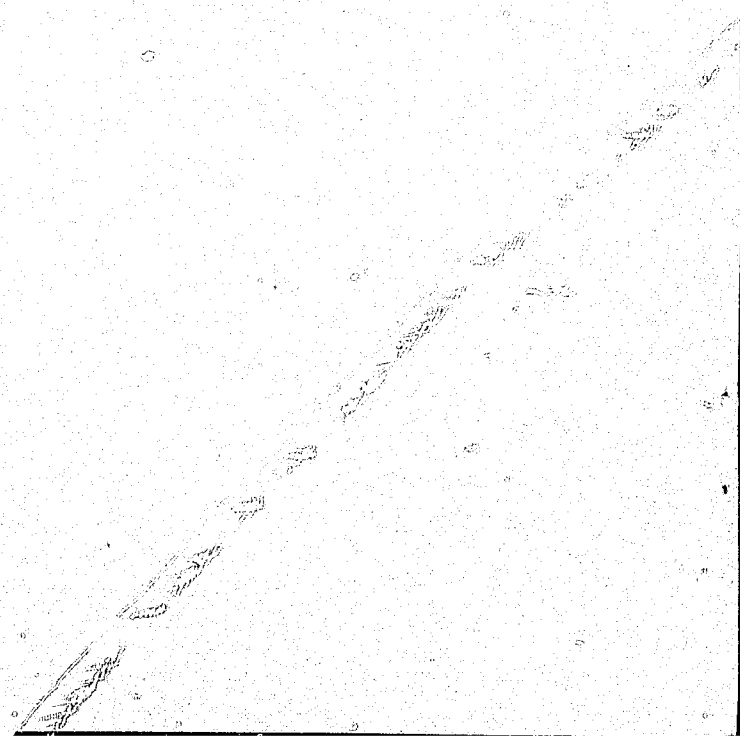


COUNTY JUVENILE DETENTION CENTERS

AN EDUCATIONAL CROSSROAD
FOR YOUNG OFFENDERS



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COUNTY JUVENILE DETENTION CENTERS

AN EDUCATIONAL CROSSROAD
FOR YOUNG OFFENDERS

NCJRS

DEC 13 1978

ACQUISITION

Texas Education Agency
201 East 11th Street
Austin, Texas 78701

COMPLIANCE WITH TITLE VI, CIVIL RIGHTS ACT OF 1964; TITLE IX OF THE EDUCATION AMENDMENTS OF 1972; AND THE MODIFIED COURT ORDER, CIVIL ACTION 5281, FEDERAL DISTRICT COURT, EASTERN DISTRICT OF TEXAS, TYLER DIVISION

Reviews of local education agencies pertaining to compliance with Title VI Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; and with specific requirements of the Modified Court Order, Civil Action No. 5281, Federal District Court, Eastern District of Texas, Tyler Division are conducted periodically by staff representatives of the Texas Education Agency. These reviews cover at least the following policies and practices:

- (1) acceptance policies on student transfers from other school districts;
- (2) operation of school bus routes or runs on a non-segregated basis;
- (3) non-discrimination in extracurricular activities and the use of school facilities;
- (4) non-discriminatory practices in the hiring, assigning, promoting, paying, demoting, reassigning, or dismissing of faculty and staff members who work with children;
- (5) enrollment and assignment of students without discrimination on the basis of race, color, national origin, or sex;
- (6) non-discriminatory practices relating to the use of a student's first language; and
- (7) evidence of published procedures for hearing complaints and grievances.

In addition to conducting reviews, the Texas Education Agency staff representatives check complaints of discrimination made by a citizen or citizens residing in a school district where it is alleged discriminatory practices have occurred or are occurring.

Where a violation of Title VI of the Civil Rights Act and/or Title IX of the Education Amendments of 1972 is found, the findings are reported to the Office for Civil Rights, Department of Health, Education and Welfare.

If there is a direct violation of the Court Order in Civil Action No. 5281 that cannot be cleared through negotiation, the sanctions required by the Court Order are applied.

