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Clinic



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February 24, 2026

*Via email (state ec complaints@dpi.nc.gov)*

Sarah Self-Maddox  
Section Chief: IDEA Dispute Resolution  
North Carolina Department of Public Instruction Office of Exceptional Children  
6356 Mail Service Center  
Raleigh, NC 27699-6356

Dear Ms. Self-Maddox:

On December 12, 2025, the Duke Children's Law Clinic (Clinic) and the ACLU of North Carolina (ACLU) filed a systemic state complaint with your office concerning students with disabilities confined in the Durham County Youth Home (Youth Home) against Durham Public Schools (DPS).<sup>1</sup> On January 5, 2026, the Clinic and ACLU were notified that your office was declining to investigate our systemic state complaint because "the complaint includes insufficient facts to support the alleged violation."<sup>2</sup> In follow-up oral communications, staff members from the Department of Public Instruction's (DPI) Office of Exceptional Children also indicated that it was not clear that DPS was the responsible party for providing special education services to children detained in the Durham Youth Home. **We write today to re-file our systemic state complaint against Durham Public Schools with additional evidence included to ensure that DPI can move forward with an investigation.**

Since our initial filing, additional evidence has come to light supporting our complaint that DPS has policies, practices, and procedures relating to the provision of special education services to students with disabilities detained in the Youth Home, which violate the Individuals with Disabilities Education Act (IDEA) and the North Carolina Policies Governing Services for Children with Disabilities (NC Policies). Specifically, we are concerned about the practices that led to the near-total suspension of educational services, including special education services, during a facility-wide lockdown of the Youth Home beginning February 2025, and the continued

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<sup>1</sup> Attachment 1: State Complaint filed 12.12.2025

<sup>2</sup> Attachment 2: Letter from DPI dated 1.5.2026

provision of minimal, isolated instruction to Youth Home students with disabilities thereafter.

In support of our systemic complaint, we are providing the following evidence:

- The original complaint, filed on December 12, 2025, along with all supporting attachments submitted at that time.<sup>3</sup>
- A report released on February 19, 2026, by Disability Rights North Carolina (DRNC) that contains facts supporting the allegations in our original complaint.<sup>4</sup> The facts cited in DRNC’s report are based on site visits by DRNC staff and firsthand interviews with youth detained in the Youth Home during and after the lockdown period. Evidence from the report includes:
  - A description of a stark change in the Youth Home from DRNC’s first site visit in September 2024 to February 2025. During the second site visit in the last week of February 2025<sup>5</sup>, the report notes:
    - “However, following concerning information about a ‘lockdown’ of the facility, including restrictions on or modifications to young people’s access to legal counsel, families, recreation, and time out of cell, DRNC monitored at the DCYH again in February 2025. During this monitoring visit, DRNC confirmed that youth at the DCYH were being confined to their cells for 22.5-24 hours every day. Young people had largely stopped attending school, and when they did attend, they were so one-on-one or in small groups and for no more than 30 minutes at a time.”
  - Later in the report, a table shows the approximate instructional hours provided in the Youth Home. During the 2024 site visit, the minimum was 5 hours a day and the maximum was 6 hours a day. During the 2025 site visit, the minimum was 0 hours a day and the maximum was 1 hour per day. The report notes:
    - “Of the county-operated facilities, Durham County Youth Home (DCYH), is notable for its decrease in educational services offered. During DRNC’s September 2024 monitoring visit, students at DCYH received 5-6 hours of instruction per class day. Class instruction was observed to be robust and engaging. However, when DRNC returned twice in 2025, students reported receiving a maximum of 30-60 minutes of instruction per class day. In a January 2026 letter, DCYH stated that “[e]ducational services are provided by, and are the responsibility of, Durham Public Schools.”
  - The report speaks to the frequent cancellation of classes at the Youth Home:
    - “Even when youth were attending school on a regular schedule, classes were frequently cancelled at some facilities. For example, many youth at Cabarrus JDC reported going to school for just 1.5 hours, two to four days a week, with classes regularly cancelled due to staffing shortages. Classes were sometimes or regularly cancelled at other facilities as well, such as

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<sup>3</sup> Attachment 1

<sup>4</sup> Attachment 3: Report, *Behind Locked Doors – Inside North Carolina’s Juvenile Detention Centers*, Disability Rights North Carolina (February 19, 2026)

<sup>5</sup> Email correspondence from DRNC attorney Cari Carson indicates that the February 2025 site visit took place during the last week of February 2025. Email can be provided upon request.

Dillon JDC, New Hanover JDC, Perquimans JDC, and Durham County Youth Home.”

- The report speaks to the failure to provide summer instruction in the Youth Home:
  - “Even though DJJDP policy requires summer instruction in addition to fall and spring instruction, many youth reported having minimal access to summer school in the JDCs. The education that did occur during the summer was mostly credit recovery – the opportunity to earn credits for classes not previously passed – for youth who qualified – or limited enrichment opportunities. During summer monitoring visits to Pitt JDC, Durham County Youth Home, Cabarrus JDC, and Guilford County JDC, some youth reported no regular class schedule or consistent school programming to help them continue their education outside of the traditional school year.”
- While the report indicates that special education services were being provided in the Youth Home in September 2024, it does not confirm that this was still happening when DRNC visited in February or July 2025. There is no information in the report that indicates that students with disabilities in the Youth Home were exempted from the unilateral reduction in educational services and restrictive and isolated provision of those services.
- Email from Theresa McGowan dated April 7, 2025<sup>6</sup>
  - This email discusses educational services and states that at the time of the email, four students in the Youth Home had IEPs (but the number can change daily). This email is sufficient evidence to support that some residents housed in the facility during the period in question included students with disabilities.<sup>7</sup>

The evidence provided in our initial complaint, along with this additional evidence, cures the insufficiencies that DPI identified in its January 5 letter. Specifically:

- The allegations in our systemic state complaint are now backed by specific evidence gathered during first-hand site visits and interviews during the relevant period and from a credible source. DRNC is [North Carolina’s Protection and Advocacy \(P&A\) organization](#), charged with advocating for people with disabilities. By federal law, DRNC is empowered to monitor any setting where people with disabilities live or receive services to ensure their rights are protected and, where necessary, investigate and take action to end and prevent abuse or neglect of disabled people.
- The April 2025 email exchange between DPS staff and Youth Home staff supports that there are a variable number of students with IEPs in the Youth Home, including 4 during the relevant period.

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<sup>6</sup> Attachment 4 – April 7, 2025, email exchange (received January 2026 pursuant to public records request)

<sup>7</sup> Notably, this email also states that DPS had agreed to provide students with 6.5 hours of educational services on a daily basis. However, this assertion is directly at odds with the information reported by DRNC based on its site visits and interview in February and July 2025.

- The collective evidence supports our allegations that the Youth Home’s lockdown procedures led to restrictive, one-size-fits-all educational programming that prevented students with disabilities in the Youth Home from receiving a FAPE and the procedural safeguards envisioned by the IDEA and NC Policies. While all Youth Home students experienced the lockdown, students with disabilities have a right to additional protections that not all students have. For a regular education student, a failure to provide services or positive behavior interventions and supports, a unilateral change in educational programming, and an isolated learning environment is harmful, but not necessarily illegal. For a student with a disability, such practices are violations of state and federal law.
- The DRNC report and April email exchange confirm that DPS is responsible for providing educational services, including special education services, to students detained in the Youth Home.

We appreciate DPI’s willingness to review this systemic complaint in light of the additional evidence included here. There is now more than sufficient evidence for your office to conduct a systemic investigation into the allegations outlined in our December 12 complaint and issues findings.

Regarding resolution, we understand that DPS does not control the Youth Home’s lockdown procedures. However, as the responsible LEA, it is incumbent upon DPS to have procedures in place that ensure that students with disabilities detained in the Youth Home continue to receive a FAPE, as well as procedural safeguards, even during periods where access to students is limited. We are concerned that without sufficient oversight, additional training, and new policies in place, the practice of unilateral “lockdowns” could continue, resulting in repeated denials of FAPE and procedural violations for students with disabilities detained in the Youth Home. Therefore, we continue to request all of the remedies outlined in our December 12 complaint.

Please don’t hesitate to reach out with any questions.

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# ATTACHMENT 1

## Special Education Formal State Complaint Form Request for a Special Education State Complaint Investigation

This form is designed to provide the NC DPI Office of Exceptional Children (OEC) with the required information in order to accurately process your complaint. Information with an asterisk (\*) is required; however, use of this form is optional.

### SECTION ONE: Complainant (the person filing the complaint), Student, and Public Agency (public school system, charter school, or state operated program) Information\*

#### Complainant 1 Information\*

Name	Duke Children's Law Clinic	Relationship to Student	<i>The North Carolina Policies § 1501-10.1(a)(1) and the Department of Public Instruction's State Complaint Processing Manual state that DPI must investigate and resolve complaints alleging systemic violations.</i>	
Address	Box 90360, Durham, NC 27708-0360			
Email	peggy.d.nicholson@duke.edu	Phone Number	919-613-8512	
Check box if you agree to receive correspondence related to this complaint from NC DPI via confidential email (optional).				<input checked="" type="checkbox"/>
If you are a third party complainant, check the box if a signed consent form from the parent and/or student is attached. A signed consent form is needed to exchange information, including the final report, with the third party complainant.				<input type="checkbox"/>

#### Complainant 2 Information\*

Name	ACLU of North Carolina	Relationship to Student	<i>The North Carolina Policies § 1501-10.1(a)(1) and the Department of Public Instruction's State Complaint Processing Manual state that DPI must investigate and resolve complaints alleging systemic violations.</i>	
Address	P.O. Box 28004, Raleigh, NC 27611			
Email	mdelgado@acluofnc.org	Phone Number	919-256-5891	
Check box if you agree to receive correspondence related to this complaint from NC DPI via confidential email (optional).				<input checked="" type="checkbox"/>
If you are a third party complainant, check the box if a signed consent form from the parent and/or student is attached. A signed consent form is needed to exchange information, including the final report, with the third party complainant.				<input type="checkbox"/>

#### Public Agency: The alleged violation(s) are against – \*

Name of Public Agency	Durham Public Schools	
Name of School (location of alleged violation)	Durham County Youth Home/Lakeview Alternative School	
Name of School the student is attending, if different from above		
Check box if the student is not currently enrolled in the named Public Agency (optional)		<input type="checkbox"/>

### SECTION TWO: Statement of Alleged Violation(s) and Supporting Facts\*

You do not need to know the specific statute or policy that may have been violated; however, you must explain what you believe the school has done or has failed to do that is in violation of IDEA and NC Policies. For example, "The teachers are not following my child's IEP." If there is more than one alleged violation, use the additional page(s) to indicate the other alleged violation(s) and supporting facts.

## Special Education Formal State Complaint Form

### Request for a Special Education State Complaint Investigation

Alleged Violation #1 *	By failing to implement Individualized Education Programs (IEPs) during and after Durham County Youth Home’s lockdown from February 2025 to March 2025, Durham Public Schools (DPS) denied students with disabilities detained in the Youth Home of a Free Appropriate Public Education (FAPE) pursuant to the Individuals with Disabilities Education Act (IDEA) and the North Carolina Policies Governing Services for Children with Disabilities (NC Policies).
Date or Time Period of Alleged Violation	February 2025 to present
Supporting Facts* (see page 2)	
<b>Supporting Facts: Provide details about the alleged violation.</b>	
<i>See attached complaint.</i>	

Check the box if there are additional alleged violations attached ( <i>optional</i> ).	<input checked="" type="checkbox"/>
Check the box if additional documentation is attached ( <i>optional</i> ).	<input checked="" type="checkbox"/>

#### SECTION THREE: Proposed Solution\* (*if known*)

What is your proposed solution to the alleged violations?

<ol style="list-style-type: none"> <li>1. Conduct a comprehensive audit of all students detained at the Durham County Youth Home since February 2025 to determine whether:               <ol style="list-style-type: none"> <li>1a. Students with disabilities were appropriately identified and evaluated;</li> <li>1b. IEPs were implemented appropriately and without delay;</li> <li>1c. Required special education and related services were provided; and</li> <li>1d. Procedural safeguards including parent participation and prior written notice were afforded.</li> </ol> </li> <li>2. Order compensatory education and related services for any students found to have been denied a FAPE during or following the lockdown period per the audit.</li> <li>3. Require Durham Public Schools (DPS) to develop and disseminate written policies describing how it will ensure the provision of FAPE and compliance with Least Restrictive Environment obligations for students detained at the Youth Home, including clear procedures for:               <ol style="list-style-type: none"> <li>3a. Implementing and reviewing IEPs immediately upon a student’s detention;</li> <li>3b. Continuing educational services during any future facility lockdowns; and</li> <li>3c. Coordinating with Youth Home administrators to ensure access to group instruction, recreation and related services.</li> </ol> </li> <li>4. Provide targeted training for DPS staff, including special education coordinators and Youth Home instructional personnel, on IDEA obligations in juvenile detention facilities, including Child Find, IEP Program implementation, and behavioral supports.</li> <li>5. Require DPS to submit quarterly compliance reports to the Department of Public Instruction (DPI) for a period of one year demonstrating ongoing implementation of IEPs and provision of FAPE to students detained at the Youth Home.</li> <li>6. Ensure coordination between DPS and DPI’s Exceptional Children Division to monitor systemic compliance with special education obligations in the Youth Home.</li> </ol>
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#### SECTION FOUR: Signature, Date, and Confirmation\*

Please sign, date and confirm that a copy of the state complaint has been provided to the Superintendent or School Administrator of the Public Agency in which the allegations occurred in the boxes below.

## Special Education Formal State Complaint Form

### Request for a Special Education State Complaint Investigation

Please ensure you have included all required information (\*) before submitting to NC DPI and the Public Agency.

<b>Complainant 1's Signature*</b>		<b>Date*</b>	12/12/2025
<i>I confirm that a copy of the state complaint was provided to the Superintendent or School Administrator for the Public Agency in which the alleged violations occurred.</i> <b>Initial the box to the right.*</b>			EC

<b>Complainant 2's Signature*</b>		<b>Date*</b>	
<i>I confirm that a copy of the state complaint was provided to the Superintendent or School Administrator for the Public Agency in which the alleged violations occurred.</i> <b>Initial the box to the right.*</b>			

#### SECTION FIVE: Submission of Complaint\*

Send the finalized complaint form to the NC DPI OEC Senior Director by postal mail and/or email:

Mailing Address:	Section Chief: IDEA Dispute Resolution NC DPI Office of Exceptional Children 6356 Mail Service Center Raleigh, NC 27699-6536
Email Address:	<a href="mailto:state_ec_complaints@dpi.nc.gov">state_ec_complaints@dpi.nc.gov</a>

#### Statement of additional alleged violations and supporting facts, if any:

Alleged Violation #2	Durham Public Schools's practice of unilaterally altering or reducing the educational programs of students with disabilities detained in the Youth Home, without convening IEP Teams or providing Prior Written Notice, violates the IDEA and NC Policies.
Date or Time Period of Alleged Violation	February 2025 to present
<b>Supporting Facts: Provide details about the alleged violation.</b>	
<i>See attached complaint.</i>	

Alleged Violation #3	Durham Public Schools's failure to provide positive behavioral interventions and supports (PBIS) to students with disabilities detained in Youth Home violates the IDEA and NC Policies.
Date or Time Period of Alleged Violation	February 2025 to present
<b>Supporting Facts: Provide details about the alleged violation.</b>	
<i>See attached complaint for supporting facts and additional violations.</i>	



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December 12, 2025

*Via email ([state ec complaints@dpi.nc.gov](mailto:state_ec_complaints@dpi.nc.gov))*

Sarah Self-Maddox  
Section Chief: IDEA Dispute Resolution  
North Carolina Department of Public Instruction  
Office of Exceptional Children  
6356 Mail Service Center  
Raleigh, NC 27699-6356

Dear Ms. Self-Maddox:

This is a systemic state complaint concerning students with disabilities confined in the Durham County Youth Home (Youth Home) against Durham Public Schools (DPS), the Local Education Agency (LEA) responsible for providing special education services to students with disabilities detained at the facility.

This complaint alleges that DPS has policies, practices, and procedures relating to the provision of special education services to students with disabilities detained in the Youth Home, which violate the Individuals with Disabilities Education Act<sup>1</sup> (IDEA) and the North Carolina Policies Governing Services for Children with Disabilities<sup>2</sup> (NC Policies). Specifically, this complaint concerns the near-total suspension of educational services during a facility-wide lockdown of the Youth Home from February through March of 2025 and the continued provision of minimal, isolated instruction thereafter. During the lockdown period, students reportedly received little to no academic instruction, and related services, physical education, and opportunities for peer interaction were eliminated. Reports received after the lockdown indicate that, although instruction resumed, students continued to receive limited and inconsistent educational services, often in isolation and for significantly reduced instructional time.

These conditions deprived students with disabilities of the individualized specially designed instruction, related services, positive behavioral interventions and supports, and access

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<sup>1</sup> *Individuals with Disabilities Educ. Act*, 20 U.S.C. §§1400–1482 (2018).

<sup>2</sup> N.C. State Bd. of Educ. & N.C. Dep't of Pub. Instruction, *Pol'ys Governing Servs. for Child. with Disabilities*, (Mar. 2021), <https://www.dpi.nc.gov/policies-governing-students-children-disabilities/download?attachment> [hereinafter "NC Policies"].

to nonacademic programming necessary to ensure they received a free appropriate public education (FAPE) within their least restrictive environment (LRE), as required by law. Additionally, the changes to these students' educational programs were made unilaterally, without the involvement of the students' Individualized Education Program (IEP) Teams in violation of the procedural requirements of the IDEA and NC Policies.

We request that the North Carolina Department of Public Instruction (DPI) investigate these systemic violations and require DPS to implement corrective actions, including an audit of special education services provided at the Youth Home from February 2025 to the present, the provision of individualized compensatory education service plans for students with disabilities whose special education rights were violated during this period, and the development of policies to ensure ongoing compliance with the IDEA and NC Policies in the Youth Home, especially during future lockdowns and similar events.

### Facts

The Youth Home is a juvenile detention facility housing children ages 11 to 24 who are awaiting adjudication in juvenile delinquency court.<sup>3</sup> Although operated by Durham County, the Youth Home's educational services are provided by DPS. Accordingly, DPS remains bound by the federal and state special education requirements that apply to all public agencies.

In February and March of 2025, the Youth Home underwent a prolonged lockdown. According to facility officials, the lockdown was prompted by threat of physical harm or death directed at one or more of the children detained there.<sup>4</sup> Local law enforcement was involved in investigating the matter at the time; however, the outcome of the investigation remains unknown.<sup>5</sup>

The Duke Children's Law Clinic received reports from several sources, including attorneys and advocates who work with children detained in the facility, that during this lockdown, the Youth Home confined youth to their cells for approximately twenty-two to twenty-three hours per day.<sup>6</sup> Children reportedly received little to no academic programming and only ten minutes of recreation a day, both of which occurred in isolation.<sup>7</sup> They were prohibited from accessing the outdoor basketball courts or any other fresh-air recreation, and meals were consumed alone in their cells.<sup>8</sup> Attorneys further reported that there were few, if any, opportunities for socialization among the children; outside groups and volunteers were barred from entering the facility; and families could not visit in person.<sup>9</sup> Even phone contact with families was limited during this period.<sup>10</sup>

While it is unknown exactly how many students with disabilities were detained in the

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<sup>3</sup> *Youth Home*, Durham Cnty., <https://dconc.gov/Youth-Home>.

<sup>4</sup> Attachment 1: Angela Nunn, Director, Durham County Youth Home, Letter to Duke Children's Law Clinic & ACLU of N.C. (May 6, 2025) [hereinafter "May 6, 2025 Response Letter"].

<sup>5</sup> May 6, 2025 Response Letter.

<sup>6</sup> Attachment 2: Duke Children's Law Clinic & ACLU of N.C., Letter to Angela Nunn, Director, Durham County Youth Home (Apr. 2, 2025) [hereinafter "April 2, 2025 Concern Letter"].

<sup>7</sup> April 2, 2025 Concern Letter.

<sup>8</sup> April 2, 2025 Concern Letter.

<sup>9</sup> April 2, 2025 Concern Letter.

<sup>10</sup> April 2, 2025 Concern Letter.

Youth Home during the lockdown period, it is very likely that these students were affected by the lockdown policies that restricted educational access. According to the North Carolina Department of Public Safety, 97.7 percent of children committed to a Youth Development Center in North Carolina have at least one mental health diagnosis.<sup>11</sup> Although the Youth Home is a juvenile detention facility, its population is similar in composition, making it highly likely that many of the children have disabilities qualifying them for special education services. Similarly, reports received by the Clinic from attorneys who work closely with children detained in the Youth Home further indicate that there were students with disabilities incarcerated there during the lockdown period.

On April 2, 2025, the Duke Children’s Law Clinic and the ACLU of North Carolina sent a joint letter to Ms. Angela Nunn, Director of the Youth Home, to raise concerns about these conditions.<sup>12</sup> The Youth Home lifted the lockdown the following day. In Ms. Nunn’s May 6, 2025 response, she confirmed that during the lockdown “all programming [was] suspended, except for essential activities necessary to ensure the safety and protection of residents and staff.” The letter did not dispute or contradict any of the factual reports of conditions raised by attorneys or the Clinic.

