smooth transition to the school of choice where she did well academically and was then able to terminate probation.

COVID-Related Education Issues

- D.V. was a 15-year-old 9th grade student who had not attended school since April 17, 2020 and was in desperate need of summer school services, but had missed Houston ISD's deadline for enrollment for summer school so the school refused to allow him to enroll. The Education Specialist reached out to district level contacts and successfully persuaded the district to make an exception for D.V. He was enrolled in summer school where he was able to earn 1.5 credits toward his high school diploma.

Bullying

- J.B. was a 12-year-old 6th grade special education student placed in an out-of-district segregated special education program for youth with mental and behavioral health needs. J.B. was often injured at this out-of-district placement by other students at the school. The Lawyer successfully advocated for J.B.'s immediate return to his home campus. The school district conducted updated evaluations and developed a more appropriate IEP to help J.B. make progress in his least restrictive environment.
- T.J. was a 16-year-old 9th grade special education student with a hearing impairment who was being bullied at school. Consequently, he was struggling with truancy and had failing grades. The Education Specialist accompanied the family to an ARD meeting and successfully advocated for improved disability services, including positive behavioral supports through the Positive Approach to Student Success (PASS) Program and accommodations to properly support T.J.'s hearing needs at school. The Education Specialist also obtained agreement for the school to remove T.J. from any classes with the students who were bullying him and for Stay Away Agreements to be put in place.

Academic Credit / Graduation Assistance

- A.R.L. was an 18-year-old 12th grade student who had had been placed at the Juvenile Justice Alternative Education Program (JJAEP) and needed assistance with completing the classes required to graduate. The JJAEP did not offer some of the courses A.R.L. needed to earn his diploma so the Education Specialist met with the principal of the JJAEP and administration at A.R.L.'s home campus and successfully advocated for the two schools to work together to ensure A.R.L. would be given access to the curriculum he needed to complete in order to graduate. A.R.L. worked full time at his family's restaurant so completed most of his classwork late at night, but was able to finish all courses except Spanish. During the course of our advocacy, A.R.L. was granted an Early Termination of Probation (ETP), which should have given him the opportunity to return to his home campus, but instead, the school district advised him that he would have to take the class he needed to earn his last credit next school year. The Education Specialist was not willing to accept this outcome and successfully advocated for A.R.L. to take a credit by exam test. A.R.L. passed and was awarded his high school diploma at the end of the 2019 – 2020 school year!