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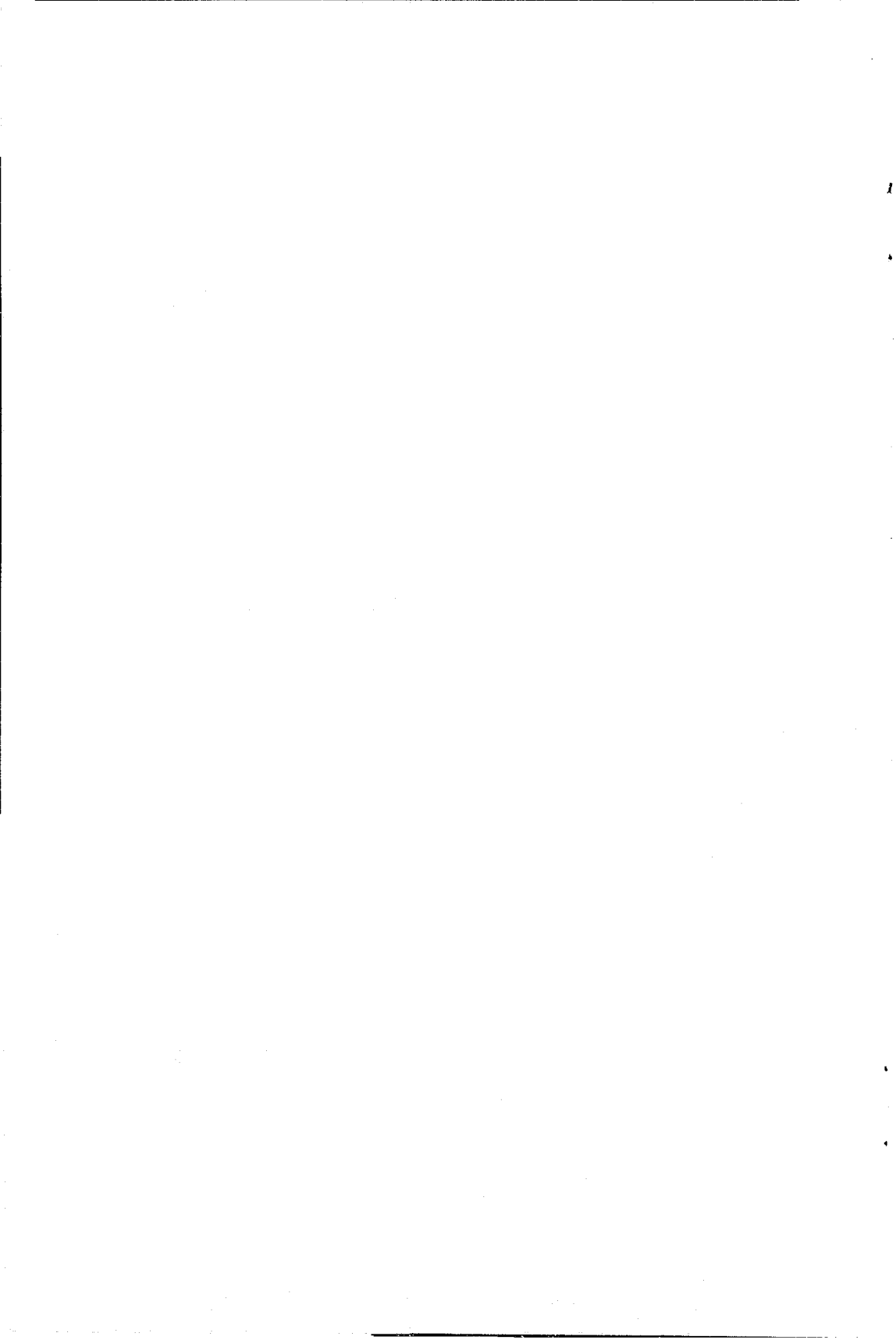
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INTRODUCTION

The Task Force for Developing Educational Guidelines for County Juvenile Detention Centers was appointed by the Texas Commissioner of Education in response to a request from correctional administrators for educational programs in their facilities.

The major goal of the task force was to encourage the development of education programs in juvenile detention centers by:

- Raising local educator's awareness of the need for programs in these facilities
- Suggesting funding sources
- Recommending models for new programs from ideas utilized in Texas and other states

State and national surveys, tours of detention centers, and interviews with personnel in corrections and education, have convinced the task force that development of these programs is feasible. Members were also impressed with the potential for solving mutual problems in both education and corrections.

This bulletin contains ideas for developing education in detention centers geared into the local regular school programs.

"The first prison I ever saw had inscribed on it 'Cease to do evil; learn to do well'; but the prisoners could not read it."

Bernard Shaw
"Imprisonment"

EDUCATION PROGRAMS IN COUNTY JUVENILE DETENTION CENTERS

Every child, regardless of circumstances or anti-social behavior, has a legal right to an education. With a few notable exceptions, juveniles in Texas, placed in county detention centers, have no educational opportunities. Most of those facilities that do have educational programming consider it inadequate or ineffective.

Providing the juvenile offender with a continuity of education is an obligation that rests heavily upon the local school systems of the state.