On June 4, 2025, the Clinic and ACLU-NC submitted a public records request for documents related to the lockdown.<sup>13</sup> The Youth Home’s second production of responsive records, which was received on November 3, 2025, included the Youth Home’s Policy and Training Manual. The manual confirmed that the Youth Home’s own policies require substantially more academic instruction and recreational access than what students have received during and after the lockdown period. Specifically, the manual states that “[t]he program shall operate on a 12-month basis, 5 days a week and no less than 5 and one-half hours a day. The curriculum shall be adapted to the age, capacity, and interest of the individual and the group. A wide variety of individualized materials shall be used.”<sup>14</sup> Under the policies, all youth must receive education in language arts, math, social studies, and health education, and they must be placed in a “functional environment to build on their strengths and improve their weaknesses” based on diagnostic testing.<sup>15</sup> In regards to special education, the policies require that all teachers employed in detention centers “complete at least twelve semester hours . . . in special education coursework.” Furthermore, the Youth Home’s recreational policies provide that “[e]ach resident shall receive at least one hour of daily physical activity and one hour of structured leisure time activity.”<sup>16</sup> The conditions reported to the Clinic fall egregiously short of the Youth Home’s own written policies, further underscoring the systemic failures resulting in a lack of basic educational

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<sup>11</sup> See The Arc’s National Center on Criminal Justice and Disability, *Justice-Involved Youth with Intellectual and Developmental Disabilities: A Call to Action for the Juvenile Justice Community* (2016), [https://thearc.org/wp-content/uploads/2019/07/15-037-Juvenile-Justice-White-Paper\\_2016.pdf](https://thearc.org/wp-content/uploads/2019/07/15-037-Juvenile-Justice-White-Paper_2016.pdf) (finding that 65-70% of youth involved with the juvenile justice system have a disability); see also Department of Public Safety, *Did You Know?*, <https://www.ncdps.gov/our-organization/juvenile-justice/datastatisticsreports/did-you-know>, (last visited Sept. 23, 2025) (reporting that 97.7% of children committed to a Youth Development Center in North Carolina have at least one mental health diagnosis).

<sup>12</sup> April 2, 2025 Concern Letter.

<sup>13</sup> Attachment 3: Duke Children’s Law Clinic & ACLU of N.C., Public Records Act Request to Durham County Youth Home (June 4, 2025).

<sup>14</sup> Attachment 4: *Durham County Youth Home Policy and Training Manual* § 7.1, subdiv. I (2013).

<sup>15</sup> Attachment 4: *Durham County Youth Home Policy and Training Manual* § 7.2, subdiv. II (2013).

<sup>16</sup> Attachment 4: *Durham County Youth Home Policy and Training Manual* § 7.3, subdiv. I (2013).

access.

The Youth Home’s response also confirmed that it has a contract with DPS, which is “responsible for providing all educational services to juveniles at the Youth Home, including identifying and providing exceptional children’s services.” According to the letter, two DPS teachers and two assistants are assigned during the academic year to “provide the educational services they deem necessary according to their professional requirements.” The letter did not indicate any of the following:

- whether any of the contracted teachers were certified special education teachers;
- whether instruction and services were provided in accordance with students’ IEPs, especially during periods of lockdown; and
- whether changes to educational programs were made unilaterally by the DPS teachers or, as required by law, by the students’ IEP Teams.<sup>17</sup>

Additionally, the Youth Home’s May 6, 2025 response letter disclosed that some youth “chose not to attend school” and instead remained in their cells throughout the day.<sup>18</sup> There was no information about steps the Youth Home or DPS took to evaluate the causes of a student’s school refusal or to provide behavior support to help the student better access the school environment.

Since the lockdown period ended, the Clinic has received reports that instruction now occurs with two teachers teaching two students at a time, for roughly forty-five minutes to two hours per day, but not every day, and that students spend twenty-one to twenty-three hours a day isolated in their cells. These reports noted that students appear to receive instruction only in English Language Arts and science, but not in mathematics or other subjects. Additionally, students have reported being handed answer keys along with their tests. According to an attorney who works with children at the Youth Home, facility staff have acknowledged chronic understaffing, and DPS personnel have not been in communication with defense counsel regarding the provision of educational services. These reports suggest that the educational limitations described during the lockdown have continued well beyond the period of immediate security concern.

#### DPI’s Authority and Responsibility to Investigate Systemic Complaints

Under the IDEA and 34 C.F.R. § 300.151(a), DPI must resolve any complaint alleging that a public agency has violated a requirement of Part B of the IDEA.<sup>19</sup> NC Policies and DPI’s State Complaint Processing Manual further clarify that DPI must investigate and resolve complaints that allege either individual or systemic violations.<sup>20</sup> A “systemic complaint” is one that “alleges that a public agency has a policy, practice, or procedure that is applicable to a

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<sup>17</sup> May 6, 2025 Response Letter.

<sup>18</sup> May 6, 2025 Response Letter.

<sup>19</sup> See IDEA, 20 U.S.C. §§1400–1482; and see 34 C.F.R. § 300.151(a).

<sup>20</sup> NC Policies § 1501-10.1(a)(1); Office of Exceptional Children, *Formal State Complaint Procedures for Students with Disabilities*, at \*7 (July 2025).

particular group, category, or similarly situated children.”<sup>21</sup> Systemic complaints “address broad violations of special education laws, policies, or procedures that potentially impact multiple students or reflect a pattern of noncompliance.”<sup>22</sup>

For the reasons discussed above, this complaint falls squarely within DPI’s authority and responsibility to investigate systemic violations under 34 C.F.R. §§ 300.151–153 and the NC Policies. Durham Public Schools has a practice of failing to provide adequate special education services and protections to students with disabilities detained at the Youth Home during periods of lockdown, as well as during non-lockdown periods. The Youth Home’s own admissions indicate that the reduction or suspension of educational services during the lockdown was not individualized, but applied uniformly to all detained students regardless of their IEPs or disability-related needs. These practices have likely impacted, and continue to impact, all students with disabilities detained in the facility, demonstrating a recurring and program-wide failure to comply with the IDEA and NC Policies.

Moreover, an investigation by DPI is particularly critical here given the unique barriers faced by the affected students. Children detained at the Youth Home are particularly vulnerable and would likely have substantial difficulty advocating for themselves. Many of the individuals who shared information with the Clinic expressed fear of retaliation against themselves or a child detained in the Youth Home if they spoke publicly. Additionally, children are frequently moved to different detention facilities, making it difficult to locate them and gather information about their experiences. These realities make it highly unlikely that individual complaints will be filed, despite credible and widespread concerns about systemic IDEA violations.

For these reasons, a prompt investigation is essential to ensure that all students with disabilities detained at the Youth Home receive the protections guaranteed under federal and state law.

### Argument

DPS has policies, practices, and procedures resulting in a systemic failure to meet its obligations under federal and state special education laws for students with disabilities detained at the Youth Home. The IDEA and NC Policies impose clear duties on local education agencies to identify, evaluate, and provide appropriate educational services to all students with disabilities, including those who are incarcerated or detained in juvenile facilities.

Given that students with disabilities make up a disproportionate number of youth incarcerated in North Carolina’s juvenile court system, it is almost certain that students with disabilities have been detained in the Youth Home since the violations began in February 2025 and thus, have been impacted by these systemic violations.<sup>23</sup> This inference is additionally

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<sup>21</sup> Office of Exceptional Children, *Formal State Complaint Procedures for Students with Disabilities*, at \*7 (July 2025).

<sup>22</sup> *Id.*

<sup>23</sup> See The Arc’s National Center on Criminal Justice and Disability, *Justice-Involved Youth with Intellectual and Developmental Disabilities: A Call to Action for the Juvenile Justice Community* (2016), [https://thearc.org/wp-content/uploads/2019/07/15-037-Juvenile-Justice-White-Paper\\_2016.pdf](https://thearc.org/wp-content/uploads/2019/07/15-037-Juvenile-Justice-White-Paper_2016.pdf) (finding that 65-70% of youth involved with the juvenile justice system have a disability); see also Department of Public Safety, *Did You Know?*, <https://www.ncdps.gov/our-organization/juvenile-justice/datastatisticsreports/did-you-know>, (last visited Sept. 23,

supported by local attorneys who have reported working with youth with disabilities who have IEPs and have been detained in the Youth Home since February 2025.

The conditions at the Youth Home—prolonged confinement without access to peers, near-total suspension of programming, minimal educational access, and unilateral changes to educational programs—indicate that DPS failed to ensure the provision of a Free Appropriate Public Education (FAPE), compliance with the IDEA’s Least Restrictive Environment (LRE) requirement, or offer the procedural safeguards required for IEP decision-making and parental involvement. Each of these failures likely impacted multiple students with disabilities detained at the Youth Home, constituting a systemic violation of law warranting corrective action by the North Carolina Department of Public Instruction (DPI).

I. DPS’s practice of failing to implement IEPs during and after the lockdown violates federal law.

The IDEA and NC Policies require each LEA to make FAPE available to all children with disabilities ages three through twenty-one within the state, including those who are suspended, expelled, or incarcerated in local jails.<sup>24</sup> Courts have consistently recognized that the IDEA and NC Policies (as well as other disability laws) apply to children in juvenile detention facilities.<sup>25</sup> LEAs must also ensure that a child’s IEP is implemented without delay.<sup>26</sup>

a. DPS’s practice of severely limiting services during periods of lockdown denies students of FAPE.

Here, DPS has adopted a practice of suspending or significantly reducing educational programming, including special education services, during Youth Home lockdowns, rather than ensuring continued implementation of students’ IEPs. The Youth Home’s May 6, 2025 response confirmed that during the February to March 2025 lockdown, “all programming [was] suspended, except for essential activities necessary to ensure the safety and protection of residents and staff.”<sup>27</sup> This admission is consistent with multiple credible reports that students received little to no academic instruction and no related services during the lockdown period. While DPS teachers may have had limited access during the lockdown period for reasons beyond their control, there is no evidence that DPS attempted to provide compensatory services once the lockdown ended.

By suspending instruction and failing to ensure continued implementation of students’ IEPs during the lockdown period, DPS systematically denied students with disabilities the individualized instruction, supports, and related services required to provide FAPE in violation

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2025) (reporting that 97.7% of children committed to a Youth Development Center in North Carolina have at least one mental health diagnosis).

<sup>24</sup> 34 C.F.R. § 300.101; NC Policies § 1501-1.1(a), (d).

<sup>25</sup> See *Wilburn v. Nelson*, 329 F.R.D. 190, 199 (N.D. Ind. 2018) (certifying a class of juveniles with ADA, Rehab Act, and IDEA claims); *Alexander S. By & Through Bowers v. Boyd*, 876 F. Supp. 773, 803 (D.S.C. 1995), as modified on denial of reh’g (Feb. 17, 1995) (holding that the ADA, the Rehab Act, and the IDEA apply to DJJ facilities and require full compliance).

<sup>26</sup> NC Policies § 1501-2.1(c).

<sup>27</sup> See May 6, 2025 Response Letter.

of federal law.<sup>28</sup>

- b. DPS's continued practice of providing minimal and inappropriate educational services after the lockdown violates its obligation to provide FAPE.

DPS's failure to provide FAPE extends beyond the lockdown period. Reports received after the Youth Home's lockdown ended indicate that DPS continues to provide significantly reduced, inconsistent, and inadequate educational services to students with disabilities detained at the facility. Students reportedly receive between forty-five minutes and two hours of instruction per day, and not consistently every day. Instruction is frequently provided in isolation rather than in a classroom setting. Students have reported receiving answer keys alongside their tests, and core academic subjects, including mathematics, are reportedly not taught.

These concerns reflect a continuing practice of providing substantially inadequate instructional time, limited access to the general curriculum and peers, and instruction that is not aligned with students' IEPs. DPS's ongoing practice of providing insufficient and inappropriate educational services, even outside of lockdowns, further demonstrates its systemic failure to provide FAPE to students with disabilities detained at the Youth Home.

- II. DPS's practice of unilaterally altering or reducing the educational programs of students with disabilities detained in the Youth Home, without convening IEP Teams or providing Prior Written Notice, violates the IDEA and NC Policies.

The IDEA and NC Policies require that any change to a student's educational program occur through the IEP Team process, with the opportunity for meaningful parental participation.<sup>29</sup> When an LEA proposes or refuses to change the identification, evaluation, or placement of a child with a disability, or the provision of FAPE, it must provide a Prior Written Notice explaining the proposed action.<sup>30</sup>

- a. DPS's practice of unilaterally changing services without notice during the lockdown violated procedural safeguards.

During the February 2025 through March 2025 lockdown, DPS failed to comply with procedural safeguards requiring that IEP Teams, including the parent or guardian, determine when and how a student's special education program should be modified. The Youth Home's May 6, 2025 response confirmed that "all programming [was] suspended, except for essential activities necessary to ensure the safety and protection of residents and staff."<sup>31</sup> This blanket suspension substantially altered the setting, frequency, and nature of services for all students with disabilities, triggering DPS's duty to reconvene IEP Teams or issue Prior Written Notice to parents.

There is no evidence that DPS convened IEP Teams or issued Prior Written Notice to

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<sup>28</sup> See 34 C.F.R. § 300.101; see NC § 1501-1.1(a), (d).

<sup>29</sup> 34 C.F.R. §§ 300.324(a)(4), 300.501(b)-(c); NC Policies § 1503-5.1(b).

<sup>30</sup> 34 C.F.R. § 300.503(a); NC Policies § 1504-1.4.

<sup>31</sup> May 6, 2025 Response Letter.

parents. Due to limited family visitation and restricted phone access, parents were effectively excluded from educational decision-making, violating the IDEA’s requirement of meaningful parental participation. By unilaterally changing the provision of services without IEP Team review or parental input, DPS violated procedural safeguards.

- b. DPS’s continued practice of providing educational services based on individual teacher discretion rather than IEP Team determinations violates procedural safeguards.

The Youth Home’s May 6, 2025 response letter indicates that even outside of the lockdown period, DPS relies on a practice of allowing individual teachers, not IEP Teams, to determine what educational programming students receive.<sup>32</sup> Specifically, the Youth Home stated that “two Durham Public Schools teachers and two assistants are contracted to provide educational services *they deem necessary* according to their professional requirements.”<sup>33</sup> A policy of educational programming decisions being made based on teacher discretion, rather than pursuant to students’ IEPs, is a clear violation of the IDEA and NC Policies.

This practice has persisted since the lockdown ended. Reports from advocates indicate that instruction remained limited, inconsistent, and disconnected from students’ individualized goals. There is no evidence that DPS convened IEP Teams to address these post-lockdown changes or that Prior Written Notices were issued to parents. The Youth Home’s admission that services were provided based on what teachers “deem necessary” further demonstrates that DPS has continued a systemic practice of making unilateral changes to students’ educational programs without IEP Team involvement or parental participation.

### III. DPS’s practice of failing to provide positive behavioral interventions and supports (PBIS) violates the IDEA and NC Policies.

Under the IDEA and NC Policies, when a child’s behavior impedes their learning or the learning of others, the IEP Team must consider the use of positive behavioral interventions and supports (PBIS) and other strategies to address that behavior.<sup>34</sup> This requirement applies in all settings, including juvenile detention, and imposes an ongoing duty on LEAs to ensure behavioral needs are addressed through individualized supports rather than punitive or exclusionary practices.

The Youth Home’s May 6, 2025 response letter disclosed that some youth “chose not to attend school” and instead remained in their cells throughout the day.<sup>35</sup> Such school refusal or withdrawal from instruction constitutes behavior that clearly impedes learning and therefore triggers DPS’s duty to convene IEP Teams and develop appropriate PBIS or behavioral supports.<sup>36</sup> However, there is no indication that DPS takes steps to evaluate the causes of these behaviors or implement individualized PBIS for affected students.

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<sup>32</sup> See May 6, 2025 Response Letter.

<sup>33</sup> *Id.* (emphasis added).

<sup>34</sup> See NC Policies 1503-5.1(a)(2)(i).

<sup>35</sup> May 6, 2025 Response Letter.

<sup>36</sup> See NC Policies 1503-5.1(a)(2)(i).

Instead, DPS relies on a practice of allowing students to remain isolated in their cells without providing behavioral supports, interventions, or strategies to address their disengagement. During the lockdown, students received only ten minutes of isolated recreation per day and were denied access to mental health supports, group activities, or any positive reinforcement systems. These conditions likely exacerbated existing behavioral needs and contributed to further disengagement from learning. Despite this, DPS did not convene IEP Teams, revise behavior plans, or implement PBIS as required.

The Youth Home's letter further indicated that despite the lockdown having ended, students are still allowed to skip school and remain in their cells all day.<sup>37</sup> Yet, DPS has not determined this as an issue requiring attention. The Youth Home's description of services being provided based on what teachers "deem necessary" indicates that DPS continues to rely on ad hoc decision-making rather than the individualized, team-based process IDEA requires for addressing behavioral challenges.

By engaging in a systemic practice of failing to provide PBIS to students whose behavior impedes their learning, DPS is violating IDEA, NC Policies, and is affirmative obligation to address behavioral needs through individualized supports rather than punitive or isolating measures.

#### IV. DPS engages in a systemic practice of educating students with disabilities in unnecessarily restrictive and isolated settings at the Youth Home, in violation of IDEA's Least Restrictive Environment (LRE) mandate and NC Policies.

The IDEA and NC Policies require that students with disabilities be educated in the least restrictive environment (LRE) appropriate to their needs.<sup>38</sup> To the maximum extent appropriate, LEAs must ensure that children with disabilities, including those placed in public or private institutions or other care facilities, are educated with children who are nondisabled.<sup>39</sup> Separation from peers may occur only when the nature or severity of a child's disability prevents satisfactory education in regular settings, even with supplementary aids and services.<sup>40</sup> This requirement extends to students in juvenile detention facilities.<sup>41</sup> Even for incarcerated children, LEAs remain responsible for ensuring access to education and related programming in the most integrated setting feasible.<sup>42</sup>

The NC Policies also require that, to the maximum extent appropriate to their needs, a student with a disability has the opportunity to participate with nondisabled peers in nonacademic and extracurricular activities, including meals, recreation, and counseling.<sup>43</sup> The IDEA's LRE requirement is reinforced by Title II of the Americans with Disabilities Act (ADA), which mandates that public entities administer services "in the most integrated setting appropriate to the needs of qualified individuals with disabilities."<sup>44</sup>

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<sup>37</sup> See May 6, 2025 Response Letter.

<sup>38</sup> NC Policies § 1501-3.1(a); 20 U.S.C. 1412(a)(5).

<sup>39</sup> NC Policies § 1501-3.1(a)(2)(i).

<sup>40</sup> NC Policies § 1501-3.1(a)(2)(ii).

<sup>41</sup> See NC Policies § 1500-1.2(a)(1)(iv).

<sup>42</sup> NC Policies § 1500-1.2(a)(1)(iv); NC Policies § 1501-3.1(a)(2)(ii).

<sup>43</sup> NC Policies § 1501-3.4.

<sup>44</sup> 28 C.F.R. § 35.130(d).

- a. DPS’s practice of providing education in total isolation during the lockdown violated LRE requirements.

During the February through March 2025 lockdown, children at the Youth Home were confined to their cells for twenty-two to twenty-three hours per day. The Youth Home’s response letter confirmed that during this period, “all programming [was] suspended, except for essential activities necessary to ensure the safety and protection of residents and staff,”<sup>45</sup> without indicating that educational services were deemed essential or continued in any integrated manner. During the lockdown, youth were required to eat all meals alone in their cells, were denied outdoor recreation, and could not attend group programs or receive visits from outside providers. These conditions eliminated all opportunities for social participation and placed students with disabilities in an unnecessarily segregated educational environment.

As a result, any instruction provided to students with disabilities was in complete isolation, without access to peers, group learning opportunities, or supportive nonacademic programming. DPS did not attempt to provide supplementary aids or services that might have allowed students to receive instruction in less restrictive environments. This blanket policy of isolation is incompatible with the IDEA’s LRE mandate, NC Policies, and the ADA.

- b. DPS continued its practice of violating the LRE mandate after the lockdown ended.

According to reports received after the lockdown ended, DPS continued to provide education in unnecessarily restrictive, isolated settings. Although instructional time increased to approximately two hours per day, albeit inconsistently, students continued to receive education in isolation, with no opportunity for group learning or social interaction. DPS has provided no indication that it offered supplementary aids or services that could have enabled students to participate in more integrated settings. The absence of such efforts further demonstrates that DPS did not fulfill its obligation to educate students in the least restrictive environment.<sup>46</sup>

By allowing total educational and social isolation of detained students with disabilities, and by failing to employ any supplementary aids, services, or assistive technology to mitigate that isolation, DPS effectively segregated these students in violation of the IDEA’s least-restrictive-environment requirement.

### Request for Relief

For the foregoing reasons, we respectfully request that DPI investigate these potential violations and require DPS to implement corrective actions. Specifically, we request that DPI:

1. Conduct a comprehensive audit of all students detained at the Youth Home since February 2025 to determine whether:
  - a. Students with disabilities were appropriately identified and evaluated;

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<sup>45</sup> May 6, 2025 Response Letter.

