



## 2005 ASSEMBLY BILL 541

July 7, 2005 - Introduced by Representatives UNDERHEIM, FRISKE, VOS, LOTHIAN and NASS, cosponsored by Senator ROESSLER. Referred to Committee on Education.

1     **AN ACT to create** 121.78 (5) of the statutes; **relating to:** payment for educational  
2           services provided to a pupil who is placed in a secure detention facility, jail, or  
3           county house of correction.

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### *Analysis by the Legislative Reference Bureau*

Under current law, a juvenile who has been taken into custody and who meets certain criteria may be held in custody prior to disposition in a secure detention facility or juvenile portion of a county jail. A juvenile may also be placed in a secure detention facility or juvenile portion of a county jail under a dispositional order, as a sanction for violating a dispositional order, for short-term detention while an alleged violation of a dispositional order or condition of aftercare is being investigated, or for short-term detention as a consequence of such a violation. In addition, a juvenile 15 years of age or over who is subject to the jurisdiction of the court of criminal jurisdiction may be held in an adult jail in the same manner as an adult.

Current Department of Corrections (DOC) rules require the superintendent of a secure detention facility or juvenile portion of a county jail to ensure that a juvenile held in the secure detention facility or juvenile portion of a county jail has access to educational services, as provided by the school district in which the secure detention facility or juvenile portion of a county jail is located. Current DOC rules also require the sheriff of each county to develop a written policies and procedures manual for the operation of each jail or county house of correction that includes policies and procedures for providing educational programming for prisoners under 18 years of age.