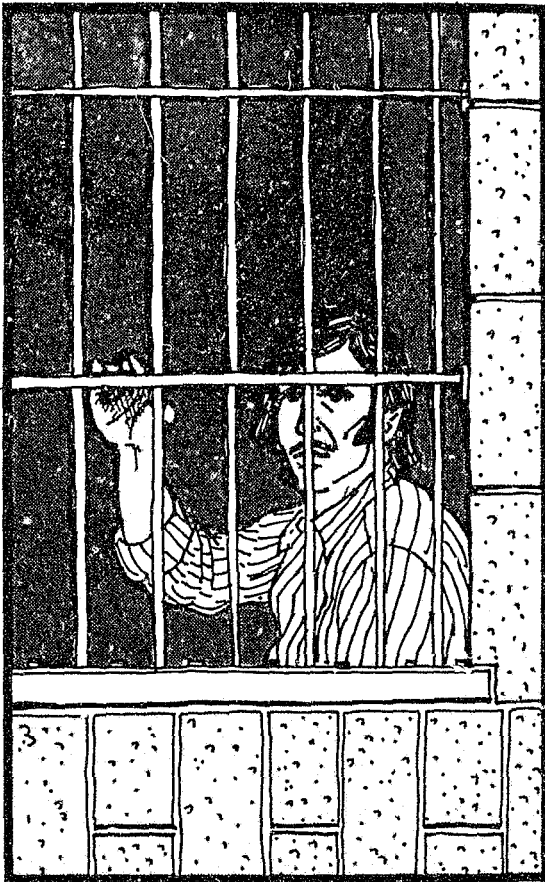
Approximately 500 children will be held in Texas detention centers on any given day. Between 20,000 to 25,000 will be detained annually. This is relatively a small number compared to the statewide total number of school children. But it represents a critical part of the population that needs our help.

Children in detention have arrived at a critical crossroad. A poor choice from the limited alternatives available to them could have an adverse effect on the rest of their lives. Statistics indicate that most serious adult offenders were processed through detention centers several times as juveniles. Education can and should play a vital role by providing more choices that would break this cycle.

"One of the greatest pains of human nature is the pain of a new idea."

Walter Bogehot

"Physics and Politics"



ALTERNATIVE CAMPUS vs. ISOLATION

Historically, juvenile offenders with school related problems have been removed from the classroom. This policy isolates them from the solutions to those problems. Making the detention center as an alternative campus of the regular school system would give an option to suspending students. It would also encourage truants to reenroll and give continuity of educational experience to the small number of delinquents who attend regularly.

For many children in detention, this will be one of the rare times in months – or years – when they will be removed from distracting, disturbing elements in their environment. Overcrowded family conditions resulting in quarrels, delinquent neighborhood peer pressures, and embarrassing classroom conflicts are now removed.

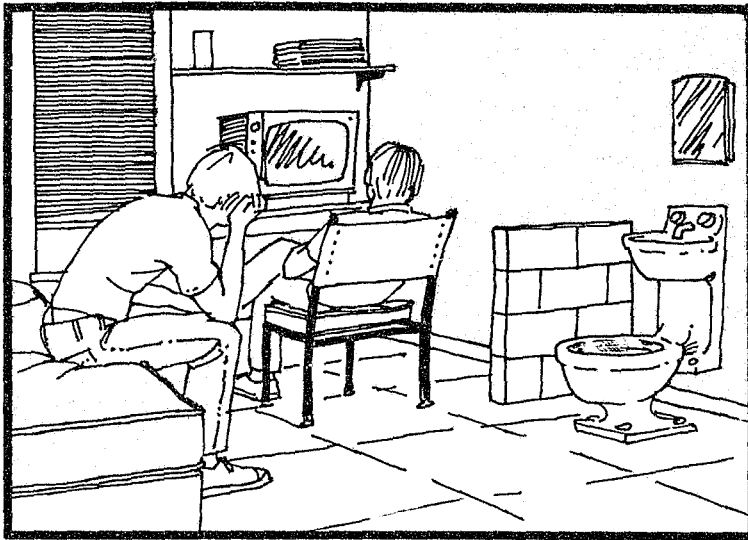
As the authority of the court is imposed, new factors begin to replace undesirable, old elements. The delinquent's world is in a state of transition. For many it will be the first time in their lives positive expectations and limitations have been enforced.

It is an ideal time for school teachers to be available. Diagnosing, counseling and teaching younger delinquents who must eventually return to the classroom will help overcome anxieties — anxieties that may have caused them to drop out or get in trouble in the first place. For older adolescents who will not return to the school district, there should be counseling and assistance on educational opportunities as adults.