<sup>46</sup> See 34 C.F.R. § 300.114(a)(2)(ii); NC Policies § 1501-3.1(a).

- b. IEPs were implemented appropriately and without delay;
  - c. Required special education and related services were provided; and
  - d. Procedural safeguards including parent participation and Prior Written Notice were afforded.
2. Order compensatory education and related services for any students found to have been denied a Free Appropriate Public Education during or following the lockdown period per the audit.
3. Require DPS to develop and disseminate written policies describing how it will ensure the provision of FAPE and compliance with Least Restrictive Environment (LRE) obligations for students detained at the Youth Home, including clear procedures for:
  - a. Implementing and reviewing IEPs immediately upon a student's detention;
  - b. Convening IEP Teams for changes in services;
  - c. Consideration of positive behavior interventions and supports;
  - d. Continuing educational services during any future facility lockdowns; and
  - e. Coordinating with Youth Home administrators to ensure access to group instruction, recreation, and related services.
4. Provide targeted training for DPS staff, including special education coordinators and Youth Home instructional personnel, on IDEA obligations in juvenile detention facilities, including Child Find, IEP implementation, and behavioral supports.
5. Require DPS to submit quarterly compliance reports to DPI for a period of one year demonstrating ongoing implementation of IEPs and provision of FAPE to students detained at the Youth Home.
6. Ensure coordination between DPS and the State Education Agency (DPI's Exceptional Children Division) to monitor systemic compliance with special education obligations in the Youth Home.

Thank you for your attention to this matter.

Sincerely,

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Enclosures:

Attachment 1: Angela Nunn, Director, Durham County Youth Home, Letter to Duke Children's Law Clinic & ACLU of N.C. (May 6, 2025) (2 pages)

Attachment 2: Duke Children's Law Clinic & ACLU of N.C., Letter to Angela Nunn, Director, Durham County Youth Home (Apr. 2, 2025) (5 pages)

Attachment 3: Duke Children's Law Clinic & ACLU of N.C., Public Records Act Request to Durham County Youth Home (June 4, 2025) (4 pages)

Attachment 4: Durham County Youth Home Policy and Training Manual (2013) (7 pages)

Cc:

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# Attachment 1



YOUTH HOME

ANGELA NUNN  
DIRECTOR

May 6, 2025

Dear Attorneys Delgado and Nicholson,

I am writing in reference to your email dated April 3, 2025, regarding practices at the Durham County Youth Home (hereinafter "Youth Home"). I want to provide some information regarding the concerns.

### Lockdown Period

The Youth Home was in "lockdown" status in early February and March 2025. During lockdown status, only staff and contract employees are allowed to enter the facility. Residents are secured in their rooms and are moved throughout the facility one at a time. All programming is suspended, except for essential activities necessary to ensure the safety and protection of residents and staff. Notification was received from law enforcement that one or more juveniles located inside the Youth Home were targeted for physical harm or death. The threat was credible and under active investigation in early February. At that time, it was unclear whether the threat was exclusively internal or whether it involved outside individuals coming to the facility to harm the residents. It was also unclear how long it would take for the threat assessment and response. To protect the juveniles, the Youth Home was forced to take exigent measures, limiting physical access to the residents and restricting their access to each other for their individual protection until the threats could be precisely identified and addressed. The Youth Home is no longer on lockdown.

### Youth Opportunities to Leave Room

As noted, emergency situations related to the physical safety of residents and staff did require some limits on the ability of youth to socialize with each other. With the end of the lockdown, those restrictions have been lifted. Further, youth generally have the ability to earn extra privileges, such as additional visitation time and increased time on the telephone with parents or guardians, through a positive incentive program. Youth can leave their rooms to enter into classrooms with other youth and teachers during the school day. Some juveniles choose not to attend school and prefer to stay in their rooms. Youth are scheduled to participate in indoor and outdoor recreation daily. They have opportunities to eat meals in a common area. Youth also leave their rooms for in-person visitation two days per week and telephone calls on other days.

It is important to note that most residents are from Durham, which poses a unique challenge: many know each other and have a history of serious conflict. The Youth Home follows court orders to keep some juveniles separated from others, and it follows information provided by District 14 Court Services to keep some juveniles separated due to conflict before arrival and/or during residency at the Youth Home. Sometimes the need to keep juveniles separated for their own safety limits their ability to



interact with others. Youth Home staff encourages all juveniles to behave in a way that permits interaction with all other residents.

Attorneys' Access to Youth

Juveniles were permitted to meet with their attorneys during lockdown status, at first virtually and then in person. Attorneys are welcome to come to the Youth Home any time to meet with clients, but they are encouraged to make appointments after 3 p.m. to reduce juvenile time out of class and to reserve a meeting room. When attorneys do not make appointments, they risk waiting for an open meeting room or distracting juvenile clients from educational time. Only one attorney requested different accommodations during lockdown, and the Youth Home met the requests. There are no known concerns regarding attorneys' ability to access their juvenile clients at Youth Home. I encourage any attorneys with concerns about their ability to contact juveniles to contact me.

Youth Access to Education

The Youth Home has a contract with Durham Public Schools, which is responsible for providing all educational services to juveniles at the Youth Home, including identifying and providing exceptional children's services. The juveniles in the Youth Home follow the Durham Public Schools traditional calendar and are out of school over the summer, during holidays and for spring break. When in school, two Durham Public Schools teachers and two assistants are contracted to provide the educational services they deem necessary according to their professional requirements.

Thank you for bringing your concerns to our attention. If you have any additional questions or concerns, please feel free to contact me.

Sincerely,

Angela Nunn  
Director, Youth Home

CC: Claudia Hager, County Manager  
Larissa Williamson, County Attorney  
Dwane Brinson, Assistant County Manager



April 2, 2025

**ELECTRONIC MAIL**

Angela Nunn  
Director  
Durham County Youth Home  
2432 Broad Street  
Durham, NC 27704  
[youthhome@dconc.gov](mailto:youthhome@dconc.gov)

**RE: Concerning practices at the Durham County Youth Home**

Dear Ms. Nunn:

We are attorneys with the American Civil Liberties Union of North Carolina and the Children's Law Clinic, nonprofit organizations dedicated to defending the constitutional rights of all children in North Carolina, including incarcerated youths.

We have recently heard concerning reports that children in your custody at the Durham County Youth Home are detained in their rooms for 22-23 hours a day; children often only receive 30 minutes of education and 10 minutes of recreation a day, both of which occur in isolation; children cannot access the outdoor basketball courts or any other outdoor recreation that provides fresh air; children are forced to consume their meals in the isolation of their cells; there appears to be few if any opportunities for socialization between the children; outside groups and visitors have been preempted from physically entering the facility to provide regularly-scheduled programming; and families cannot visit in person and have limited opportunities to call their incarcerated loved ones.

It is also our understanding that attorneys are having trouble accessing their clients in a timely fashion. The Youth Home does not allow attorney visits on certain days, scheduling an appointment takes quite a long time, and if one attorney is granted an appointment to see their client, then other attorneys are prevented from seeing a different client on the same date. Reports indicate that these issues have occurred for at least 30 days, if not longer.

If accurate, these reported practices constitute serious violations of state and federal law. If the Youth Home is not willing to provide a prompt remedy, court intervention may be necessary.

## **I. Subjecting children to extreme isolation violates the Fourteenth Amendment.**

Many courts have recognized the mental health risks posed by prolonged social isolation, often referred to as solitary confinement.<sup>1</sup> The Constitution protects children in juvenile justice facilities from these same harms.<sup>2</sup> Indeed, many courts and the Department of Safety itself have recognized that children face a particularly high risk of harm from prolonged isolation.<sup>3</sup>

We have received reports that children in your custody are being kept in isolation for 22-23 hours a day, every day. If true, you are subjecting these children to an unconstitutional risk of psychological and physical harm.<sup>4</sup>

## **II. Interfering with youth's access to counsel is unlawful.**

Youth have a constitutional and statutory right to counsel.<sup>5</sup> The right to counsel cannot be satisfied by mere appointment of counsel; due process demands that defense counsel engage in a “meaningful adversarial testing” of the prosecution’s

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<sup>1</sup> *Porter v. Clarke*, 923 F.3d 348, 355 (4th Cir. 2019).

<sup>2</sup> See *Reed v. Palmer*, 906 F.3d 540, 549-550 (7th Cir. 2018).

<sup>3</sup> See Keith Acree, *Reducing the use of segregation allows prisons to provide new programs and treatment*, North Carolina Department of Public Safety, (Apr. 7, 2017), <https://www.ncdps.gov/reducing-use-segregation-allows-prisons-provide-new-programs-and-treatment>. (“The negative effects of this type of housing have become widely known in recent years.”) ; *H.C. by Hewett v. Jarrard*, 786 F.2d 1080, 1088 (11th Cir.1986) (“Juveniles are even more susceptible to mental anguish than adult[s] . . .”); *Santana v. Collazo*, 714 F.2d 1172 (1st Cir.1983) (experts’ testimony on lack of therapeutic and disciplinary benefits from isolation); *Lollis v. N.Y. State Dep’t of Soc. Servs.*, 322 F.Supp. 473, 480 (S.D.N.Y.1970) (expert testimony stated that the extended use of isolation on children is “cruel and inhuman,” and “counterproductive to the development of the child”).

<sup>4</sup> See *Sanders v. Tompson*, No. 1:22CV1027, 2024 WL 1702146, at \*2 (M.D.N.C. Apr. 19, 2024), report and recommendation adopted sub nom. *Sanders v. Bruscano*, No. 1:22-CV-1027, 2024 WL 3317444 (M.D.N.C. May 15, 2024) (citing *Darnell v. Pineiro*, 849 F.3d 17, 35 (2d Cir. 2017) (“A pretrial detainee may not be punished at all under the Fourteenth Amendment, whether through the use of excessive force, by deliberate indifference to conditions of confinement, or otherwise.”). Isolation has been repeatedly shown to lead to devastating consequences for youth, including anxiety, depression, self-harm, psychosis, and suicide. Isolation can also exacerbate underlying trauma disorders. The harms of isolation and programming deprivation are particularly devastating to teenagers; during adolescence, the brain reaches what is referred to as the “second period of heightened malleability.” Delia Fuhrmann et al., *Adolescence as a Sensitive Period of Brain Development*, 19 Trends Cognitive Sci. 558, 559 (2015).

<sup>5</sup> *In re Gault*, 387 U.S. 1, 41 (1967); N.C. Gen. Stat. § 7B-2000; see also *Lewis v. Casey*, 518 U.S. 343, 351 (1996) (incarcerated people have a right to meaningful access to the courts).

case.<sup>6</sup> This can only be accomplished when counsel can adequately prepare legal representation. Effective and zealous representation will require the assistance of the child client, who can sometimes be as young as 10-years-old.<sup>7</sup> It is vital for counsel to develop a strong attorney-client relationship that fosters a safe space for the child to communicate effectively. This requires legal visits.

Obstacles to legal visitation, such as long wait times, inconsistent visiting protocols, and lack of space to speak confidentially, can negatively impact the attorney-client relationship and diminish the effectiveness of counsel. It is the responsibility of the Youth Home to provide ample and sufficient opportunities for counsel to visit their clients.

### **III. Failing to provide access to a sound basic education violates state law.**

Children involved in the juvenile justice system, like all public-school students, have the right to a free, substantively adequate public education. These rights are not lost because of system involvement. The North Carolina Constitution “guarantee[s] every child of this state an opportunity to receive a sound basic education in our public schools.”<sup>8</sup> North Carolina state law provides that all children and youth ages 5-21 are entitled to all the privileges and advantages of the public schools.<sup>9</sup>

The Youth Home has committed itself to implementing an educational program designed to meet the specific needs of the residents in partnership with Durham Public Schools.<sup>10</sup> Allocating only 30 minutes of education per day does not ensure a meaningful education for children in your custody.

### **IV. Failing to provide access to an appropriate education may also violate federal laws protecting the rights of children with disabilities.**

The Individuals with Disabilities Education Act (“IDEA”)<sup>11</sup> ensures that children with disabilities have access to a free and appropriate public education. Children with Individualized Education Programs (“IEP”s) are entitled to special education and related services as outlined in the IDEA, ensuring they receive an

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<sup>6</sup> See *In re C.W.N., Jr.*, 227 N.C. App. 63, 70, 742 S.E.2d 583, 588 (2013) (citing *United States v. Cronin*, 466 U.S. 648, 656 (1984)).

<sup>7</sup> N.C. Gen. Stat. § 7B-2513.

<sup>8</sup> See *Leandro v. State*, 346 N.C. 336, 347, 488 S.E.2d 249, 255 (1997).

<sup>9</sup> N.C. Gen. Stat. §§ 115C-366 (a), 115C-364(a).

<sup>10</sup> Durham County, Youth Home, *Administration*, <https://www.dconc.gov/county-departments/departments-f-z/youth-home/administration>.

<sup>11</sup> 20 U.S.C. § 1400 *et seq.*

appropriate education in the least restrictive environment. These rights apply to children with disabilities detained in local juvenile correctional facilities.<sup>12</sup>

Title II of the Americans with Disabilities Act (“ADA”), specifies that no qualified individual with a disability shall, “by reason of such disability,” be excluded from participation in, or be denied the benefits of, a public entity's services, programs, or activities.<sup>13</sup> “[A] public entity shall administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.”<sup>14</sup> Public entities must also refrain from using methods of administration that result in discrimination, including those that “have the effect of subjecting qualified individuals with disabilities to discrimination [or] [t]hat have the purpose or effect of defeating or substantially impairing accomplishment of the objectives of the public entity’s program.”<sup>15</sup>

Section 504 of the Rehabilitation Act of 1973 (“Rehab Act”) also prohibits discrimination on the basis of disability in programs or activities that receive federal financial assistance.<sup>16</sup> “[A]ll programs, projects, and activities receiving assistance . . . shall be carried out in a manner consistent with the principles of inclusion, integration, and full participation of the individuals.”<sup>17</sup>

Courts routinely recognize that the ADA, Rehab Act, and IDEA apply to juvenile justice facilities and require full compliance, and that solitary confinement may contribute to violations of these federal protections.<sup>18</sup>

DJJ is aware that 98.2% of children committed to a Youth Development Center have at least one mental health diagnosis.<sup>19</sup> Based on this statistic, it is likely that children at the Youth Home have a disability that qualifies them for special education services. If the Youth Home is authorizing only 30 minutes of education in total isolation, then it seems impossible that children’s IEPs are being followed and children are otherwise a substantively adequate education.

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<sup>12</sup> NC Policy 1500-1.2, *Policies Governing Services for Children with Disabilities*, <https://www.dpi.nc.gov/policies-governing-students-children-disabilities/download?attachment>.

<sup>13</sup> *Olmstead v. L.C. ex rel. Zimring*, 527 U.S. 581, 581 (1999) (quoting 42 U.S.C. § 12132).

<sup>14</sup> 28 C.F.R. § 35.130(d).

<sup>15</sup> 28 C.F.R. § 35.130(b)(3).

<sup>16</sup> 29 U.S.C. § 701 *et seq.*

<sup>17</sup> 29 U.S.C. § 701(c)(3).

<sup>18</sup> *See Wilburn v. Nelson*, 329 F.R.D. 190, 199 (N.D. Ind. 2018) (certifying a class of juveniles with ADA, Rehab Act, and IDEA claims); *Alexander S. By & Through Bowers v. Boyd*, 876 F. Supp. 773, 803 (D.S.C. 1995), as modified on denial of reh’g (Feb. 17, 1995) (holding that the ADA, the Rehab Act, and the IDEA apply to DJJ facilities and require full compliance); *V.W. by & through Williams v. Conway*, 236 F. Supp. 3d 554, 590 (N.D.N.Y. 2017) (enjoining a juvenile facility from imposing 23-hour isolation and ordering that all juveniles with qualifying disabilities under the IDEA receive special education services and other procedural protections to which they are entitled).

<sup>19</sup> Department of Public Safety, *Did You Know?*, <https://www.ncdps.gov/our-organization/juvenile-justice/datastatisticsreports/did-you-know>, (last visited Mar. 16, 2025).

\*\*\*

We are available to discuss this matter further with you and can be reached at the email addresses specified below.

Sincerely,

*Michele Delgado*

Michele Delgado  
Staff Attorney  
American Civil Liberties Union  
of North Carolina  
Legal Foundation  
[mdelgado@acluofnc.org](mailto:mdelgado@acluofnc.org)



Peggy D. Nicholson, JD  
Supervising Attorney  
Children's Law Clinic  
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**CC:**

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Durham Public Schools  
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Dr. Kristin Bell  
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Claudia Hager,  
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Durham County Commissioners  
[commissioners@dconc.gov](mailto:commissioners@dconc.gov)



June 4, 2025

**ELECTRONIC MAIL**

Angela Nunn  
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**RE: Public Records Act Request**

Dear Ms. Nunn:

Thank you for your response dated May 8, 2025, to our April 3, 2025 letter. We appreciate you taking the time to explain the lockdown status during February and March 2025, the unique challenges faced by the Durham County Youth Home, and the decisions made in response to those circumstances.

Since our initial correspondence, we have observed some encouraging developments. We understand that attorneys have improved access to their clients and families are once again able to visit and communicate with their children. These are important and welcome changes.

However, we remain concerned about the youths' access to education and the amount of time they are allowed outside their cells for meaningful interaction. In light of these ongoing concerns, we are submitting a public records request to gain a clearer understanding of the current conditions.

We make this request under the North Carolina Public Records Act, N.C. Gen. Stat. § 132-1 *et seq.* This act must "be liberally construed to ensure that governmental records be open and made available to the public, subject only to a few limited exceptions." *DTH Media Corp. v. Folt*, 374 N.C. 292, 300, 841 S.E.2d 251, 257–58, (2020). Public officials must furnish public records in response to a request "as promptly as possible[.]" N.C. Gen. Stat. § 132-6(a).

**Substance of request.** We request that you produce the following public records, including any electronic or paper documents, forms, recordings, meeting minutes, computer records, correspondence, or other documentary material, regardless of physical form or characteristics, that are responsive to the following, for the time frame of **January 1, 2024 through the date in which you respond to this request.** We request:

1. All records concerning rules, regulations, practices, policies, procedures, training materials, or directives regarding lockdowns, restrictive housing, solitary confinement, restrictions, restraints, shackling, attorney visiting hours, family visiting hours, meals, hygiene products, fitness and recreation, and education.
2. All communications, including emails, chats, paper letters, announcements, and text messages, that you sent or received which include any of the following terms:

- “Lockdown”
- “Restraint”
- “Restraints”
- “Solitary”
- “Confinement”
- “Segregation”
- “Seg”
- “Isolate”
- “Isolation”
- “Restriction”
- “Separation”
- “Cell”
- “Handcuff”
- “Handcuffs”
- “Shackle”
- “Shackling”
- “Visiting”
- “Visitor”
- “Volunteer”
- “Hygiene”
- “Soap”
- “Toothbrush”
- “Toothpaste”
- “Sanitary”
- “Menstrual”
- “Feminine”
- “Meal”
- “Breakfast”
- “Lunch”
- “Dinner”
- “Medicine”
- “Medication”
- “Education”
- “Class”
- “School”
- “Instruction”
- “Homework”
- “Assignment”
- “Attendance”
- “Computer”
- “Basketball”
- “Recreation”
- “Rec”
- “Gym”
- “Fitness”
- “Outside”
- “Yard”
- “Inspect”
- “Inspection”
- “Staff shortage”
- “Staffing shortage”
- “Understaff”
- “Understaffed”
- “Short-staffed”
- “Short staffed”
- “Special Education”
- “Exceptional Children”
- “IEP”
- “Individualized Education Program”
- “504”
- “Services”
- “Accommodations”
- “Therapy”
- “Progress Monitoring”
- “Testing”

**Justification for withholding.** If you determine that some responsive documents are exempt from inspection under the Public Records Act, please provide a list of the withheld records along with a written explanation that includes a reference to the specific statutory exemption on which you rely. *See* N.C. Gen. Stat. § 132-6.2(c).

**Severability.** Should you withhold some portions of the requested documents on the grounds that they are exempt from disclosure, please specify which exemptions, list any withheld records, and release any portions of the records for which you do not claim an exemption. *See* N.C. Gen. Stat. § 132-6(c).

**Fee waiver.** The ACLU-NC is a nonprofit public interest organization with limited resources, dedicated to the protection of civil rights and civil liberties. The public is the primary beneficiary of the ACLU-NC's work to protect fundamental rights, whether by litigation, legislative advocacy, or publication. The Children's Law Clinic at Duke Law School, with limited resources, provides free legal advice, advocacy, and legal representation to low-income, at-risk children. Law students, under supervision of licensed attorneys, provide free services to children and families across 11 counties within an hour's drive of Durham. For these reasons, federal and state agencies, as well as courts, generally grant waivers of fees for public records submitted by the ACLU-NC and the Children's Law Clinic. The present request satisfies the statutory criteria for a fee waiver. If you determine no waiver is appropriate, and if the proposed fee is greater than \$50.00, we ask that you notify us prior to fulfilling the above requests.