"A round man can not be expected to fit a square hole right away. He must have time to modify his shape."

Mark Twain

"More Tramps Abroad"



KEY QUESTIONS CONCERNING SCHOOL ADMINISTRATORS

- I. What constitutes a juvenile detention center? No definition is provided in the most logical place to look, the Texas Family Code. The definition of the Texas Juvenile Detention Association, an affiliate of the Texas Corrections Association, states that "A detention center is a physically restricted facility for temporary care of children of juvenile age (as defined by the Texas Family Code) awaiting court disposition or transfer to another jurisdiction or agency." This may be a modern, single-purpose facility or an ancient jail with many variations in arrangements. Unlike all large counties, few small or medium-sized counties have separate accommodations for delinquent children. Sometimes probation personnel are assigned to supervise children in jails. In most of the smaller jails, the sheriff's deputies are the caretakers.

- II. What are the legal mandates for developing educational programs in these facilities? The child in detention is in legal custody of the Juvenile Probation Department. Being in legal control makes that department responsible for the welfare of the child. Welfare includes education. To date, no authority has spelled out exactly how far juvenile correctional personnel must go to fulfill the compulsory education law for children in detention.

At present, the majority of these facilities is unable to provide educational experiences. Corrections personnel are apprehensive that the rapid development of laws pertaining to rights of public offenders may someday address itself to this gap in educational services.

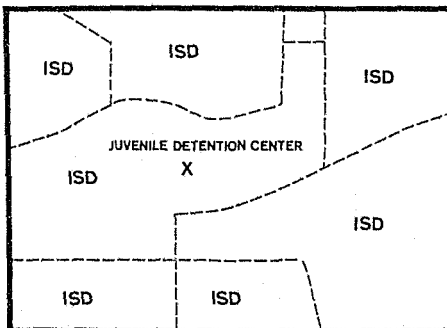
In Texas, no legal mandate directs any agency, State or local, to initiate or conduct education programs specifically in county juvenile detention facilities. One vague reference in Article 5138, Vernon's Revised Civil Statute indicates that care and training of delinquents sent to another county for detention purposes must be paid for by County Commissioners.

Although there is no direct legislative mandate to develop these programs, the new "Principles, Standards, and Procedures for the Accreditation of School Districts," Bulletin AD7 825 01, approved by the State Board of Education, gives the district the opportunity to meet the educational needs of children in detention centers. Principle 5, Standard E, Indicator 3 states, "If assessment data indicate, services are provided for students who are unable to attend regular schools because of (a) custodial assignment to a public agency, (b) extended illness, and/or (c) disciplinary suspension."

Another standard that addresses this area is Principle 8, "Instructional and related programs appropriate to special needs of students are provided." Further, Indicator 2 states, "The district is seeking to ensure that the educational needs of out-of-school youth and adults are provided for."

III. Is there special funding available? There are a number of funding sources which can be used to develop these programs. (The sources will be discussed later in this booklet.) Whether or not they are applied in this area of need usually depends on the interests of educational administrators and priorities of the school district. No funds have been specifically set aside for use in correctional education in county juvenile detention centers.

IV. What about Children from Surrounding School Districts? Mandatory class attendance in the detention center will create a burden on the home district conducting the education program. A judicial district ordinarily encompasses more than one school district. Funding has not been readily available for children committed from surrounding school systems.



Now, House Bill No. 247 makes it possible to establish the detainee as a legal resident of the school district conducting the program. This legislation makes it possible for the Board of Trustees to make detention center residents, regardless of length of detainment, a legal resident of the school district. State funding to the district would be mandatory for each day the child was in the program.

- V. **Can Small Facilities Justify a Program?** Detention centers with small to medium-sized populations will not have enough children detained at any one time to justify a program restricted to detainees.

However, there is one model that includes several categories of problem children. It has proven functional and has produced enough students to warrant a program. It combines both detainees and juvenile probationers living at home. If a probationer is headed for trouble that will soon place him or her in detention, the specially designed program could serve as a diversionary resource. If it is impractical for a delinquent to return to the regular classroom on release from the detention center, he or she can remain in the special program until reintegration is feasible. Hopefully, a reduced stress factor in a good program will help the young struggling offender at any stage of the game remain in school.

ADVICE FROM COMMON EXPERIENCES

Experiences in Texas and other states prompt the Task Force for Developing Guidelines for Educational Programs in County Juvenile Detention Centers to make the following suggestions that should be considered in the planning stages of a new program.

Development of a program design should involve all partners in the venture, educators who will implement the program, corrections personnel who operate the parent program, and where the facility is a jail, the sheriff's representative. Sharing this responsibility will promote needed commitment so vital when difficulties arise during implementation stages.

The nature of the detention centers and the problems characteristic of juvenile offenders would seem to dictate a need for drastic restrictions and limitations on educational programming. This is true to some extent. However, those that have had experience indicate that most of these difficulties can be surmounted. (See Appendix A for Model Programs in Texas, page 16).

Programs are limited only by the lack of imagination and willingness to experiment by administrators, teachers, and detention staff. Although a well-planned design is necessary, a lot of sensitivity to the needs of children must be maintained in the beginning along with timely flexibility later.

Few school related problems of detained juvenile offenders can be completely resolved before the offenders are released to the community. Friction with classmates or teachers, humiliation over failures to learn, or embarrassment over inability to dress as well as other children do not lend themselves to quick solutions. But a course of action can be initiated through competent diagnosis and skillful observation. Diagnosis can be made in several ways. Selection of a uniquely qualified staff is a critical factor. (See Appendix C, Characteristics of an Effective Corrections Teacher, page 18).

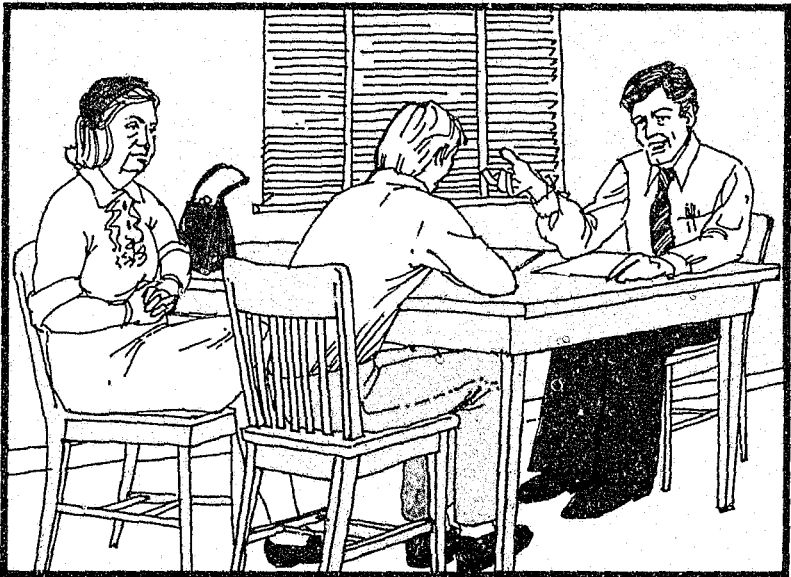
Education is part of the larger rehabilitation program. Educators will be in an unfamiliar position in the detention center. Education is not the primary purpose of a detention facility and teachers should be given prior preparation for this factor. It is only one part of a larger program conducted by the Juvenile Probation Department. Teachers and administrators should be prepared to exercise some flexibility as they impose a quality program into a secured environment. There will have to be compromises with unfamiliar rules and regulations, some of which are flexible, some of which are not. Past experience indicates that satisfactory compromises can be reached by interested parties.

SELECTING A PROGRAM MODEL

The state and national surveys revealed a surprisingly broad variety of programs in county detention facilities. The following are brief composites of those models taken from experiences in Texas and other states. They are presented here to stimulate the imagination of agencies interested in starting a program.

- A. Most programs in detention facilities are diagnostic in nature. In addition to educational achievement, intelligence and psychological testing, investigations are made into the cause of tension and friction with faculty, peers, and home-related situations. An experienced teacher can use the information to start an individualized plan to alleviate pressures. On release from detention, someone is made available as the child's advocate back in the regular classroom. A close follow-up is maintained until a reasonable adjustment is made to the school system.
- B. Learning laboratories are being used to teach the practical aspects of day-to-day living. For example:

1. A model grocery store containing empty boxes, packages, and sacks of name-brand products used to teach cost figuring, budgeting, price comparison and nutrition.
 2. Practical exercises to demonstrate the cause and effect of human behavior and to teach appropriate responses.
 3. Teaching socially acceptable ways for recreation and free time without resorting to anti-social behavior.
- C. Organized activities, both in and out of the facility, are utilized to give juvenile offenders exposure to responsible adults and elements of the community to which they might not ordinarily have access, i.e., nutritionist, health department, venereal disease programs, police public relations, planned parenthood, representatives of business trades.
- D. Teachers are offering concentrated individualized instruction in reading, math and English.
- E. A few programs are using the more traditional classroom teaching with a certified teacher aided by volunteers from minority groups, civic clubs, and retired teachers.
- F. Students are being kept current with lesson assignments from regular school through volunteer tutors, some under the supervision of a teacher.