**Delivery.** Please furnish all applicable records, preferably in an electronic format, to Michele Delgado ([mdelgado@acluofnc.org](mailto:mdelgado@acluofnc.org)) and Peggy D. Nicholson ([peggy.d.nicholson@duke.edu](mailto:peggy.d.nicholson@duke.edu)) or to the mailing address: ACLU of North Carolina P.O. Box 28004, Raleigh, NC 27611.

**Timing.** Please provide all responsive records by **May 2, 2025**. If the requested documents cannot be produced all at once, we ask that they be provided on a rolling basis as soon as reasonably possible until the request is fully satisfied. If a rolling production is preferred, we ask that records from this year be prioritized.

Please contact us with any questions you may have.

Sincerely,

*Michele Delgado*

Michele Delgado



Peggy D. Nicholson, JD

Staff Attorney  
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**CC:**

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Youth Home

**POLICY AND TRAINING MANUAL**

**SUBJECT: Education Program**

**Chapter VII- Programs and Services**

**Policy Number: 7.1**

**Pages: 3**

**Reference: 0512,G.S 1156-112, 134A-20, 134-39**

**Effective / Revised: 6/18/2013**

**Approval:**

A handwritten signature in cursive script, appearing to read "Angela Shuman".

**Date:**

6/19/13

**I. POLICY:** The Youth Home shall provide an educational program that is designed to meet the specific needs of the residents. The program will operate on a 12-month basis, 5 days a week and no less than 5 and one-half hours a day. The curriculum shall be adapted to the age, capacity and interest of the individual and the group. A wide variety of individualized materials shall be used. The aim shall be to provide an educational experience realistic to the limits of the relatively brief length of stay for each resident. Residents shall receive credit for attending the Youth Home School. These credits will be transferable to the juveniles' home schools.

**II. PROCEDURES:**

**A. Youth Home Teacher:** To carry out and meet the aims of the educational program, the Durham Public Schools will employ a teacher that meets the qualifications set by the minimum standards for detention centers and other qualifications and requirements set by the local school system. The Youth Home teacher shall implement but not be limited to the following:

1. Establish and maintain a communication link between the public schools and the Youth Home that will facilitate the juveniles' education.

## Chapter VII- 7.1- Educational Program

2. Assess the capabilities and needs of individual residents assigned to the program.
3. Develop and implement individualized education programs that will meet the residents' needs.
4. Maintain an on-going record of resident progress, total number of residents taught and total number of hours of instruction.

**B. Curriculum:** Educational program shall allow for flexible scheduling that permits juveniles to enter anytime and to proceed at their own learning pace. All juveniles shall receive instruction in the following courses:

1. Language Arts
2. Math
3. Social Studies
4. Science
5. Health Education

- C. Each resident is to be tested to determine his/her strengths, weaknesses and specific education needs.
- D. Based on the diagnostic testing individuals will be placed in a functional environment to build on their strengths and improve their weaknesses.
- E. Each resident will demonstrate proficiency in basic developmental and life skills based on his/her level of academic competency in the various subject matters.
- F. No resident will leave the classroom without the permission of the teacher or a staff member.

**G. Discipline in the classroom:**

1. When in the classroom, the teacher is considered the primary disciplinarian of the Youth Home residents.
2. Counselors will be stationed at or near the classroom door to lend quick assistance when necessary.
3. When a resident becomes too unruly to maintain in the classroom, the teacher has the following options:
  - a) Take the resident from the classroom and provide counseling.
  - b) Ask one of the Detention Counselors to counsel the student.
  - c) Place the resident in his room for a cool out (no more than 30 minutes) then provide counseling before he is re-admitted to the classroom.
  - d) Place the resident in his room for the remainder of the day (isolation). Before the teacher leaves for the day, counseling should be attempted. If this is not possible then the resident must be counseled by the teacher before the resident is returned to the class the next day.

**H. Instructional Materials:**

1. A wide variety of individualized learning materials, visual aids and audio equipment shall be used. Up-to-date academic materials and books are to be used.
2. Library facilities shall be a part of the educational program activities. The library shall have books and materials which are age appropriate.
3. Instructional Planning: The teacher shall be responsible for developing and implementing short-term educational units appropriate to each juvenile's needs. Written lesson plans shall be developed according to Durham Public Schools' standards and in the teacher's absence, available for instruction.



Youth Home

## POLICY AND TRAINING MANUAL

**SUBJECT: Education Certification**

### Chapter VII - Programs and Services

**Policy Number: 7.2**

**Pages: 1**

**Reference: ACA-SJD-1C-07**

**Effective / Revised: 6/18/2013**

**Approval:**

*Angela Shuman*

**Date:**

*6/19/13*

**I. POLICY:** All educational staff employed in teaching and related classes shall have a current, valid certification from the North Carolina State Department of Public Instruction appropriate to the area of assignment.

### **II. PROCEDURES:**

- A. Responsibility:** All educators assume full responsibility for maintaining a current, valid certificate while in a teaching position.
- B. Special Education Requirement:** All teachers employed in detention centers shall successfully complete at least twelve semester hours (or equivalent in CEU's or quarter hours) in special education coursework.
- C.** Teachers are responsible for providing documentation of the successful completion of coursework within four years of the date of employment.



Youth Home

## POLICY AND TRAINING MANUAL

**SUBJECT: Recreational / Structured Activities**

### Chapter VII - Programs and Services

**Policy Number: 7.3**

**Pages: 3**

**Reference:** Related Standards: ACA1-SJD-5E-01; SJDSE-04;  
Minimum Standards 0515 GD 134A-20

**Effective / Revised: 06/18/2013**

**Approval:** *[Signature]*

**Date:** *6/24/13*

**I. POLICY:** The Youth Home shall provide recreational and structured activities for the physical and emotional development of residents. Each resident shall receive at least one hour of daily physical activity and one hour of structured leisure time activity.

### **II. PROCEDURE:**

- A.** Recreational programs are designed to reduce idleness and boredom; provide positive reinforcement and assist residents in developing cooperation and sportsmanship.
- B.** Recreational programs are co-ed when possible.
- C.** Recreational programs will include but are not limited to: basketball, volleyball, ping-pong and other appropriate aerobic exercises and games. Residents are not permitted to engage in two (2) or more games at the same time. Games should be played by splitting recreation time if interested in engaging in another activity.

## Chapter VII- 7.3- Recreational / Structured Activities

D. When residents are taken out of the building for recreational activities, the following security measures should always be taken:

1. Conduct radio check to ensure radios are working.
2. Inform the residents of the rules for the playground each time they are taken out of the facility.
3. At least [REDACTED] staff members must be involved in the supervision of residents on the playground area.
4. When the residents leave and return to the building, they are to do so in single file. One counselor is to be stationed at the rear of the line, one at the front and one in the center of the line. No running is permitted. (Any resident that runs to or from the playground area will not be permitted to go out the next day).
5. Staff members should be stationed on the fringes of the court, one at each end and the third in the middle between the gate and the court.
6. Staff members shall not engage in actual recreation.
7. Residents are not allowed off the black top unless given special permission.
8. Outdoor recreation should not exceed one-half hour.
9. As you enter or leave the facility with residents, always be especially alert and cautious since this is frequently the time that residents decide to attempt escapes.
10. When all staff is outside in recreation area the Youth Home cell phone shall be in possession of a staff person in case of an emergency to get assistance quickly, i.e. escape attempt or medical emergencies.
11. Residents who are not participating in recreational activity should sit on the concrete slab area or on one of the "rocks".
12. Residents will not be permitted to return to the building or to go to the bathroom once they are on the playground. Encourage residents to the bathroom before going to the playground.

### Chapter VII- 7.3- Recreational / Structured Activities

13. Take no more than [REDACTED] ouths out to the playground at one time, unless there are four (4) or more staff, then a maximum of [REDACTED] residents shall be taken outside.
  14. Two incidents which you should always be prepared for while on the playground are:
    - a. An attempted escape
    - b. A resident injury (accident)
    - c. A resident fight
- E. Structured activities include but are not limited to: board games, arts and crafts, videos and entertainment activities.
- F. Program staff is primarily responsible for planning, organizing and supervising residents.

# ATTACHMENT 2



# NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION

Maurice "Mo" Green, Superintendent of Public Instruction

[www.dpi.nc.gov](http://www.dpi.nc.gov)

January 5, 2026

Dr. Anthony Lewis, Superintendent  
Durham Public Schools  
PO Box 30002  
Durham, NC 27701  
[anthony\\_lewis@dpsnc.net](mailto:anthony_lewis@dpsnc.net)

Duke Children's Law Clinic  
Box 90360  
Durham, NC 27708-0360  
[Peggy.d.nicholson@duke.edu](mailto:Peggy.d.nicholson@duke.edu)

American Civil Liberties Union/ACLU of North Carolina  
P.O. Box 28004  
Raleigh, NC 27611  
[mdelgado@acluofnc.org](mailto:mdelgado@acluofnc.org)

VIA DPI ENCRYPTED EMAIL

**Re: Duke Children's Law Clinic and American Civil Liberties – Durham Public Schools  
Insufficient Letter: Complaint Number 25-227**

Dear Dr. Lewis, Duke Children's Law Clinic and American Civil Liberties:

This letter is to inform you that the state complaint filed on **December 12, 2025**, by **Duke Children's Law Clinic and American Civil Liberties** against **Durham Public Schools**, is insufficient to initiate a formal state complaint investigation.

A formal state complaint is initiated by alleging violations concerning the federal regulations under the Individuals with Disabilities Education Improvement Act (IDEA)<sup>1</sup> and/or *North Carolina Policies Governing Services for Children with Disabilities* and includes all information as described in the *Procedures for Formal State Complaints* and based on federal regulations at 34 CFR § 300.153.

**The OEC has reviewed the state complaint and determined:**

- The complaint alleges violations that are beyond the purview of the OEC under the IDEA or *NC Policies*; specifically, **[alleged violation]** which can be addressed through **[appropriate channel]**.
- The complaint does not include the signature [physical or digital] of the individual who filed the complaint.
- The complaint does not include the full name and/or contact information for the student.

<sup>1</sup> The Individuals with Disabilities Education Improvement Act (IDEA) Amendments of 2004 (20 U.S.C. 1400 et seq.), the IDEA regulations (34 CFR § 300), Article 9 §115C of the North Carolina General Statutes, and the North Carolina Policies Governing Services for Children with Disabilities.

**OFFICE OF EXCEPTIONAL CHILDREN**

Dr. Carol Ann M. Hudgens, Senior Director | [CarolAnn.Hudgens@dpi.nc.gov](mailto:CarolAnn.Hudgens@dpi.nc.gov)  
6356 Mail Service Center, Raleigh, North Carolina 27699 | (984) 236-2550

Durham Public Schools  
Insufficient Letter: Complaint Number 25-227

- The alleged violation occurred more than one year prior to the date the complaint was received.
- The complaint includes insufficient facts to support the alleged violation.**
  - **The allegations rely on generalized statements and unspecified sources.**
  - **The allegations do not include evidence to support the impacts on students with disabilities from those experienced by all residents.**
  - **The allegations do not include evidence to support the residents housed in the facility during the period in question included any students with disabilities.**
  - **The allegations do not include evidence to support a denial of FAPE.**
- The complaint does not include the name of the school the child is/was attending.
- Other:

The complainant may choose to resubmit this complaint one with all required information, if appropriate, to this office. All resubmitted complaints will be treated as new complaints and are subject to review. [\(Linked here\)](#) is the model state complaint form. You are not required to use the form, but your complaint submission must meet the minimum required components as defined in 34 CFR § 300.153.

Should you have additional questions you may contact **Lakisha Walden** at **Lakisha.Walden@dpi.nc.gov**.

Sincerely,

Signed by:  
  
FC88FCE41A5045A...  
 Sara Self-Maddox, Section Chief  
 IDEA Dispute Resolution  
 Office of Exceptional Children

DocuSigned by:  
  
2F3491A8B6D74FD  
 Lakisha Walden, Consultant  
 IDEA Dispute Resolution  
 Office of Exceptional Children

SSM/LW/lw

Procedural Safeguards: <https://www.dpi.nc.gov/media/11182/download?attachment>

- c Dr. Kristin Bell, Executive Director of Exceptional Children’s Services, DPS  
[kristin\\_bell@dpsnc.net](mailto:kristin_bell@dpsnc.net)  
 Dr. Eleanor Patrick, IDEA Consultant: Regional Administrative Support, OEC

# ATTACHMENT 3

# BEHIND LOCKED DOORS: Inside North Carolina's Juvenile Detention Centers

IMAGE  
A CELL AT PERQUIMANS JDC



801 CORPORATE CENTER DRIVE, SUITE 118  
RALEIGH, NC 27607

919-856-2195 EXT 294 • 877-235-4210 • 919-856-2244 FAX • TTY USERS, DIAL 711



## **| DISABILITY RIGHTS NORTH CAROLINA**

Disability Rights North Carolina (DRNC) is the only organization dedicated to advancing and defending the rights of people with all types of disabilities, of all ages, across the state of North Carolina. We advocate using a wide array of legal and other strategies, from providing information and referral to engaging in systemic litigation. We work to challenge and change policies, practices, or structures that result in widespread injustices or inequalities for disabled people. We also offer resources and guidance to empower individuals to advocate for themselves or their loved ones.

DRNC's areas of practice include education, housing, health and mental health care, community access and supports and voting rights. We monitor facilities throughout NC including psychiatric hospitals, developmental centers, prisons, jails and schools. We speak with residents and patients to make sure they are safe and know their rights. Where we have significant concerns, we investigate.

As North Carolina's Protection and Advocacy agency, we safeguard the rights and lives of nearly 3 million North Carolinians with disabilities.

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Youth in NC's Juvenile Detention Centers receive dramatically different treatment, education services, and other rehabilitative opportunities depending on the facility in which they are detained – and most of the facilities violate state policies regarding their operations, including the use of solitary confinement in some of the facilities.

[Disability Rights North Carolina's \(DRNC\) latest public report, "Behind Locked Doors: Inside North Carolina's Juvenile Detention Centers,"](#) follows a 13-month monitoring initiative from July 2024 through August 2025 that included multiple visits to the state's then 14 existing [Juvenile Detention Centers](#) (JDCs) and nearly 400 in-person interviews with youth confined in the facilities.

DRNC staff initiated this project to assess conditions in these facilities based on concerning reports about conditions in particular JDCs. DRNC's project uncovered shocking conditions in some JDCs, including heavy reliance on solitary confinement-like conditions, little to no educational services, and descriptions of being treated like animals.

DRNC's project also discovered facilities that engaged in best practices allowing kids to feel safe and supported with educational services and other opportunities for rehabilitation to promote community safety and youth well-being. For kids in the facilities between those two bookends of experiences, the services and treatment vary widely.

The State swiftly closed one facility – a detention center operated by the Madison County Sheriff's Office and contracted by the State – after [DRNC staff reported](#), and child protection authorities investigated and substantiated, dangerous and abusive practices against the 21 youth who were living there.

The state Division of Juvenile Justice and Delinquency Prevention (DJJDP) contracts with three other county-operated JDCs in Brunswick, Durham, and Guilford counties.

The State's juvenile justice system currently operates through the [NC Department of Public Safety](#). The juvenile justice system was created with the understanding that young people require rehabilitative support and services because their brains are still developing, and they are more acutely vulnerable in a carceral setting. JDCs were built to house youth who are awaiting a resolution of their charge(s). This includes youth who have been adjudicated and are awaiting placement in another setting, such as a [Youth Development Center](#), group home, or psychiatric residential treatment center.

While JDCs were originally developed to be temporary settings, youth now stay much longer. This creates complex issues for facility leaders and state juvenile justice administrators.

Each of DRNC's monitoring visits concluded with reports to facility and state leadership about the conditions our staff learned about and witnessed. In some instances, such as the Madison County facility, the response was immediate. Others resulted in some improvements in conditions. Still, as the report details, much work remains to improve the conditions in JDCs.

Nationally, up to 70 percent of youth in the juvenile justice system have a disability. In NC, [97.7% of youth in Youth Development Centers have at least one mental health diagnosis](#). How NC treats these youth has tremendous impact on what their futures will look like.

## Key Findings in the report include:

- The majority of DJJDP JDCs and the county-operated JDCs violate DJJDP policies regarding conditions of confinement, discipline, education, and/or recreation, significantly reducing opportunities for young people to engage in services that will enable them to be successful in their lives and communities.
- There are significant special education identification and implementation problems at multiple JDCs that require intensive investigation, training, and resourcing by DJJDP and the NC Department of Public Instruction (DPI).
- A county-operated JDC in Durham County uses a room youth called “the Hole,” a draconian and dehumanizing small room where kids reported they are given only a mattress and are constrained to urinating and defecating through a hole in the floor.
- The JDCs, both state and county-operated, vary widely in providing a rehabilitative environment, ranging from those that stand out positively to those with highly concerning practices detrimental to youth well-being and outcomes.

## The report includes detailed recommendations for improvement. Among those are:

- DJJDP must ensure all state and county-operated JDCs uniformly follow its policies by developing an accountability process that will monitor compliance.
- DJJDP must eliminate the use of solitary confinement in all state and county-operated facilities.
- DJJDP and DPI must ensure state and federal laws and DJJDP policies regarding educational services are implemented and practiced in all state and county operated JDCs.
- DJJDP and Durham County must prohibit Durham County Youth Home’s use of the

Hole under any circumstances.

If we want our justice-involved youth to return to their communities healthier and with improved life skills, we must ensure that all JDCs operate as intended to provide a real education in a safe, trauma-informed environment. Currently, some JDCs are doing a good job, but many are not.

Heavy reliance on solitary confinement is especially concerning because the practice denies or severely limits children’s access to education, recreation, and interaction with their peers. There is no question about the short and long-term [psychological and physical harm that happens to youth](#), whose brains will continue to develop well into their 20s, when they are subjected to isolation.

The Durham and Guilford facilities are among the ones kids reported with the worst solitary confinement-like conditions in the state.

The American Legislative Exchange Council (ALEC), in its [Resolution on Limiting the Use of Prolonged Solitary Confinement](#), calls for alternatives to solitary confinement for “special populations,” such as youth, people with mental health disabilities, people with Traumatic Brain Injury (TBI), and pregnant people.

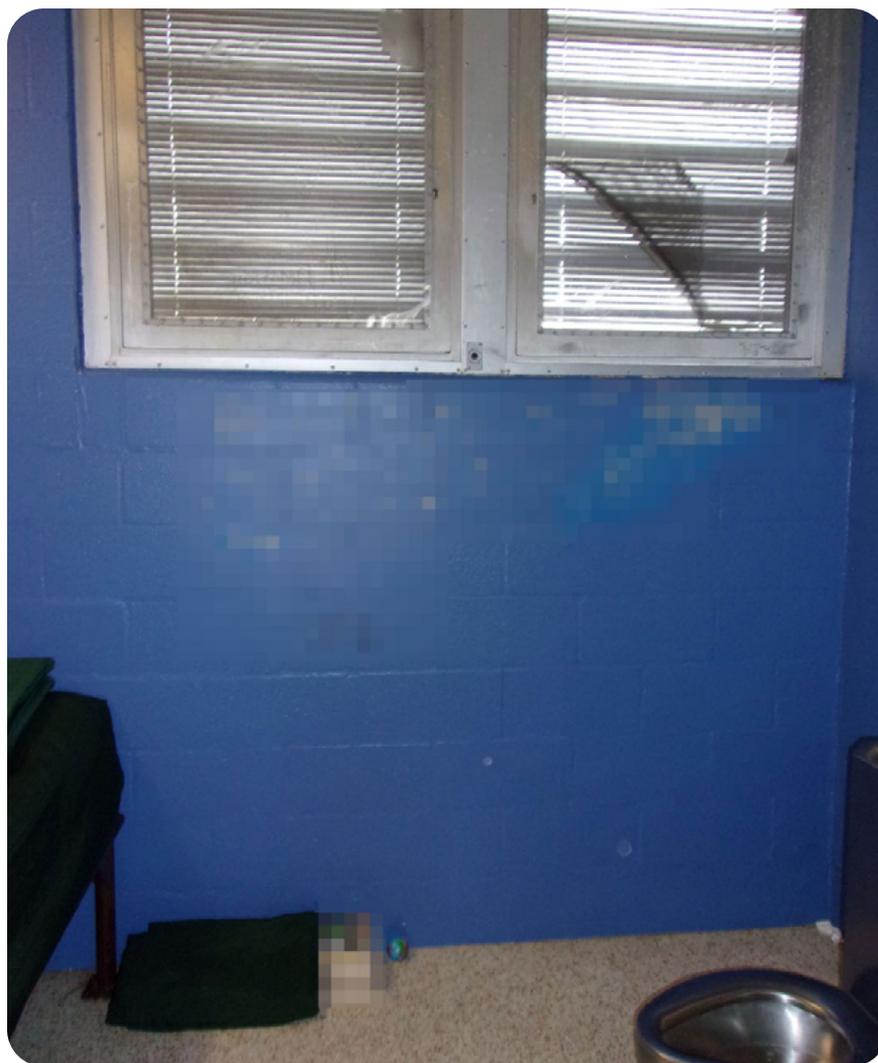
Disciplinary cell confinement as used in North Carolina’s JDCs is not aligned with best practices or DJJDP’s own policies. Instead, [best practices guidance](#) from the Juvenile Detention Alternatives Initiative suggests that cell confinement be limited only to that amount of time necessary for the youth to demonstrate safe behaviors, never as discipline or punishment, and for not more than two hours.