- G. One of the most practical programs makes career and vocational information available through an orientation to the world of work. It makes the wide variety of jobs available in modern society known to juveniles along with a review of qualifying educational requirements, job hunting and application skills. It also teaches responsible behavior on the job.
- H. For older adolescents not returning to the regular school system, counseling is made available concerning their educational deficits and training needs for the future. This counseling includes orientation, field trips, and possible enrollment in adult education program. (See Appendix B, Adult Education Programs, page 18, and Section I of Potential Funding Sources.)
- I. Short term skill training for easily learned jobs has given older adolescents with low I.Q. a start in the job market, i.e., stocker in grocery store, cashier, janitorial services, waiter or waitress, fast food outlets.

PARENTAL INVOLVEMENT

Several programs have involved parents in this education effort, sometimes through direct intervention of the juvenile judge. The focus is usually on breaking down barriers developing in communication, and building relationships between parents and children.

POTENTIAL FUNDING SOURCES

Although no funds have been set aside specifically for use in these facilities, there are several categories of funding that are applicable.

A. Foundation School Program

Establishing the detention facility as an alternative campus should bring in revenues that ordinarily would be lost to the school district. Most juvenile offenders are chronic truants. Constructive intervention and use of authority by the juvenile court combined with special efforts of the education system usually improve participation and attendance.

However, mandatory class attendance in the detention facility has created a burden on the home district conducting the education program. A judicial district ordinarily encompasses more than one school district. Funding has not been readily available for children committed from surrounding school systems.

Now there is a way to establish the detainee as a legal resident of the school district conducting the program and to receive state funds for all the children. House Bill 247 enacted by the 65th Legislature states, "In order for a person under the age of 18 years to establish a residence for the purpose of attending the public free schools separate and apart from his parent, guardian, or other person having lawful control of him under an order of a court, it must be established that his presence in the school district is not for the primary purpose of attending the public free schools. The board of trustees shall be responsible for determining whether an applicant for admission is a resident of the school district for purposes of attending the public schools."

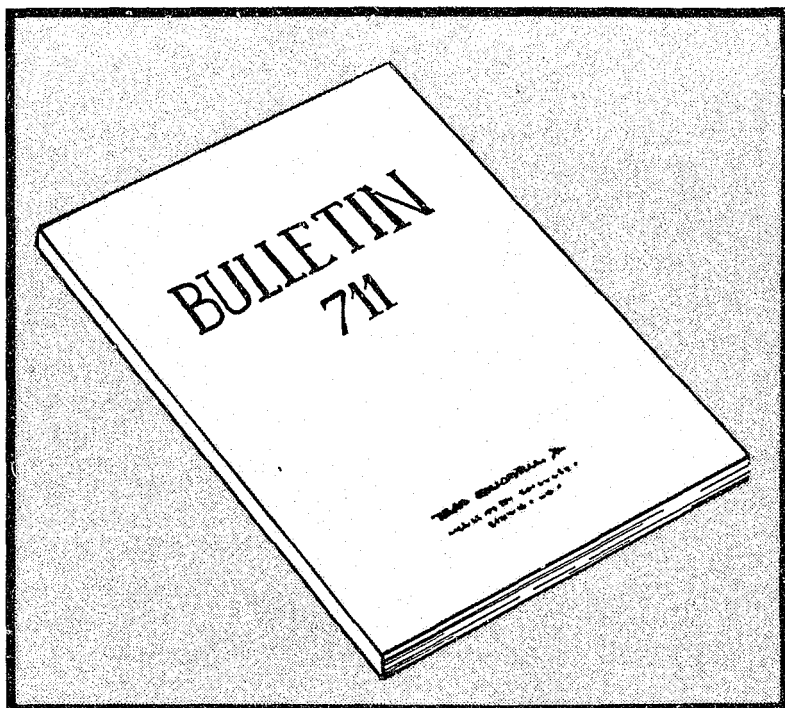
This legislation makes it possible for local board of trustees to make detention center residents, regardless of length of detention, a legal resident of the school district. Funding to that school district would be mandatory for each day the child was in the program.

What happens if a child is released from detention on probation to return to his or her parents home in another school district but returns daily to the facility for a special program? The school district conducting the program can receive the state funding on request for transfer from the parents to the receiving district.

Because of the temporary nature of placement in the educational program by the juvenile court, the Texas Education Agency will consider approval of these transfer requests any time during the current school year. This program is not available in the home school district and requires some flexibility to meet the needs of these children.