In addition, most of the facilities, state and county-operated, failed to adhere to state and federal educational requirements, including the provision of critical special education protections and requirements.

Despite these disturbing findings, three state-operated facilities stood out as providing best practices in at least several areas of their operations: the JDC units in the Rockingham Youth Development Center (Reidsville, in Rockingham County); Richmond-Jenkins JDC (Hoffman, in Richmond County); and Alexander JDC (Taylorsville, in Alexander County).

These facilities demonstrate that young people can be provided rehabilitative care that sets up youth for success when they return to their communities. Providing care for youth in this way helps young people complete education, gain employment, and lead healthy lives, greatly reducing the chance for recidivism.

North Carolina needs resilient and strong children who are prepared to mature into resilient and strong adults who can contribute to their communities and live flourishing lives. North Carolina's youth should return to their communities healthier and with better skills than they had when they entered our JDCs. North Carolina leaders must demand consistently high-quality care among all JDCs so that our most at-risk youth can succeed. We all benefit when our youth have foundations for success.



A cell at Cumberland JDC

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Disability Rights North Carolina (DRNC) is [North Carolina's Protection and Advocacy \(P&A\) organization](#), charged with advocating for people with disabilities. By federal law, DRNC is empowered to monitor any setting where people with disabilities live or receive services to ensure their rights are protected and, where necessary, investigate and take action to end and prevent abuse or neglect of disabled people.

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Between July 2024 and August 2025, DRNC visited every juvenile detention center (JDC) in North Carolina at least once; six facilities were visited more than once. During this monitoring period, 14 juvenile detention centers were operational; one has now ceased operation as a result of DRNC's important work.

The North Carolina Department of Public Safety's Division of Juvenile Justice and Delinquency Prevention (DJJDP) operates 10 JDCs across the state. Two of these 10 are housed on a campus with a Youth Development Center (YDC): Cabarrus Regional JDC and Rockingham JDC. Three additional JDCs are operated by counties that contract with DJJDP to house youth in the justice system: Brunswick County Juvenile Detention Center, Durham County Youth Home, and Guilford County Juvenile Detention Center. A fourth county-operated JDC, Madison County JDC, closed in January 2025 following a formal investigation that substantiated abuse and neglect of the youth which DRNC uncovered while monitoring there.

County-operated JDCs are required by contract to follow all DJJDP policies and procedures concerning confinement of youth. These contracts are meant to be enforced through DJJDP monitoring. This report will show that significant differences exist among all DJJDP- and county-operated JDCs.

This report concerns the 13 currently operating juvenile detention centers. DRNC has published a separate report, "[No Place for Kids](#)," about the now-closed Madison County JDC.

DRNC gave facility leadership advance notice of each visit discussed in this report. We spoke with any youth who wished to speak with us in the facilities. Between July 2024 and August 2025, DRNC conducted 398 individual interviews with youth about the conditions in the JDCs. These interviews were conducted with federally-mandated P&A confidentiality protections in place.

Our interviews with the youth and DRNC's observations form the primary sources of data for this report. Following every completed monitoring visit, DRNC held debrief meetings concerning our monitoring findings with the leadership of each facility, and with DJJDP leadership for the state-operated facilities. Individual-level youth concerns were shared only with youth consent. DRNC also provided written debrief memos to facility leadership and DJJDP leadership after our completed monitoring visits.

This report emphasizes DRNC's findings from this significant monitoring effort. We extend our gratitude to every young person who agreed to be interviewed. We thank the youth for sharing their honest, first-hand accounts of daily life in these facilities.

## Why Juvenile Detention Center Conditions Matter

North Carolina’s JDCs frequently hold youth for weeks or months. The facilities were designed to temporarily hold youth awaiting resolution of their cases, or transfer to another facility or placement. However, [due to increasing numbers of juvenile petitions](#), together with lengthy delays in some county court systems and a 2020 change in state law that requires youth charged as adults to be held in JDCs until the charges are adjudicated in adult court, juveniles are staying in JDCs much longer than in years past. In 2024, the [average stay](#) in a JDC was 39 days (and an average of 200 days for youth transferred to adult court), more than twice as long as the average of 15 days in 2015.

To prevent recidivism and improve outcomes, JDCs must give youth the opportunity to gain the skills necessary for successful re-entry into

their communities. This keeps our communities safer. The areas DRNC focused on for this report are those in which youth most require opportunities for rehabilitation and success: time in cell versus out of cell, discipline practices, education, recreation, medical and mental health care, family contact, and nutrition.

North Carolina’s juvenile justice system remains far better equipped to meet the needs of youth, with a greater emphasis on education, programming, and mental health support, than adult facilities. DRNC issues this report with a desire to improve the state’s juvenile justice system – building on strengths and remedying areas of need – so justice-involved youth in our state can access services and programs that lead to them becoming successful adults. DRNC makes recommendations concerning the state’s JDCs with a view toward advocating for NC’s juvenile justice system to become truly and consistently rehabilitative, and a model for other states.



A cell at Pitt JDC during DRNC's second monitoring visit, after improvements were made

# Why are Youth in JDCs?

Youth are detained in the state's juvenile detention centers pending adjudication and disposition in juvenile court, conviction and sentencing in adult court, or awaiting other placements, such as a group home or psychiatric residential treatment facility (PRTF). In 2024, the [ages of youth admitted to JDCs](#) ranged from 11 to 20, with the vast majority of admitted youth being between the ages of 13 and 17. JDCs are different than the Youth Development Centers (YDCs) that DJJDP operates; JDCs serve pre-disposition youth, whereas YDCs serve post-disposition youth in the juvenile justice system who have been committed to the Division. In 2025, [DJJDP reported](#) that a wide range of programming for youth occurs in the YDCs. In DRNC's monitoring, DRNC noted that several of the JDCs have fewer formal programming opportunities than was reported for the YDCs.

This report is focused on DRNC's experience monitoring in JDCs. However, it is important to note that **DRNC emphasizes the urgent need for additional State investments in community-based services that can prevent the need for placements in locked institutional settings – including DJJDP facilities – and help youth stay in their communities.**

William Lassiter, NC's Deputy Secretary for Juvenile Justice and Delinquency Prevention, [told WRAL in January](#) that community-based alternatives are effective, and need more funding. "We find that kids we reach early with prevention, trying to keep them out of confinement, actually are more effective," he said. "We're recommending, and it was included in the governor's budget, \$10 million for additional community-based violence prevention programming across the state."



## NC's JDCs by the Numbers

In 2025, there were [2,876 youth admissions](#) to JDCs in North Carolina, [representing 2,186 individual young people](#). Nationally, up to [70 percent of youth](#) in the juvenile justice system have a disability. In North Carolina, data show that [97.7% of youth in Youth Development Centers \(YDCs\) have at least one mental health diagnosis](#). Since youth in YDCs have been transferred there from JDCs, it is highly likely that many, if not most, of the youth in JDCs have at least one mental health diagnosis. Black youth are placed in North Carolina's JDCs at [disproportionately high rates](#).

DRNC found **significant** variation in the conditions at North Carolina’s JDCs. This variation spanned from time confined to one’s cell, discipline practices, education access, recreation time, access to medical and mental health services, family contact, to food quality and quantity. There may be other disparities that are not the focus of this report.

Some facilities had a positive atmosphere, and youth expressed positive feelings about the support they received there. Youth in other facilities expressed a range of concerns, including reports about shocking conditions,

including the use of solitary confinement and other harmful interventions. Some facilities showed variable improvement and/or regression during the months through which DRNC monitored. Stories of improvement and positive practices are highlighted in this report, as well as areas of grave concern in need of the most urgent improvement.

This report also emphasizes recommendations for DJJDP to develop all the state’s JDCs into youth-centered, public safety-enhancing, trauma-responsive, and reentry-focused spaces.



An outdoor mural at Cumberland JDC

# Physical Condition and Layout of the Facilities

The physical condition of North Carolina’s JDCs varies, ranging from newer-built facilities with substantial natural light – such as Durham County Youth Home – to older facilities with cleanliness concerns, including mold and neglected maintenance.

Rockingham JDC, for example, opened in 2024 as a YDC that also includes JDC pods, whereas Cumberland Regional JDC (Cumberland JDC) opened nearly 50 years ago in 1978. Some facilities had specific amenities, such as music studios at Wake Regional JDC (Wake JDC) and Rockingham JDC and an outdoor-area-turned-garden at Cumberland JDC.

All the facilities except one contain small, single-occupancy rooms, or cells [\[1\]](#), for youth. Most, but not all, facility cells contain a toilet and sink. The cells generally line at least one pod or dayroom area. In some facilities, flaps, at times, cover cell windows, preventing youth inside from visual access to the pod.

At some facilities, colorful pennants or puzzles line the walls of common areas or pods. In most, but not all, facilities, youth cells have a window to the outside.

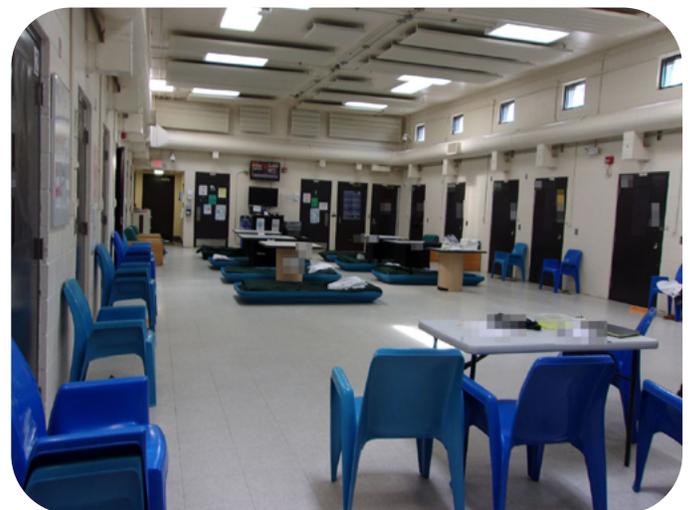
In one county-operated JDC, Brunswick County JDC, the layout resembles an adult jail cellblock.

All facilities have access to outdoor recreation space; some facilities have a gym as well.

One DJJDP-operated facility stood out for its unique design. Richmond-Jenkins JDC, located in Hoffman, NC, is an “open-bay” facility in a repurposed adult minimum-security prison unit. Richmond-Jenkins JDC has no cells or room doors. It features substantial natural light. Youth there spend their time in the communal pods – where they eat meals, attend school, and otherwise have programming – or outside during recreation time.



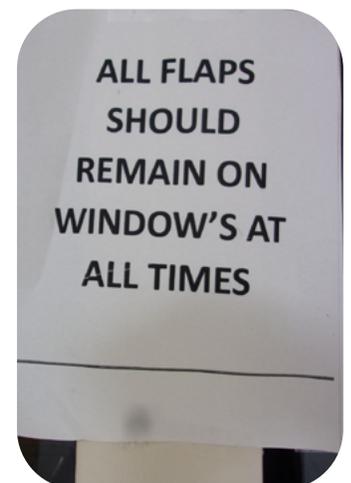
A cell at Rockingham JDC



A dayroom at Pitt JDC



A flap covering a cell door at Cumberland JDC



Notice regarding flaps at Dillon JDC

We are pleased to be able to report that the most egregious facility condition concerns, at Pitt Regional JDC (Pitt JDC), had been mostly remedied by the time of our second monitoring visit after DRNC reported our significant concerns about the conditions, including showing photographs that illustrated the problems.

## Recommendations for Facility Physical Conditions:

1. DJJDP and facility staff thoroughly clean and maintain each JDC facility interior and exterior on a scheduled basis. In a response to concerns this report raised, DJJDP [Deputy Secretary William Lassiter sent a letter to DRNC](#) and said DJJDP is seeking funding from the NC General Assembly for 13 additional “maintenance staff, tools and equipment to address critical needs and optimize operational efficiency across regional facilities, including youth development centers, juvenile detention centers and Multipurpose Group Homes.”
2. Facility staff use window flaps on cell windows only as needed and requested by youth for their privacy.



A dayroom at Alexander JDC

## Time Out of Cell

A basic measure of the opportunities for rehabilitation and success offered by a JDC is [how much time youth spend locked in their cells versus the amount of time they are out of their cells](#). There is very little that is rehabilitative about sitting alone in a locked cell. Youth must be out of their cells to engage in education, recreation, and mental health programming, and to have opportunities for [prosocial](#) interactions. If North Carolina is serious about providing an effective, rehabilitative juvenile justice system that prioritizes public safety and successful re-entry, youth must be given significant time out of their cells.

The amount of time that youth in North Carolina’s JDCs spend confined to their cells varies



The pod at Brunswick County JDC

significantly. In only three facilities were youth out of their cells for almost all or all day, every day, allowing them full access to programming that is essential to their well-being and rehabilitation. Predictably, in these facilities, young people reported a greater sense of well-being and safety.

In other facilities, the amount of reported time in cells differed even within the facility. And in far too many facilities, youth were confined to their cells for large amounts of time, up to and including conditions that rise to the level of solitary confinement.

Solitary confinement has been defined as keeping an incarcerated person locked in their cell for more than 22 hours a day. The harmful psychological and physical impacts of solitary confinement have been well documented. These can range from insomnia, hypertension, and paranoia to PTSD, depression, psychosis, suicidal ideation, and premature death. The risks of solitary confinement are greater for youth. The report of the US Attorney General's National Task Force on Children Exposed to Violence found that: "Nowhere is the damaging impact of incarceration on vulnerable children more obvious than when it involves solitary confinement."

Young people and people with mental health disabilities should not be subjected to solitary confinement. This is echoed by the American Legislative Exchange Council (ALEC) in its Resolution on Limiting the Use of Prolonged Solitary Confinement, where it calls for alternatives to solitary confinement for "special populations," such as youth, people with mental health disabilities, people with Traumatic Brain Injury (TBI), and pregnant people.

Solitary confinement does not make facilities safer and does not improve public safety.

Youth in juvenile detention settings should generally remain out of their cells during waking hours and engaged in meaningful programming

and activities. DJJDP's own policies state that JDCs are meant to be "therapeutic" environments (DJJDP Policy DC 1-3 2.3.3). There is very little therapeutic about a youth being locked alone in a cell during waking hours for hours at a time.

## How Much Time Are Youth Locked in Their Cells in North Carolina's JDCs?

As noted, across all JDCs in North Carolina, the total amount of time in cells varies widely from facility to facility, with some facilities allowing youth out of their cells for virtually all waking hours, others maintaining conditions of solitary confinement for many or most youth, and some facilities operating between these poles – including facilities that have varying conditions within the facility itself.

DRNC noted that several facilities have official

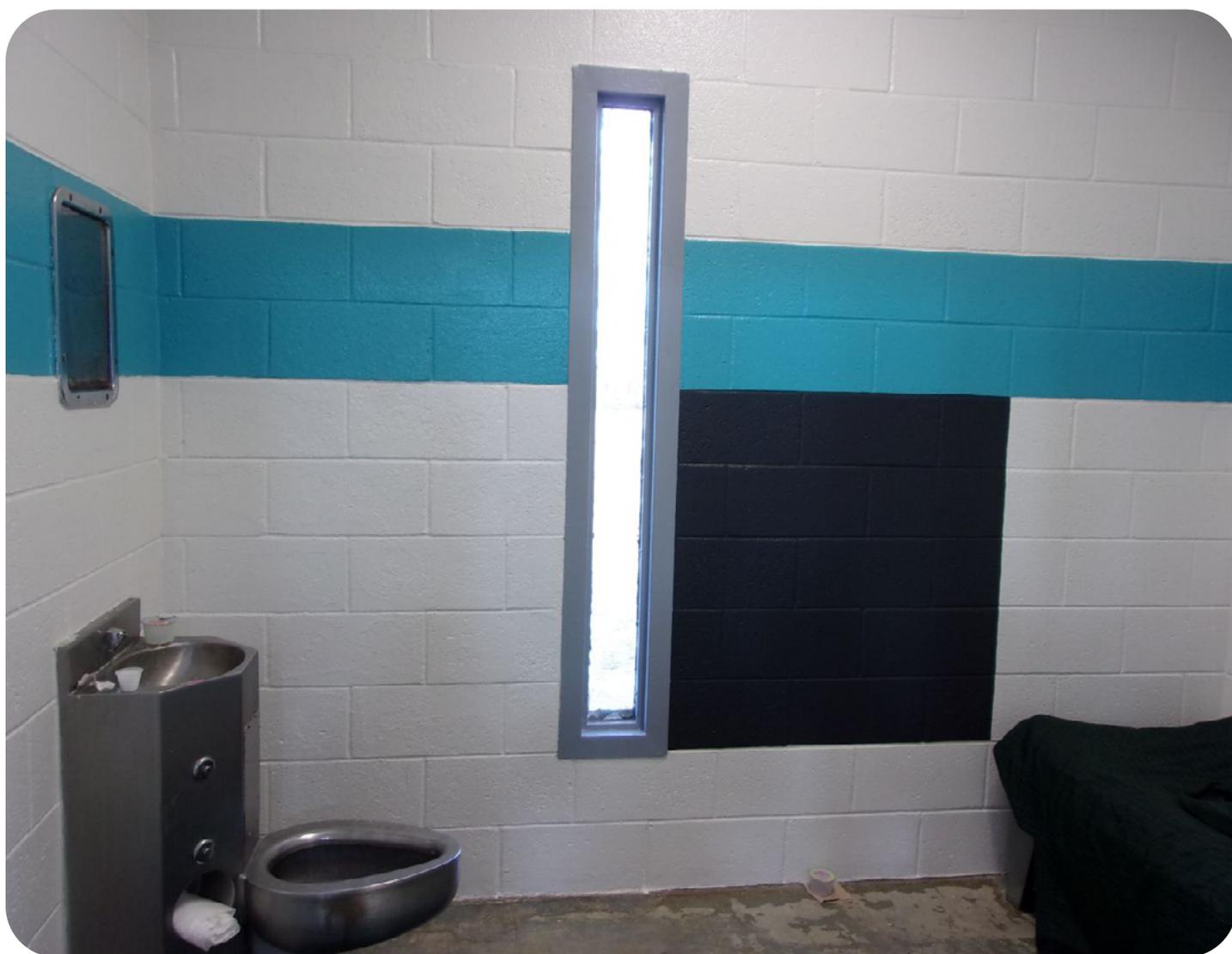


A cell door at Brunswick County JDC

schedules that show substantial time outside of cells. However, we learned that frequently these schedules were not followed. Some JDCs cited difficulties following the official schedules due to staff shortages.

The table below provides an overview of how much time youth reported spending locked in their cells in each JDC facility. The range of time out of cell noted for most JDCs reflects variation in time out of cell during weekends, differences in time out of cell between different pods, and variation in experiences by youth in the same facility. The chart reflects time out of cell during DRNC's most recent monitoring visit to the facility, which may vary from previous monitoring

visits. For example, in our September 2024 visit to Cabarrus Regional JDC (Cabarrus JDC), multiple youth reported significant time out of their cells, though there was considerable variation. However, during our most recent visit in July 2025, youth spent much more time confined to their cells. Likewise, during our most recent visit to Dillon Regional JDC (Dillon JDC) in August 2025, DRNC was informed of solitary confinement-like conditions, whereas youth in the facility during a prior visit spent significant amounts of time outside their cells. Time outside of cells improved somewhat at Pitt JDC between DRNC's monitoring visits.



Another cell at Pitt JDC during DRNC's second monitoring visit, after improvements were made

<b>Facility</b>	<b>Significant Amounts of Time Spent Outside of Cell Daily</b>
Richmond-Jenkins JDC	The facility has no cells. Youth spent 100% of their time outside cells.
Rockingham JDC	Youth spent nearly all day outside their cells.
Alexander Regional JDC	Youth reported spending most of the day outside their cells, with up to 3 hours spent in cells during the day and the remainder of the daytime out of cell.

<b>Facility</b>	<b>Limited to Moderate Amounts of Time Spent Outside of Cell</b>
Brunswick County JDC (county-operated)	Youth spent approximately 2-7 hours a day outside their cells, with additional time outside of cells on weekends.
New Hanover Regional JDC	Youth reported spending approximately 1.5-6 hours a day outside their cells, with up to all day outside their cells on weekends. "Lockdowns," when youth are confined to their cells for additional time, occurred with some regularity.
Perquimans JDC	Youth spent approximately 2-6 hours a day outside their cells, and a range of about 5-6 hours to all day spent outside their cells on weekends.
Pitt JDC	Youth spent approximately 1-5 hours a day outside their cells; however, some youth reported being confined to their cells for 22-23 hours a day.
Wake JDC	Youth spent at least 4-6 hours a day outside their cells.

Facility	Multiple Reports of Solitary Confinement: Very Little Time Spent Outside of Cell
Cabarrus JDC	Several youth reported being locked in their cells for approximately 22-24 hours a day. Other youth spent limited to moderate time out of cell.
Cumberland JDC	Youth generally reported being locked in their cells for approximately 22-23.5 hours on weekdays. Youth spent about 2-4 hours out of their cells on weekends.
Dillon JDC	Several youth reported being locked in their cells for at least 23.5 hours a day. Youth-reported time in cells ranged from approximately 20-23.5 hours.
Durham County Youth Home (county-operated)	Youth generally reported being locked in their cells for about 23 hours a day. On weekends, youth spent slightly more time outside their cells.
Guilford County JDC (county-operated)	Youth generally reported being locked in their cells for at least 22 hours a day. Individuals in the girls' pod reported being locked in their cells for approximately 20 hours a day.