B. Special Education

Special Education programs and services designed to meet the educational needs of eligible handicapped students in residence in juvenile detention centers may be provided through the local independent school district. Operational aspects of the educational program must comply with policies and guidelines contained in the "*Administrative Guide and Handbook for Special Education*," Bulletin 711, Texas Education Agency.



Student eligibility for services and a description of the program to be provided is determined through deliberations and actions of the local school district admission, review, and dismissal committee. The instructional program for each handicapped student eligible for special education services is described in an individual educational plan. This plan includes all of the essential components included in Bulletin 711. The educational plan is to be reviewed every three months to determine its continued appropriateness or the need for change or modification. A certified special education teacher implements the plan.

Prerequisite to the provision of appropriate educational services for students in residence in a detention center is the need to establish mutual guidelines between local districts, detention centers and any other agency or organization that has impact upon the student's educational program.

The following issues should be addressed in guidelines governing the operation of the educational program.

- A description of the administrative structure of the center depicting lines of authority and responsibility.

- Designation and description of the specific role and function, as well as shared roles, of local district, detention center, and any other agency staff personnel.
- Designation of at least one professional staff member from the local school district to serve as liaison between the district and the detention center.
- Procedures for admitting students to and dismissing them from the educational program.
- Procedures for accessing the necessary educational records on all students transferred to the center from outlying school districts.
- Time lines and a staffing pattern for conducting case reviews, evaluations and program planning.

(Since minority and low income groups comprise a majority of students held in detention centers, it is suggested that a member of the district administrative staff representing those populations act as liaison to the detention center. It is also suggested that a member of the administrative staff for student services be appointed in the same capacity.)

C. Title I Elementary and Secondary Education Act

These funds can be used to enrich an existing education program containing educationally deprived children from low-income areas. Historically, this will include the biggest majority of children in detention centers. If the socio-economic condition can be established for children in residence 30 days or more, the center program would qualify for this funding.

D. Title IV, Parts B and C

Part B funds three major areas all of which are applicable to juvenile detention centers; acquisition of instructional equipment for academic subjects; acquisition of library resources and textbooks; and testing, guidance, and counseling.

Part C funds can be used to encourage programs on a project basis in five major areas. Two of these are appropriate to detention centers:

(1) innovative projects to stimulate educational services not available in sufficient quantity or quality and (2) support of demonstration projects that show promise of reducing dropouts.



E. Youth Employment Act

The Comprehensive Employment and Training Act (CETA) provides funding through the Youth Employment Act for education, training, and work experience for qualified youth. The focus is on youth from low income families with 10 percent participation allowed from other socio-economic strata.

A major provision of Subpart III of the Act requires that 22 percent of the funds be used for in-school youth. To receive funds, CETA prime sponsors must have negotiated agreements with school districts to grant credit for those experiences acquired through the program.

For further information concerning participation of education programs in detention centers under the Youth Employment Act, contact your local CETA prime sponsor. These funds are not available through the Texas Education Agency.

F. Private Foundations

Texas has more than 1,000 private foundations. A vast majority of these have as an objective the funding of some special interest in education. These foundations may be persuaded to fund some particular aspect of a detention center program that falls within their stated purpose.

G. U.S. Department of Agriculture

Detention homes for children are eligible to apply to the U.S. Department of Agriculture for cash assistance and donated foods. Breakfasts and lunches must meet meal requirements and be served to eligible children.

Records and accounts will need to be maintained showing the cost and numbers of meals served to eligible children. These reports and accounts would be prepared using an accounting system reflecting costs of the eligible meals separate from other foods served (such as meals served to adults, suppers, etc.)

A limited amount of funds is available to assist in the purchasing of food service equipment for those homes participating in the National School Lunch or School Breakfast Programs.

Those homes desiring additional information about the program may write or call:

Mr. Ralph L. Metcalf
Child Nutrition Programs
U.S. Department of Agriculture
Food and Nutrition Service
1100 Commerce Street, Room 5-C-30
Dallas, Texas 75242

Tele. (214) 749-3551

APPENDIX A

Model Programs in Texas

This is an index of correctional programs with effective educational components. Those communities considering programs for their detention centers should benefit from the experience of others. The projects described below have agreed to act in an advisory capacity by answering questions or conducting on-site visits to their programs.

A. Ector (Odessa) County Youth Village

Five teachers use a program designed for juvenile offenders and conduct classes in two mobile trailers located outside the detention security area. Classes are attended by 12 to 15 delinquents from the detention center and 35 to 40 problem children living at home. Education is only one part of the total community involvement in working with troubled youth.