An empty pod at Richmond-Jenkins JDC

## JDCs with the Most Time Out of Cell

In three out of the 13 JDCs (Alexander JDC, Rockingham JDC, and Richmond-Jenkins JDC), youth were consistently out of their cells for most or all day, every day.

In these facilities, the increased amounts of time out of cells and with other young people resulted in much more positive feedback from young people interviewed compared to the feedback from youth in other JDCs. Young people in the three facilities shared more positive mental health reports, in sharp contrast to reports from youth confined with few opportunities to be released from their cell. It is notable that the programming offered in these three facilities more closely match DJJDP requirements for JDCs. The kids in these JDCs were more engaged in education, recreation, and other rehabilitative programming than youth in other facilities and felt better as a result.



A mural in Rockingham JDC

## Three state-operated JDCs with the greatest time out of cell

Youth held in the JDC portion of the **Rockingham YDC** facility consistently were out of their cells for extended periods of time, with ample time for educational opportunities, recreation, family contact, and access to appropriate mental health supports. Rather than using extended periods of time in cells as a means of behavior management, staff instead leveraged a robust positive behavior incentive system, allowed for youth to request 30-minute breaks in their cell to calm themselves, and ultimately, had staff and leadership create and maintain a positive and safe culture for young people detained there.

**Richmond-Jenkins JDC** is unique compared to other facilities in that it is an open-bay style, where young people are not housed in cells. As a result, young people detained at Richmond-Jenkins JDC do not spend any time in a cell. Youth reported that this style of housing, as well as the positive and respectful interactions with staff, had much more beneficial results for the youths' mental health. DRNC was specifically asked to thank the director of the JDC for operating a facility that was not locked down.

Youth at **Alexander Regional JDC (Alexander JDC)** also spent many hours a day outside of their cells and in class.

In the facilities where young people are out of cells for most of the day, DRNC heard consistently more positive reports about the youths' mental health, lower concerns for staff managing difficult behaviors from youth, and daily environments in which youth could focus on the therapeutic and educational opportunities available to them.

By having youth out of their cells for a majority of each day, these facilities are taking meaningful steps towards building a therapeutic environment for youth detained there, and, in this area, are a model for other JDCs – even when facing staffing shortages.

## JDCs Allowing Only a Limited to Moderate Amount of Time Out of Cell

Between the poles of JDCs allowing significant time out of cell and JDCs using a significant amount of solitary confinement, five JDCs allowed limited to moderate amounts of time out of cell. These were the facilities where most youth spent more than two hours a day out of their cells, and up to all day out on some days. The amount of time youth were allowed outside their cells varied in these facilities. The facilities grouped in this category include Brunswick County JDC (county-operated), New Hanover Regional JDC (New Hanover JDC), Perquimans JDC, Pitt JDC, and Wake JDC. Pitt JDC stands out in this group as a facility in which some youth did report solitary confinement-like conditions; Pitt JDC is included in this grouping because of the variation of time that youth reported out of cell.



A cell at New Hanover JDC

## Solitary Confinement in JDCs: Shocking and Normalized

Five JDCs used solitary confinement of more than 22 hours a day with frequency and normalcy, in violation of DJJDP policies. DRNC learned of a term for what some youth were experiencing: “23-and-1.” A “23-and-1” facility locked kids in their cells for all but about one hour a day. Some youth believed this was the common state of being detained in JDCs.

Durham County Youth Home and Guilford County JDC, both county-operated facilities, regularly locked youth in their cells for at least 22 hours a day, as reported by youth in DRNC’s most recent monitoring visits. The over-representation of county-operated JDCs in this group of facilities with the most concerning practices is worth noting, as these facilities, while still under the supervision of DJJDP, seem to operate without much oversight, which likely contributes to their inappropriate use of solitary confinement on children.

Cumberland JDC, a DJJDP-operated facility, similarly held kids in solitary confinement-like conditions, allowing youth out of their cells for very little time daily. Youth at Cumberland JDC noted that, during the short part of their time allowed out of their cells, they were made to silently watch *Criminal Minds* or a similar show in the facility’s dayroom.

Cabarrus JDC and Dillon JDC stood out as facilities that were reported to widely use solitary confinement during the most recent monitoring visit, a contrast from previous visits. Pitt JDC often used solitary confinement during DRNC’s first monitoring visit and used it to a lesser extent on a subsequent visit – with some youth on the subsequent visit being out of their cells for up to 5 hours a day.

## How Do Youth Experience Solitary Confinement?

Youth in facilities using solitary confinement **frequently** expressed the mental anguish associated with being locked in their cells for so long. Some youth appeared dazed or teary. Many others stated that excessive cell confinement distressed their mental health. While Guilford County JDC and Brunswick County JDC provided tablets for youth to have in their cells in an attempt to ameliorate the conditions of cell confinement, other JDCs did not even provide tablets in cells.

To pass the time, youth spoke of staring at the walls, bouncing a ball, reading, exercising in their cell, pacing, or sleeping. Concerningly for safety

reasons, some youth at Cabarrus JDC noted that sometimes there were no staff on the pod when youth were locked in their cells. At some facilities, like Cumberland JDC, the solitary confinement was made worse by other practices, such as generally prohibiting youth from speaking to other youth indoors. Youth in facilities using solitary confinement expressed feeling that they were being treated like animals. Regarding cell confinement generally, other youth spoke of cell confinement as having negative impacts on their mental health or of feeling like the cell walls were sometimes closing in on them. An alarming number of youth expressed suicidal ideation or thoughts of self-harm due to being kept in solitary confinement-like conditions. DRNC obtained youth permission and relayed urgent mental health needs to facility leadership.

## Why are JDC Facilities Using Solitary Confinement?

At many of these facilities, staff and leadership point to staffing shortages and/or difficulties managing conflict between young people as reasons for keeping youth in their cells for extended periods of time. [The American Academy of Child and Adolescent Psychiatry states](#) that “[a] lack of resources should never be a rationale for solitary confinement.”

DRNC emphasizes the need for sufficient staffing to allow young people out of their cells. At the same time, while staffing concerns are an issue in some JDCs, staffing levels at some facilities appeared to be sufficient to have young people out of their cells much more often than what was reported and observed. It appeared to DRNC that, at some facilities, keeping kids in their cells for long periods of time had simply become normalized.

## What Do DJJDP Policies Say About Solitary Confinement?

DJJDP policies do not include “solitary confinement” in the terminology. They do state that “administrative room confinement” can be authorized for JDC safety, security, or management

– including for critical staffing shortages (DJJDP Detention Service Policy DC 1-3 2.3.9). Administrative room confinement is not related to behavioral infractions.

By policy, administrative room confinement is to be limited to the time period needed to resolve the initial problem. A JDC director can authorize administrative room confinement for up to 24 hours and can reauthorize administrative room confinement beyond 24 hours with notification to the DJJDP Director of Facility Operations. It is unclear if this process is followed across JDCs, especially in those facilities using solitary confinement regularly. County contracted JDCs are required by contract to follow DJJDP policies concerning confinement of youth.

The North Carolina state prison system [banned the use of solitary confinement for youth](#) under 18 in 2016. [Other states ban](#) the use of solitary confinement as punishment, or otherwise restrict the use of solitary confinement – such as limiting the length or conditions of solitary confinement.<sup>[2]</sup>

DJJDP Deputy Secretary William Lassiter told DRNC in a [Dec. 18, 2025 letter](#), “the use of solitary confinement is not practiced within any North Carolina juvenile justice setting. We do acknowledge that our policy does provide a provision where a youth may be placed in their rooms for a period to regain composure, following an incident that jeopardized the health and safety of themselves or others, and this time is carefully monitored by facility leadership, behavioral health, and medical staff. DJJDP policy does not support the use of room confinement for punitive purposes. While a youth is in their room for both administrative and temporary room confinement, they must receive visits from behavioral health, health services, education, a facility supervisor, social worker, and as requested – the chaplain. Also, while a youth is in their room, they must continue receiving living conditions approximate to those youth in the general population.”

That statement did not bear out in DRNC’s monitoring. DRNC observed and youth reported a very different reality.

## Three JDCs stand out for consistent solitary confinement conditions over consecutive monitoring visits

### Guilford County Juvenile Detention Center (county-operated)

Concerns regarding Guilford County JDC's use of solitary confinement conditions were communicated to DRNC prior to our monitoring, with a report of youth in cells for up to 23 hours per day. During DRNC's monitoring visits, these concerns were confirmed. Youth were consistently confined to their cells for 22-23 hours per day, and DRNC routinely heard the facility described as a "max" (maximum security) or a "23-1" facility. There is no such legal designation for juvenile facilities in North Carolina.



An empty cell at Guilford County JDC

The cells where the young people at Guilford County JDC are detained for these extended periods of time have no windows to the outside.

Youth reported only sometimes or rarely going outside.

In summer 2025, DRNC returned to Guilford County JDC to determine if there had been any improvements to the youth's out-of-cell time. While the facility made minor improvements, like painting over the graffiti in the cells, the youth still spent similar amounts of time out of cell as they did in previous monitoring visits. In individual interviews, youth on the boys' pods consistently stated that they were out of their cells for only 1-2 hours daily.

In response to findings in this report, which were substantially similar to findings previously relayed to facility leadership, Guilford County JDC responded in a [January 2026 letter](#), denying the use of solitary confinement "as a routine practice" and stating that "in July 2025, youth spent about 5 hours per day out of the room." This statement is inconsistent with the reports DRNC heard the following month. The facility's response also stated that youth at the Guilford County JDC are currently spending about 8.5 hours out of their cells daily, and that staffing shortages affecting youth time out of cell the past summer have largely been addressed. DRNC has not yet verified these statements, which would represent significant and notable improvements.

### Durham County Youth Home (county-operated)

The second county-operated JDC in this section, Durham County Youth Home (DCYH), stood out originally due to its newly built facility and the relatively robust education that students received during DRNC's first monitoring visit in September 2024. During this visit, concerns emerged about recent periods of solitary confinement-like conditions on the weekends and during the summer, with youth getting out of their cells more often with the beginning of the school year. This additional time spent out of their cells was positive for youths' mental health.

However, following concerning information about a “lockdown” of the facility, including restrictions on or modifications to young people’s access to legal counsel, families, recreation, and time out of cell, DRNC monitored at the DCYH again in February 2025. During this monitoring visit, DRNC confirmed that youth at the DCYH were being confined to their cells for 22.5 – 24 hours every day.

Young people had largely stopped attending school, and when they did attend, they were doing so one-on-one or in small groups and for no more than 30 minutes at a time. Youth were allowed 15-30 minutes for free time and – on some days – 30 minutes of “programming.” Youth were allowed 7-minute showers. Recreation had just resumed the week of DRNC’s monitoring visit.

On weekdays with no school, youth reported spending up to 24 hours a day in their cells. On weekends, youth spent 22.5-24 hours a day in their cells. When youth were allowed out of their cells, they were largely taken out individually, without being allowed meaningful interactions with their peers. DRNC learned of a distressing level and frequency of negative mental health impacts of the “lockdown” period, including reports of suicidal ideation and attempts of self-harm.

During the exit meeting following DRNC’s February 2025 monitoring visit, DRNC shared our deep concern with these new “lockdown” conditions. Subsequent to this meeting, in April 2025, the facility informed DRNC that the DCYH was no longer on “lockdown.”

Despite this update, DRNC discovered during its July 2025 monitoring visit that these solitary confinement conditions had remained largely unchanged during the five months since DRNC’s prior monitoring visit. Youth consistently reported 22.5-24 hours spent in their cells daily, and the mental health impacts were apparent. Multiple youth repeatedly and desperately relayed that their solitary confinement was deteriorating their mental health, causing them to be severely

depressed and anxious; the confinement also exacerbated existing mental health needs, and ultimately, left the youth feeling dehumanized.

In a [January 2026 letter](#) in response to findings in this report, the DCYH stated that it currently has a 45% Youth Home Counselor position vacancy rate. The letter also stated that youth are not routinely confined to their cells for 22 or more hours a day. However, youth consistently said otherwise during DRNC’s monitoring visits to DCYH in 2025.

### **Cumberland Regional Juvenile Detention Center**

Cumberland JDC is directly operated by DJJDP. DRNC first monitored at Cumberland JDC in November 2024. The facility is relatively small, having 18 cells; additional youth may sleep in the communal dayroom area on plastic temporary beds, referred to by staff and young people as “boats.” The facility boasts an outdoor area with a sensory garden, swinging chairs, and murals.

During our first monitoring visit, it quickly became apparent that the youth held in cells, rather than in boats in the dayroom area, were regularly confined to their cells for 22-23 hours per day. The windows on the doors of their cells were covered with a black flap, and the blinds covering their windows to the outside were closed, making it dark and impossible to see other people. Additionally, the facility did not allow youth, when indoors, to speak to each other or look at other youth for too long. This intense isolation negatively impacted the youths’ mental health, with some youth unable to complete their interview with DRNC without crying significantly.

Upon first entering the facility, youth were placed on “quarantine” – a period of 3-5 days when they did not come out of their cells except to shower. (Alexander JDC is another facility that implemented a “quarantine” policy.)

Many youth at Cumberland JDC reported that they rarely went outside and that when they did, it was for 15-30 minutes.

In July 2025, DRNC monitored at Cumberland JDC again, finding the conditions nearly identical, despite DRNC having previously shared concerns. Young people continued to report that they regularly spent 22-23.5 hours in their cells, were not allowed to speak to one another, rarely went outside, the blinds in their cells were still often closed, flaps were still used on doors, and their mental health was suffering from this isolation.

*Multiple youth were crying and had difficulty finishing their interviews apparently due to the impact of isolation on their mental health. Youth felt depressed and overwhelmed. Multiple young people were experiencing recent or current suicidal ideation or had attempted self-harm while detained at Cumberland JDC.*

Following monitoring visits to these three facilities, DRNC immediately reported our concerns to facility leadership and to DJJDP leadership for the DJJDP-operated facility. DRNC provided monitoring memos to DJJDP leadership for all facilities, including these three. DRNC remains deeply concerned about the harmful effects of the use of solitary confinement conditions on the youth in these facilities.

## Recommendations for Time Out of Cell

1. All North Carolina JDCs immediately cease allowing solitary confinement, regardless of the name or terminology used to describe the practice of isolating youth in their cells for more than 22 hours per day.
2. The North Carolina General Assembly affirmatively bans the use of solitary confinement for youth in JDCs statewide.
3. DJJDP intervenes intensively at Cumberland JDC, Durham County Youth Home, Cabarrus JDC, Dillon JDC, and Guilford County JDC to substantially increase time out of cell.
4. DJJDP conducts monthly in-person monitoring of the facilities above to ensure significant, consistent progress towards increasing time out of cell.
5. DJJDP creates a policy that time out of cell is the expectation during waking hours. The policy must require at least 12 hours out of cell per day.
6. DJJDP examines JDC facilities where youth report spending a greater amount of time out of cell (high out-of-cell time facilities) and shares best practices and effective policies with other JDC facilities. High out-of-cell time facilities demonstrate that JDCs can be operated in more rehabilitative and humane ways.
7. DJJDP requires structured programming at all JDCs during the day by staff, including the following program areas: education, recreation, and appropriate mental health supports. If grouping is needed to ensure safety, group to maximize time out of cell.
8. DJJDP prohibits the use of flaps that cover cell windows unless a youth requests the flap for privacy.

9. DJJDP revises any facility admission policy that requires quarantining, except where necessary for public health (such as confirmed measles exposure).
10. DJJDP requires all JDC facilities to provide meals on the pod, rather than in cells.
11. DJJDP creates a public dashboard detailing the number of youth being held in their cells for more than 22 hours a day daily, by facility.
12. DJJDP terminates contracts with county facilities not adhering, within strict deadlines, to DJJDP policies concerning youth confinement.
13. The North Carolina General Assembly provides adequate funding for DJJDP to allow increased wages for all facility positions to reduce vacancy rates and ensure high quality staff dedicated to supporting system-involved youth.

## Youth Discipline

JDCs across the state addressed youth behaviors through both positive behavioral incentive structures and punitive actions, such as additional cell confinement. DJJDP policies state that “[s]taff shall make every effort to maintain control of juveniles through the creation and maintenance of a therapeutic environment that utilizes positive reinforcement, role-modeling, skill instruction, counseling, and opportunities for achievement. Discipline shall be administered in a way to create a learning experience for the juvenile.” (DJJDP Policy DC 1-3 2.3.3)

### Disciplinary Cell Confinement

One of the most egregious findings of DRNC’s monitoring was the regular use of solitary confinement conditions as discipline across most facilities. The use of solitary confinement as punishment has been expressly [banned by several states](#). [3] And, as noted [previously](#), [Deputy Secretary Lassiter told DRNC](#) that “DJJDP policy does not support the use of room confinement for punitive purposes.” But this is not what the youth reported to DRNC during our monitoring visits.

Youth on disciplinary cell confinement in North Carolina’s JDCs are typically confined to their cell for 23-24 hours a day, often with no access



A cell at Alexander JDC

to school, recreation, phone calls, or free time. At Alexander JDC, students on disciplinary cell confinement even had books removed from their cells. In some facilities, this solitary-confinement-as-discipline was exacerbated by flaps covering youths’ windows to the pod. Cell confinement as discipline went by many names, such as: Temporary Confinement (TC), lockdown, “modified,” “room time,” and “admin.” Youth could receive cell confinement for several hours to several days. Behaviors that could result in cell

confinement included major infractions such as fighting and, in some facilities, minor infractions such as using profanity. Youth regularly reported receiving up to 3 days of TC for a fight.

DJJDP policies state that cell confinement as discipline should only be used after all less restrictive measures have been exhausted or determined ineffective (DJJDP Policy DC 1-3 2.3.3(5)). DJJDP policies also state that cell confinement in response to behavior should be limited to the amount of time needed for the youth to regain control and return to the general population (DJJDP Policy DC 1-3 2.3.8(2)). The JDC facility director may authorize temporary room confinement up to 24 hours. Temporary room confinement beyond 24 hours requires notification to the DJJDP Director of Facility Operations (DJJDP Policy DC 1-3 2.3.8). DJJDP policies do not use the term “solitary confinement” to characterize temporary room confinement. County contracted JDCs are required by contract to follow DJJDP policies.

As with time in cell, disciplinary cell confinement varied widely between facilities. Most JDCs did not appear to follow DJJDP policy of limiting cell confinement to the time needed for youth to regain control. Instead, disciplinary cell confinement was often given for a fixed amount of time.

On the positive side, at Richmond-Jenkins JDC, the open-bay facility with no cells, discipline was usually handled through verbal de-escalation and other non-punitive strategies. Rockingham JDC also used very little disciplinary cell confinement, relying instead on verbal de-escalation strategies and a robust positive behavior incentive system. All other JDCs used some form of disciplinary cell confinement, with confinement commonly lasting up to 3 days – sometimes longer.

Disciplinary cell confinement as used in North Carolina’s JDCs is not aligned with best practices or DJJDP’s own policies. Instead, [best practices guidance](#) from the Juvenile Detention Alternatives Initiative suggests that cell

confinement be limited only to that amount of time necessary for the youth to demonstrate safe behaviors, never as discipline or punishment, **and for not more than two hours.**



*The Hole – cell at Durham County Youth Home*



*The Hole – cell at Durham County Youth Home*

## Additional Harmful Practices in JDCs

During monitoring, DRNC became aware of other egregious disciplinary practices in some of the JDCs. At Durham County Youth Home, youth reported that young people could be placed in “the Hole” as a disciplinary measure. Per DRNC observation, the Hole consists of a bare room with a hole in the floor; it was reported that the hole in the floor was for defecation/urination. The cells youth referred to as the Hole were located in a hallway between two pods. Youth noted that when placed in the Hole, they only sometimes were provided a mattress and the lights stayed on constantly, causing youth to be highly uncomfortable. They only sometimes received a

pillow and blanket. Youth were unable to attend school while in the Hole. They also reported they would be placed in the Hole if they refused school for the day. Youth reported lengths of stay in the Hole anywhere from 2 days to 2 weeks. Alarming, the Hole was also used for suicide watch purposes.

In a written response to findings in this report, Durham County Youth Home replied as follows regarding the Hole: “DCYH does not and will not place residents in any form of solitary confinement or “hole.” DCYH does not have any rooms that are designated, labeled, or referred to as “the hole.” We have Special Observation rooms that are designed for and used as mental health observation rooms. These Special Observation rooms are not used as a response to behavior problems. Special Observation rooms are only used when residents are experiencing a mental health crisis (i.e. suicidal ideations or attempts, etc.) and in collaboration with mental health clinical staff guidance.” Statements that the DCYH does not have any rooms referred to as the Hole are contradicted by multiple youth using the phrase in interviews with DRNC, in reference to the Special Observation rooms. Youth also reported use of the Hole for both discipline and suicide watch purposes.

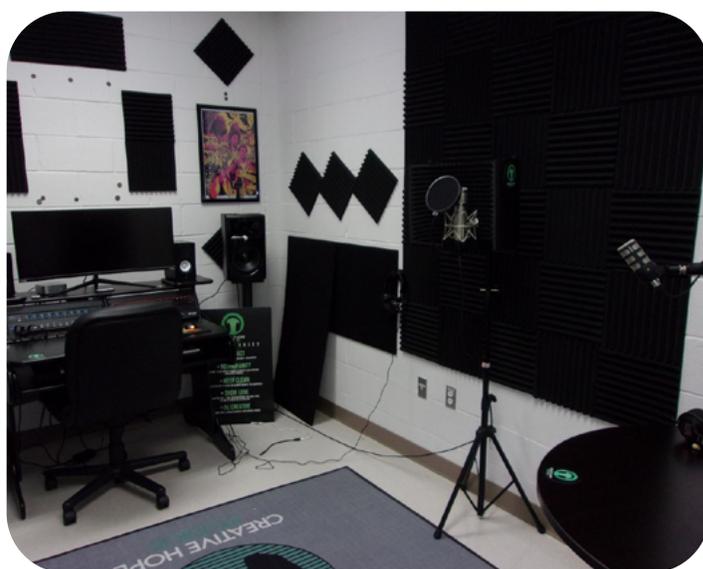
Youth in some facilities also were shackled in response to behavior. DRNC interviewed youth at both Cabarrus JDC and Durham County Youth Home who had been shackled, some of whom were shackled during the course of the interview with DRNC. Shackling youth in facilities as a response to behavior is problematic because it raises concerns for the safety of the youth shackled and is not trauma-informed. DJJDP Policy JJ 1 1.7.2 permits the use of mechanical restraints in a variety of instances, including to “maintain a safe and secure environment.” In a debrief meeting, DRNC learned that the practice of shackling as a “safety plan” had been halted at Cabarrus JDC. However, DRNC has not confirmed this change in policy.

At various facilities, DRNC also heard reports of staff using excessive physical force to manage behavior. For example, at New Hanover JDC, DRNC heard a report of a face-down (“prone”) restraint used to manage a youth’s behavior. [Prone restraints are extremely dangerous and have a high risk of adverse outcomes, including death.](#)

Notably, DJJDP Policy JJ 1 1.7.3(H) prohibits these dangerous prone restraints.

## Positive Behavior Incentive Structures

One of the most reassuring findings regarding discipline in JDCs is a consistent pattern that the use of meaningful positive behavior incentive systems resulted in more positive behavior from youth and less use of cell confinement as a disciplinary measure. Some facilities, such as Alexander JDC, Rockingham JDC, and Perquimans JDC, had a robust positive behavior incentive system in which youth could earn an array of privileges. Other facilities, such as Durham County Youth Home, had more weakly developed positive behavior systems and used more disciplinary measures. Still other facilities had moderately developed positive behavior incentive structures.



The music studio at Rockingham JDC

## Why Do Youth Discipline Practices Matter in JDCs?

Responding to youth behavior necessitates staff maintaining safety in the facility and providing an opportunity to address behavior in a way that builds youths' capacity to regulate their behavior and problem solve. Because almost all youth in JDCs will eventually return to their communities, increasing their behavioral skills is vital for community safety and youth well-being.

Using solitary confinement as a means of discipline or to manage behavior is not best practice, is not in alignment with DJJDP policies, and does not build youth emotional

or behavioral skills. This dangerous practice jeopardizes rehabilitation and the success of youths' re-entry back into their communities. In addition to neglecting the opportunity for a productive response to youth behavior, solitary confinement as discipline also bears all the harmful consequences of solitary confinement noted above. These consequences include significant harm to youth mental health and educational deprivation, among others. Use of positive, trauma-informed, skill-building responses to youth behavior is the far better alternative – promoting safety and rehabilitation for youth. In addition, a positive environment is safer for staff and better for staff retention, making employment at these facilities more attractive.

## Recommendations for Youth Discipline

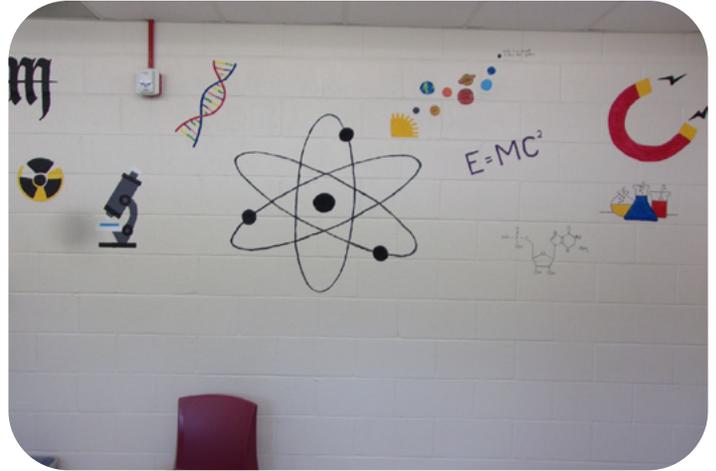
1. DJJDP bans solitary confinement as discipline or punishment in all juvenile facilities.
2. DJJDP bans the use of cell confinement as discipline, instead limiting cell confinement to the standard outlined in DJJDP's policy – only as needed until a youth regains behavioral control, and never more than two hours.
3. DJJDP develops a policy guaranteeing youth on any form of cell confinement access to education, mental health services, phone calls, and large muscle movement daily. Youth on cell confinement should also have access to visitation.
4. DJJDP must urgently stop the Durham County Youth Home's use of the Hole for any purpose.
5. DJJDP bans the practice of extended handcuffing or shackling youth by the ankles as a response to behavior.
6. DJJDP requires development and implementation of robust positive behavior incentive structures in all DJJDP-operated JDCs and county-operated JDCs. DJJDP should regularly conduct in-person monitoring of these facilities to ensure compliance with these vital structures that promote rehabilitation and youth, staff, and public safety.
7. DJJDP reports all serious occurrences – such as physical or mechanical restraints, prone restraints, and the use of solitary confinement-like conditions for more than two hours in response to behaviors – in a database for a third party to review with the goal of reducing such incidents over time.

## Education in JDCs

Education in JDCs is critically important preparation for youth to be successful upon re-entry and provides the basis and credentials required for future careers. Time in class is also time spent out of cell, and increased time in class means less time spent by youth in cell confinement.

As with time spent in cell, DRNC learned from youth that there is a large range of experiences with education in the state's JDCs. Generally, although with exceptions, youth are not getting the education that state and federal law and DJJDP policy require. DRNC's monitors frequently heard about youth getting scant educational hours – far fewer than required by law.

Youth at several facilities experienced barriers to earning high school credits, and one facility (Brunswick County JDC) did not even offer an option to earn a traditional high school diploma. Overall, education in NC's JDCs needs significant improvement, but promising practices in some facilities offer a positive base from which to grow.



A mural in a classroom at Dillon JDC



A classroom at Cabarrus JDC

## Instructional Hours in JDCs

In North Carolina, the generally required amount of instructional time for students is [1025 hours per academic year](#). For students on a traditional school calendar, this is equivalent to about 5.5 hours of instructional time daily over the course of 185 school days per school year. DJJDP’s policies (DJJDP Policy FO 8.2 2.1(A)) require 220 instructional days, which amounts to a 4.6-hour-a-day minimum spent in education to meet state hour standards. DJJDP’s policies also require that juvenile justice education services “shall adhere to state education standards to be recognized by state education agencies” and that “educational quality, education programming, and student recognition shall be comparable to equivalent programs in the public schools of NC.”

## How Much Access to Education Do Youth in JDCs Receive?

The amount of education youth in JDCs received varied widely among facilities. Youth in only three facilities reported ranges of instructional hours that met, approximately met, or exceeded the 4.6-hour minimum for daily education for students in North Carolina: Alexander JDC, Rockingham JDC, and Wake JDC. Of these, Alexander JDC stood out as offering significant instructional time, though reports varied; multiple youth reported receiving 5-6 hours of instruction daily. Youth at a fourth JDC – Richmond-Jenkins JDC – reported receiving 2.5 to 4.5 hours of instruction each weekday through an online platform, could articulate which classes they were in and how many credits they had earned, had access to credit recovery and college classes, and spoke positively about the educational program and staff.

## Highlights of Positive Educational Experiences

Youth at **Wake JDC** were in class from 9 a.m. – 1:30 p.m. each weekday with a small break

for lunch. Youth had positive feedback regarding the teachers at Wake JDC and the overall school program at the facility. DRNC witnessed instruction being supplemented by educational technology during our monitoring visit to Wake JDC.

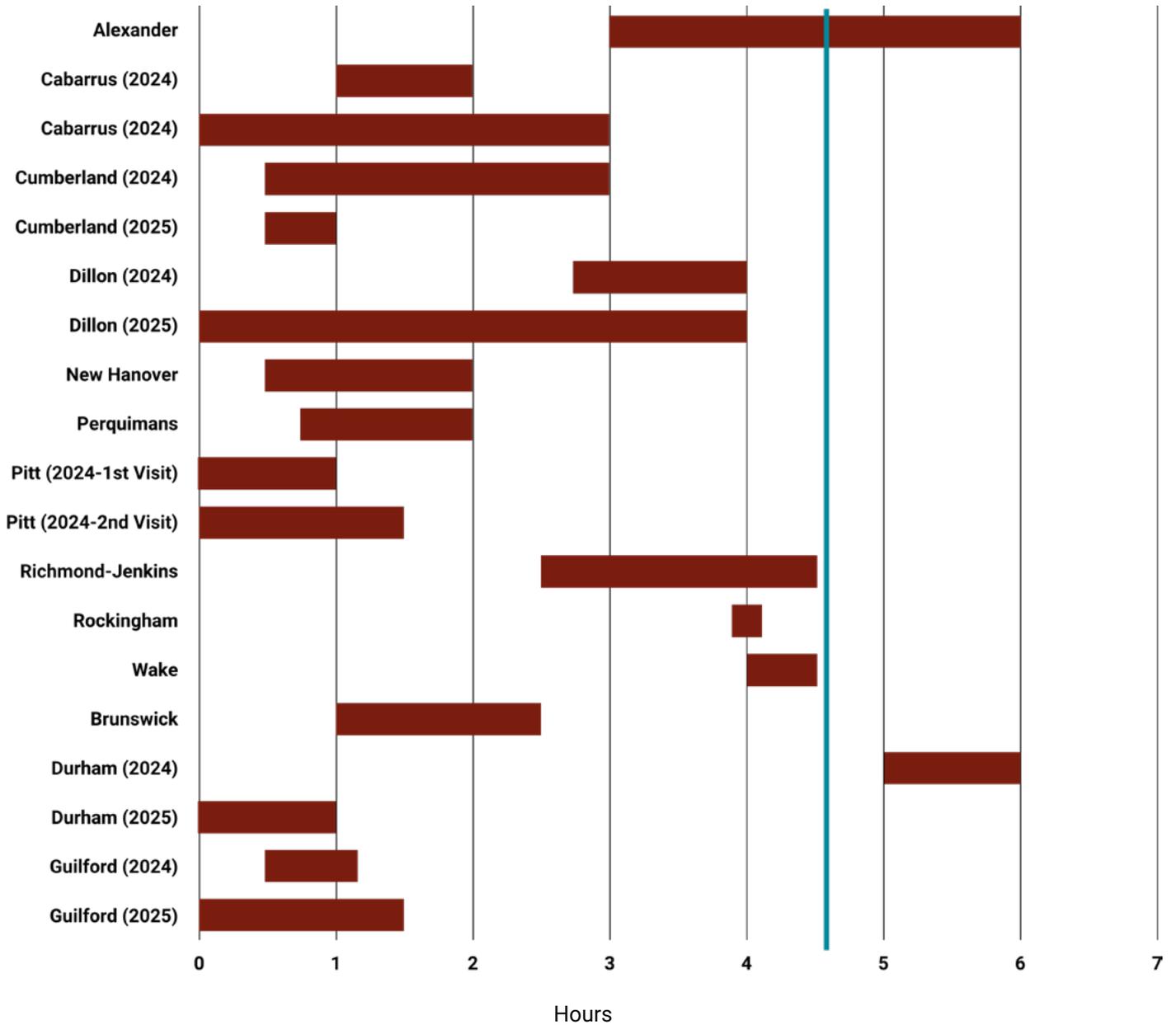
School occurred from 9 a.m. – 12 p.m. and 1 – 4 p.m. at **Alexander JDC**. (Some youth were in school for both of those windows while other youth described being in school for only one.) Youth spoke positively about the educational program at the facility, which was a mix of direct instruction and an online program. In general, most youth received instruction in all core subjects.

At **Rockingham JDC**, youth reported receiving instruction for four hours a day – with the ability to work towards a traditional high school diploma or a high school equivalency credential. Youth had access to Career and Technical Education (CTE), which is credit-bearing vocational or career-preparation instruction. Educational staff were noted to be effective and caring. A graduation ceremony was planned in the weeks after DRNC’s monitoring visit for youth who had completed their high school graduation requirements. Community college courses appeared to be available for students who had graduated.

## Severe Educational Deficits in Other JDCs

However, youth in the remaining facilities reported inadequate or grossly inadequate access to an education. The graph below illustrates the reported daily instructional hours in each JDC. The horizontal indicator lines reflect the approximate range in instructional hours. The vertical line reflects *the required state minimum average number of hours*. Bars to the left of the line reflect instructional hours that do not meet the state minimum.

# Chart: Approximate Instructional Hours by JDC



**Table: Approximate Instructional Hours by JDC**

<b>Facility</b>	<b>Minimum</b>	<b>Maximum</b>
Alexander	3	6
Cabarrus (2024)	1	2
Cabarrus (2025)	0	3
Cumberland (2024)	0.5	3
Cumberland (2025)	0.5	1
Dillon (2024)	2.75	4
Dillon (2025)	0	4
New Hanover	0.5	2
Perquimans	0.75	2
Pitt (2024-1st Visit)	0	1
Pitt (2024-2nd Visit)	0	1.5
Richmond-Jenkins	2.5	4.5
Rockingham	4	4
Wake	4	4.5
Brunswick	1	2.5
Durham (2024)	5	6
Durham (2025)	0	1
Guilford (2024)	0.5	1.17
Guilford (2025)	0	1.5

As shown, only one facility – Alexander JDC – met the state’s minimum educational time requirement, per several – but not all – youths’ reports.

Of the county-operated facilities, Durham County Youth Home (DCYH), is notable for its decrease in educational services offered. During DRNC’s September 2024 monitoring visit, students at DCYH received 5-6 hours of instruction per class day. Class instruction was observed to be robust and engaging. However, when DRNC returned twice in 2025, students reported receiving a maximum of 30-60 minutes of instruction per class day. [In a January 2026 letter, DCYH stated](#) that “[e]ducational services are provided by, and are the responsibility of, Durham Public Schools.”

Concerningly, several youth in multiple JDCs received two or fewer hours of school instruction per day. For example, youth at New Hanover JDC reported receiving only 30 minutes to two hours of instruction daily, with much of the instruction being virtual. Youth at Cumberland JDC were concerned about their educational access, with multiple youth reporting only an hour or half an hour of instruction daily.

Even when youth were attending school on a regular schedule, classes were frequently cancelled at some facilities. For example, many youth at Cabarrus JDC reported going to school for just 1.5 hours, two to four days a week, with classes regularly cancelled due to staffing shortages. Classes were sometimes or regularly cancelled at other facilities as well, such as Dillon JDC, New Hanover JDC, Perquimans JDC, and Durham County Youth Home.

At other facilities, including Cumberland JDC and Guilford County JDC, extremely limited time out of cell meant extremely limited time for education. In a [January 2026 response letter](#) from Guilford County JDC, the facility stated that Guilford County Schools is responsible for educational services at the JDC. The facility

indicated that its school-day model provided for six hours of instruction per school day. However, it was clear that this schedule was not followed at the time of our monitoring visits. The facility also indicated that Guilford County Schools transition coordinators work with youths’ juvenile court counselors to facilitate educational re-entry.

Even though DJJDP policy requires summer instruction in addition to fall and spring instruction, many youth reported having minimal access to summer school in the JDCs. The education that did occur during the summer was mostly credit recovery – the opportunity to earn credits for classes not previously passed – for youth who qualified – or limited enrichment opportunities. During summer monitoring visits to Pitt JDC, Durham County Youth Home, Cabarrus JDC, and Guilford County JDC, some youth reported no regular class schedule or consistent school programming to help them continue their education outside of the traditional school year. During a summer 2025 monitoring visit to Dillon JDC, some youth had rare or irregularly scheduled classes. DRNC heard a notable exception upon visiting Dillon JDC in 2024, where youth attended school even in the summer.

## Swift Access to Records for JDC Educational Staff is Critical

Once a youth arrives at a JDC, quick access to their educational records [helps educational staff at the facility to meet the youth’s educational needs](#). Across a range of facilities, youth experienced delays in access to education while waiting for the JDC to receive educational records from their home school. DRNC heard of records not arriving for up to two weeks after a youth’s arrival to the JDC. And multiple youth were not allowed to go to school in a JDC until records had arrived.

## Making (or Not Making) Educational Progress

In addition to having appropriate access to instructional hours, it is equally important that those instructional hours are filled with rigorous, relevant, credit-bearing instruction so that youth do not fall behind academically. Without meaningful, credit-bearing instruction, youth become less equipped to re-enter their communities and schools productively.

At Guilford County JDC, a youth reported they could not go to school at all because they did not reside in Guilford County, as Guilford County Schools operates the educational component of Guilford County JDC. This left out-of-county youth missing their general education services, and – if the youth had an Individualized Education Program (IEP) – missing their special education services.

Across all JDCs, the classes youth were taking varied widely. At some facilities, such as Alexander JDC, youth were enrolled in all four core subjects: English Language Arts, Math, Science, and Social Studies. Youth at Rockingham JDC had access to Career and Technical Education (CTE) coursework as well, providing access to career-training electives. At some facilities, youth only took English Language Arts and/or Math – likely putting youth behind for re-entry and course transfer back to their home schools. In at least some facilities, some youth could earn vocational certifications, in addition to traditional educational credits. In other facilities, youth were taking non-core classes during the summer, such as employability skills or vocational skills.

The format of instruction varied among facilities as well. Facilities such as Richmond-Jenkins JDC and New Hanover JDC used a virtual platform with in-person support. Other facilities used a mix of direct and virtual instruction, tablets, packets, and worksheets. The schoolwork in many JDCs was reported to be too easy and included

assignments such as multiplication worksheets that did not match the youth's grade level. Instruction that is not rigorous sets up youth to be behind when they return to their home schools.

Many youth across facilities had positive feedback about the teachers in the facilities.

Several youth at multiple facilities expressed concerns that they were not getting course credits for work completed. This is particularly critical for high school-aged youth who must accumulate credits to graduate from high school. High school graduation is a [protective factor against](#) recidivism. Positively, Guilford County JDC maintained a display celebrating youth who had earned their diplomas. Similarly, Brunswick County JDC displayed cap and gown photos for youth who had earned their high school equivalency credential.

Many youth across several facilities did not know how many credits they had earned or how many credits they had left to earn before graduating. Knowing how many credits a youth has can motivate them toward high school graduation.

Access to credit recovery opportunities was unclear, with some youth in some facilities reporting access, and others expressing uncertain or inconsistent access. Credit recovery can be an important tool for helping some youth progress towards high school graduation.

At Pitt JDC, a youth must be in the facility for five of the nine weeks in a grading period to earn credits, placing serious barriers to credit-earning for a population of youth that can be transient. This practice also violates DJJDP Policy FO 8.2 3.1.1 which states that DJJDP's educational program is designed to allow youth to enroll at any time into the juvenile justice educational program.

## High School Equivalency and Post-Secondary Options

It is DJJDP policy (FO 8.2 3.1.1) that students who have not yet earned their high school diploma or equivalent credential are offered instruction in the following areas: English Language Arts, Math, Social Studies, Science, CTE, and special education. DJJDP policy (FO 8.2 3.1) allows for the facilities to support students in obtaining their high school diploma or high school equivalency.

Students must be 16 or older to be considered for a course of study leading to a high school equivalency credential, and students under 18 must have documented parent/legal guardian/custodian consent to enroll in a high school equivalency course of study (DJJDP Policy FO 8.2 3.1.3).

Students who have already earned a high school diploma or its equivalent are “to be engaged in supervised activities during school hours that meet the objectives of: career exploration, skill development and/or enhancement, continuing education/post-secondary education courses, and/or pre-vocational training.” (DJJDP Policy FO 8.2 3.2).

At select DJJDP-operated JDCs (e.g., Perquimans JDC, Rockingham JDC), some youth were working towards a high school equivalency credential. Brunswick County JDC only allowed the option of pursuing a high school equivalency credential. Youth who do not obtain their high school equivalency credential while confined in the JDC have made no high school credit-bearing educational progress if they return to a traditional education program after their release. It was unclear that appropriate parent consent had been obtained for each youth at Brunswick County JDC pushed into the high school equivalency program. In response to educational

concerns about Brunswick County JDC raised in this report, the [Brunswick County Sheriff’s Office responded via email](#), stating: “[W]e are working with Brunswick Community College (“BCC”) to ensure compliance with the 1025 hour mandate.” The email did not address the lack of opportunity to earn a traditional high school diploma. All other JDCs allowed youth to work towards earning credits toward a traditional high school diploma.