A Vocational facility has been added to provide Coordinated Vocational and Academic Education in the area of Office Duplication, Small Engine Repair, General Building Trades. Approximately 135 students from the secondary schools and youth center programs receive instruction daily.

Mr. Morris Petty, Chief
Juvenile Probation Officer
1401 Yukon
Odessa, Texas 79762
(915) 332-0931

Mr. Keith Dial, Director
Special Education
Ector County ISD
P.O. Box 3912
Odessa, Texas 79760
(915) 332-9151

B. Galveston County

One teacher conducts two classes daily, morning and afternoon, for a maximum of 10 students in each class. The morning class lives at home and reports to the probation offices for school. The afternoon class is for children in detention.

Dr. Donna Livingston
Assistant Superintendent
Galveston Independent School
District
P.O. Box 660
Galveston, Texas 77550
(713) 765-9366

Mr. Jerry Esmond, Chief
Juvenile Probation Officer
County Courthouse, Rm. 505
Galveston, Texas 77550
(713) 762-8621

C. Harris (Houston) County

Both detention centers in this county have education programs. The downtown facility is for short-term temporary cases. The Youth Village is a long-term facility used as an alternative to commitment to the State Training School.

Downtown

Mr. Jim Martins, Supervisor
Juvenile Detention Center
3540 West Dallas
Houston, Texas 77019
(713) 221-7805

Youth Village

John Peters
210 J. W. Mills Drive
Seabrook, Texas 77586
(713) 228-8311

Ms. Patricia Shell

Houston Independent School District
Deputy Superintendent for Special
Programs and Support Services
3830 Richmond Avenue
Houston, Texas 77027
(713) 623-5131 or 623-5132

- D. Nueces County Juvenile Probation Department in cooperation with the Corpus Christi Independent School District developed an education program for mentally retarded juvenile offenders. Funding was provided by the Criminal Justice Division, Governor's Office. Originally, the project included teachers and a counselor. The counselor worked with students and their families and served as liaison to the regular school system.

When Criminal Justice funding stopped the school district continued to provide one teacher in the detention center.

Mr. Steve Rodriguez, Supervisor
Juvenile Detention Center
2310 Gallihar Road
Corpus Christi, Texas 78415
(512) 855-7303

Mr. Manuel Norvieg
Corpus Christi Independent
School District
P.O. Box 110
Corpus Christi, Texas 78403
(512) 888-7911

APPENDIX B

Adult Education Programs

For further information on the following programs, contact the Adult Education Coordinator for your local Independent School District or community college.

Adult Education provides educational opportunities to those persons 16 years of age or older with less than a twelfth-grade education. They include basic reading, writing, speaking, and mathematic skills; competitive and successful results in the General Education Development test, completion of high school credit programs, and educational prerequisites to vocational training.

The Adult Performance Level (APL) Competency-Based High School Diploma Program offers a regular high school diploma through nine pilot local school districts. This program is available to adults 17 years of age and older who, through previously accumulated experiences gained through the APL curriculum, are able to demonstrate three things: (1) functional literacy, by performing adequately on the APL tests of functional competency, (2) ability to operate as a member of society, by performing a series of life skills, (3) proven ability in an occupational area or proven ability to proceed to higher education or proven ability in a specialized skill area not covered by either of the above occupational or academic categories.

APPENDIX C

Characteristics of an Effective Correctional Teacher¹

The following characteristics of an effective teacher were ranked by experienced teachers in a training school. The survey is summarized below with 1 being the most important and 20 the least important.

1. Understand the good qualities as well as the faults of students.
2. Be honest with students.
3. Understand the needs of the student.
4. Treat every student with respect.

5. Establish a positive relationship with students.
6. Stimulate the student in a learning environment.
7. Be a careful listener.
8. Help students achieve their goals and potentials.
9. Teach self discipline in the student.
10. Establish ground rules for appropriate behaviors.
11. Not reacting to students as failures.
12. Teach for the development of self confidence and a good self concept.
13. Utilize resource personnel.
14. Develop teacher-student enthusiasm in the classroom.
15. Have the ability to relate to the student's background.
16. Always strive for alternative methods of teaching other than programmed instruction.
17. Spend extra time talking to students about their problems.
18. Develop maturity in the student.
19. Challenge the student with a variety of materials.
20. Be receptive to new ideas.

¹Article "A Model for In-service Training of Correctional Teachers" by Dennis Anderson and Tommy Sullivan, *The Journal of Correctional Education*, Vol. XXIX, No. 1.