Having access to relevant and rigorous post-secondary options for youth who have finished high school is important for successful re-entry. Community college coursework was available at some facilities, including Richmond-Jenkins JDC, Cumberland JDC, and Rockingham JDC. Staff at other facilities, like Dillon JDC and Cabarrus JDC, reported that youth had access to college level coursework. Not all JDCs appeared to offer access to community college courses.

## Education Denied for Students on Disciplinary Cell Confinement

Most of the JDCs that used cell confinement for disciplinary purposes denied youth access to instruction from a teacher when on disciplinary cell confinement. These included Alexander JDC, Brunswick County JDC, Cabarrus JDC, Cumberland JDC, Perquimans JDC, Pitt JDC, and Wake JDC. Youth at other JDCs that used cell confinement for disciplinary purposes reported variable or unclear access to instruction for youth on disciplinary cell confinement. Lack of access to education while on disciplinary cell confinement denies students their state-protected educational rights to a sound basic education (Leandro v. State, 346 N.C. 336 (1997)) and denies students with disabilities their right to a free appropriate public education (FAPE) under federal and state law (34 C.F.R. § 300.101(a)).

## Recommendations for Education

1. DJJDP ensures every JDC follows DJJDP policy requiring at least 4.6 hours of school every school day during the traditional school year and during DJJDP's summer term.
2. DJJDP enforces its policy requiring instruction in all core subjects.
3. DJJDP tracks the frequency of class cancellations by facility and requires facilities to provide make-up instruction for cancelled classes.
4. DJJDP requires all JDCs to offer robust academic and vocational summer programming.
5. DJJDP develops and implements a clear protocol to ensure timely access to records, including access to PowerSchool/Infinite Campus and Every Child Accountability & Tracking System (ECATS) for appropriate educational staff.
6. DJJDP implements a policy that ensures all youth can participate in classes even while their JDC is awaiting the receipt of youth records.
7. DJJDP requires that all youth, regardless of their county of residence, are able to enroll in classes in county-operated JDCs, without delay.
8. DJJDP ensures JDC facility staff review with each youth how many credits they have earned and how many they have left to earn to graduate, as soon as the facility receives their transcript.
9. DJJDP requires all core academic coursework at JDCs to be credit-bearing and allows youth to transfer into the JDC's school at any time and finish credits for any in-progress classes. DJJDP must ensure youth can transfer partial-credit work back to their home school.
10. DJJDP ensures that all youth pursuing the high school equivalency pathway have appropriate parent/guardian consent for that pathway, particularly for youth at Brunswick County JDC.
11. DJJDP offers a traditional high school diploma pathway to all youth who desire it, including youth at Brunswick County JDC.
12. DJJDP offers community college courses to all high school completers in JDCs.
13. DJJDP offers honors level coursework to youth in JDCs.
14. DJJDP creates an educational re-entry plan for each youth when they are transitioning back to the community or their next placement.
15. DJJDP requires that full academic instruction is available to all youth on any form of cell confinement, including disciplinary cell confinement.

## Education for Youth with Disabilities

Youth with disabilities in juvenile detention settings have the legal right to the same special education rights and opportunities as students in traditional public school settings. DJJDP is the public agency responsible for providing special education services for students in DJJDP-operated JDCs. In DJJDP-operated JDCs, federal special education law requires DJJDP to identify students with disabilities; develop, review, and revise, as needed, IEPs for students with disabilities; hold regular IEP meetings; provide specialized instruction to allow students with disabilities to make meaningful progress; educate students with disabilities in the least restrictive environment; and fully implement their IEPs. [\[4\]](#)

For county-operated JDCs, the education and

special education in the facility is most often provided by the local school district in that county. The NC Department of Public Instruction (NCDPI) and DJJDP are working to update their Memorandum of Understanding to clarify which agency or agencies are responsible for special education service provision in county-operated JDCs. In the interim, all the above special education requirements – such as identifying students with disabilities, holding regular IEP meetings, and fully implementing IEPs – must be met for youth in all JDCs, including county-operated facilities.

### Providing Special Education Services: Implementing IEPs

DRNC spoke with many youth across facilities who reported they had IEPs. Others were unsure if they had an IEP. In too many facilities, youth who had IEPs received no special education services while in the JDC.



A classroom at Dillon JDC

For example, multiple youth with IEPs at Cumberland JDC, New Hanover JDC, and Brunswick County JDC reported that they were not receiving their IEP services. When DRNC monitored at Dillon JDC during the school year, multiple youth similarly reported that their IEPs were not implemented. During a summer monitoring visit to Dillon JDC, at least one youth reported receiving their special education services when school was in session.

In other JDCs, it was unclear whether special education services were provided, and at Cabarrus JDC, the receipt of special education services appeared variable.

On the other hand, IEPs did seem partly or fully implemented at several facilities. Multiple youth at Guilford County JDC received some special education services, with at least one youth receiving special education services every weekday and during the summer. Rockingham JDC also stood out as providing special education services. On a visit to Durham County Youth Home in 2024, special education services appeared to be provided. On one visit to Pitt JDC, special education services seemed to be available upon youth request, as opposed to being offered per a youth's IEP as federal law requires.

## Child Find: Identifying Youth Who Need IEPs

Most JDCs did not appear to have in place procedures to implement "Child Find" – the Individuals with Disabilities Education Act (IDEA) requirement that students with disabilities requiring special education supports be identified, located, and evaluated (34 C.F.R. § 300.111). Some youth interviewed across facilities noted having difficulties with reading, math, attention, and other indicators that they may be a student with a disability qualifying for an IEP. However, not all these students had an IEP.

DRNC did not observe any coherent system of identifying students with disabilities in JDCs. By failing to have a robust Child Find system in place, it is likely that many students with disabilities detained in JDCs remain unidentified and inappropriately supported, setting them up to fail rather than providing them the educational support they need to succeed. It is well known that [failing to identify and address children's educational support needs can result in behavioral problems.](#)

## Other Required Actions to Support Students with Disabilities

DJJDP and, for county-operated JDCs, the responsible public agency are required to hold IEP meetings as necessary for youth with IEPs in the JDCs. IEP teams must meet at least annually. IEP meetings are essential to ensure the student receives access to appropriate educational supports and can make meaningful progress. Some youth had IEP meetings while in the JDC; however, based on the number of youth whose IEPs were not being implemented, DRNC has reason to suspect that not all required IEP meetings are occurring.

DJJDP and local school districts are also required to implement the protections of Section 504 of the Rehabilitation Act of 1973. Eligible youth with disabilities receive a Section 504 plan, a plan required under the federal law outlining the accommodations the student needs to succeed in schoolwork. At least one youth's Section 504 accommodations were not being implemented.

There are significant special education identification and implementation issues at multiple JDCs, and these require intensive investigation, training, and resourcing by DJJDP and NCDPI.

Brunswick County JDC, New Hanover JDC, and Rockingham JDC depict the range of educational and special education services in the JDCs.

## Brunswick County JDC

Brunswick County JDC is a county-operated JDC housed in a separate wing of the adult Brunswick County Detention Center. Youth at this JDC reported that they were provided instruction to prepare for the HiSET high school equivalency tests, with no option to pursue a traditional high school diploma. There appeared to be no consideration made for whether this high school completion route was appropriate for students detained at this facility. Youth had positive feedback about the facility's teacher, but no special education support appeared to be provided.

## New Hanover JDC

While materials outlining the schedule for education at New Hanover JDC show school from 9 a.m. – 2:30 p.m., the youth only received education during a fraction of this time, ranging from 30 minutes to 2 hours – much less than

what state law and DJJDP policy require. The only means through which students reported receiving education was through the computer program “Edgenuity.” Multiple youth with IEPs were not having their IEPs implemented. Youth with disabilities detained in the facility are seriously undermined by New Hanover JDC's inadequate educational services.

## Rockingham JDC

DRNC's monitoring revealed that Rockingham JDC appeared to be substantially complying with many IDEA requirements. Youth there received at least four hours of education each day. Students with disabilities were receiving regular and appropriate access to their special education services and supports. Because of the robust educational services provided there, Rockingham JDC can serve as an example of special education provision for other JDCs in the state.

## Recommendations for Education for Youth with Disabilities

1. DJJDP trains all educational staff at JDCs and DJJDP educational leadership in Child Find.
2. DJJDP develops a Child Find protocol to be used and enforced in all JDC facilities.
3. All facility special education lead teachers or administrators have access to ECATS (North Carolina's special education electronic data platform). Upon a youth's admission and enrollment in school at the JDC, DJJDP policy must require JDC staff to promptly begin the process of assessing whether a youth has an IEP in ECATS and require the JDC staff to verbally ask youth during intake if they have ever had an IEP.
4. DJJDP ensures that youths' IEPs, including any related services such as speech/language therapy, and Section 504 plans be fully implemented in the JDCs.
5. DJJDP conducts timely annual review IEP meetings and re-evaluation meetings, as well as timely reevaluations, for youth in JDCs with IEPs.
6. For county-operated JDCs, the responsible public agency promptly enrolls out-of-county youth and fully implements any IEPs for those youth.
7. For youth who choose to pursue a traditional diploma path at Brunswick County JDC, the responsible public agency requires full implementation of IEPs and all special education legal requirements.
8. NCDPI and DJJDP conduct comprehensive monitoring of special education programming in all JDC facilities.

## Recreation

DJJDP policies state that youth in juvenile detention centers must receive **at least one hour** of large muscle activity every day (DJJDP Policy DC 1-3 2.6.1(1)) [5]. The memoranda of agreement between DJJDP and the county-operated facilities state that the staff at county-operated facilities must follow DJJDP's policies concerning confinement of youth. Large muscle activity – such as basketball, throwing a football, or running – may be indoor or outdoor exercise. Not all JDCs have indoor gyms. In some facilities, only outdoor recreation areas are available.

Recreation is beneficial for youths' physical, social, and mental development. Access to recreation and exercise is rehabilitative. A lack of access to exercise and recreation is a sign that the programming in a juvenile detention center is not appropriately rehabilitative. Lack of access



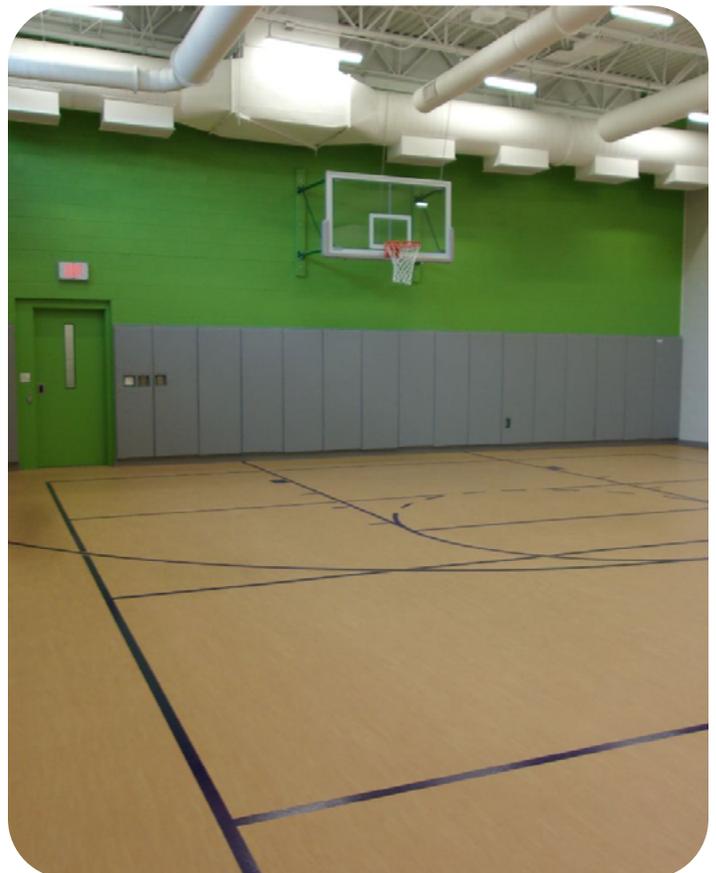
Outdoor recreation area at Wake JDC

to recreation can also be an indicator of solitary confinement-like conditions.

DRNC found that access to recreation varied significantly between the JDCs. Two JDCs were noted to follow the DJJDP requirement, providing daily recreation for an hour or more a day: Alexander JDC and Rockingham JDC.



The outdoor recreation area at Cumberland JDC



The gym at Durham County Youth Home

Brunswick County JDC offered daily, or every other day, access to recreation for up to an hour. Youth at Perquimans JDC reported going outside for recreation either daily, or at least three times per week, for 30 to 60 minutes. Richmond-Jenkins JDC offered daily access to recreation for at least 45 minutes a day. Youth at Guilford County JDC had daily access to recreation for approximately 30-45 minutes. Wake JDC offered regular exercise as well, for unclear duration.

Other JDCs, however, were in more severe violation of DJJDP's large muscle activity policy. In several facilities, some youth reported minimal access to recreation. For example, youth in two buildings at Cabarrus JDC no longer had regular access to recreation, with some youth sharing they had not been outside for weeks. In the DCYH, youth had minimal access to recreation during the lockdown period. On a follow up monitoring visit to DCYH, youth were going to the gym for approximately 15 minutes on some or most days. (In the previously referenced [January](#)

[2026 response letter by Durham County Youth Home](#), the facility stated that it offers youth an hour of recreation daily.

This is different from youth reports during DRNC's 2025 monitoring visits to the facility.) During DRNC's most recent monitoring visit, youth at Cumberland JDC reported opportunities to go outside only some days – when there was enough staff – and only for 15 minutes.

## Access to Outdoor Recreation

While each of the facilities had access to outdoor recreation facilities, the use of these facilities varied. Some youth had access to outdoor recreation daily, while others merely had access on a weekly or bi-weekly basis or even less frequently. At New Hanover JDC, for example, youth went outside an average of two to three times weekly. At Dillon JDC in 2025, youth rarely if ever went outside for recreation, a decrease from a previous monitoring visit.

## Recommendations for Recreation

1. DJJDP ensures that all JDCs follow DJJDP policy that youth have no less than one hour of large muscle activity every day.
2. DJJDP ensures that all DJJDP-operated and county-operated facilities allow all youth regular access to the outdoors and outdoor recreation.

## Access to Medical and Mental Health Care

During DRNC’s monitoring visits, DRNC saw both positive examples and areas that needed improvement in how medical and mental health care were provided. Our findings show where things were working well and where necessary changes can make a big difference in the quality and consistency of care to help ensure rehabilitation for young people and successful re-entry to their communities.

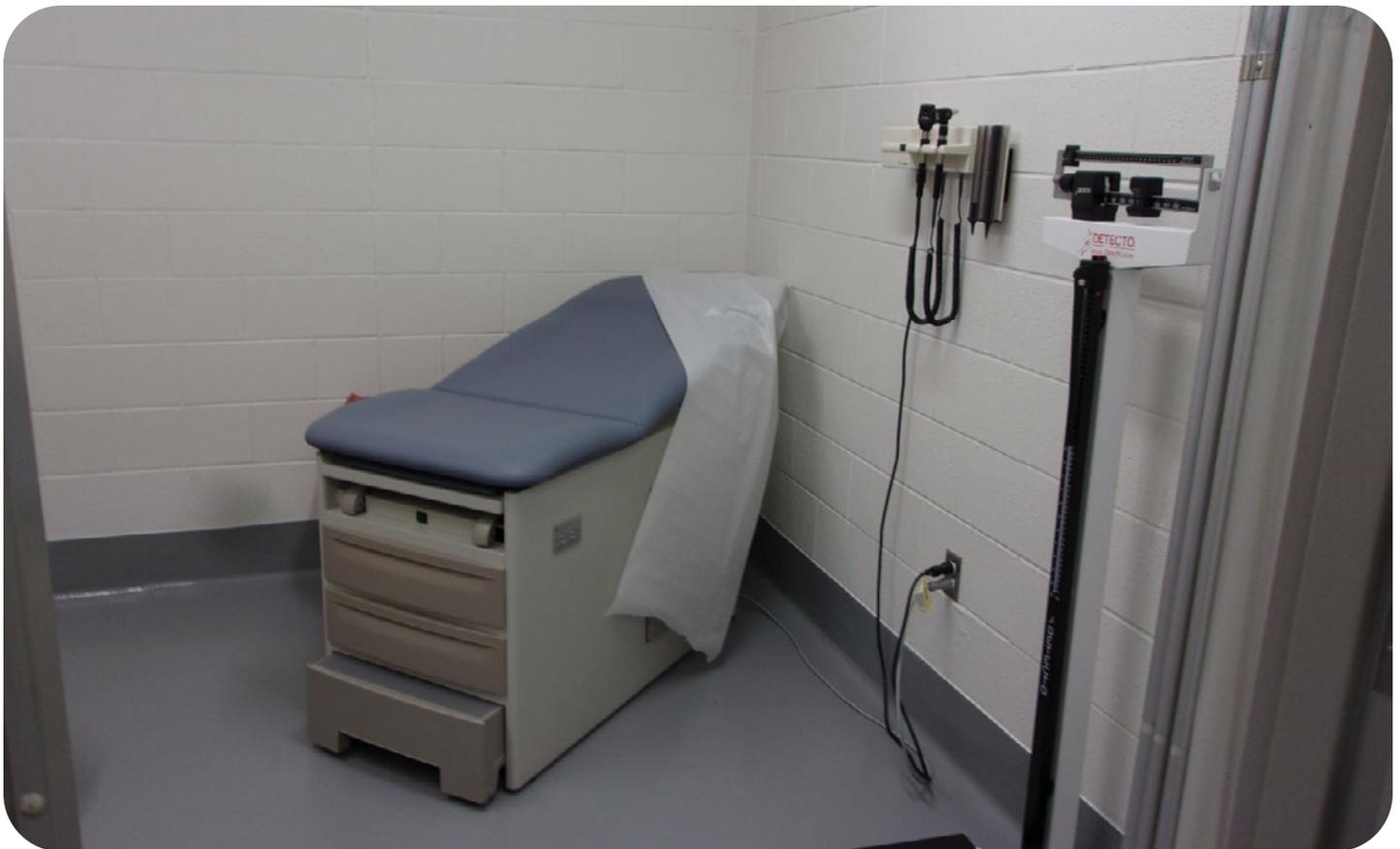
Importantly, DRNC saw significant variation in the reported mental health of youth. Several children had significant mental health challenges, including self-harm and suicidal ideation. Excessive cell time in some facilities was noted to lead to mental

health problems for some of the youth. Other children reported satisfactory mental health.

## Promising Practices in Health Care Provision

Some JDCs were doing well in meeting youth medical needs. Facilities such as Alexander JDC, Pitt JDC, Rockingham JDC, Perquimans JDC, Richmond-Jenkins JDC, Brunswick County JDC, Durham County Youth Home, and Cumberland JDC stood out as having few or no youth-reported concerns about access to medical care. Rockingham JDC received praise for attentive and responsive care.

A positive finding of DRNC’s monitoring was, although with exceptions, youth in facilities generally had access to a therapist, yet the



A medical exam room at Durham County Youth Home

frequency of that access varied. Some youth had access to a therapist multiple times a week. Youth at Cabarrus JDC reported daily to monthly access to a therapist. Some youth at Cumberland JDC reported up to daily access to a therapist, though others at the same facility reported no access to a therapist. Youth at Pitt JDC had access to a therapist up to multiple times a week; this was the case at Richmond-Jenkins JDC as well. At Guilford County JDC, several youth reported having access to a therapist, up to daily. As much as daily therapist access was also available at Rockingham JDC. Facilities like Rockingham JDC and Wake JDC utilized partnerships with groups like Easter Seals and Haven House to bring in extra services and trauma-informed care.

## Challenges in Health Care Provision

In other facilities, like New Hanover JDC, youth expressed delayed access to medical care and medications. Additionally, some youth at New Hanover JDC reported not having regular bathroom access during their menstrual cycle.

Several youth at Durham County Youth Home expressed having no access to a therapist during the facility's lockdown. Access to a therapist was mostly restored after the lockdown ended, at a frequency of up to twice weekly.

Also, during our 2024 monitoring visit to Cumberland JDC, youth reported having therapy sessions conducted through their closed cell doors, raising privacy concerns.

Further, in some facilities, responses to youth in crisis appeared inappropriate or punitive, such as isolating youth in suicide watch cells or other single cells. At Durham County Youth Home, youth on suicide watch were placed in solitary confinement in the Hole, allegedly at the direction of mental health providers. At Pitt JDC and Cumberland JDC, DRNC observed or heard of other suicide watch protocols that did not appear to be trauma-informed because they relied on isolation or practices that did not promote physical or psychological safety.

## Recommendations for Medical and Mental Health Care

1. DJJDP establishes medication protocols to ensure no gap in youth receiving prescribed medications.
2. DJJDP provides appropriate bathroom access for menstruating youth.
3. DJJDP conducts a comprehensive review of its suicide watch policies and practices, and revises them to be trauma-informed. Punitive responses to suicidal ideation do not belong in these policies.
4. Durham County Youth Home ceases using the Hole for suicide watch or any other purpose.
5. DJJDP ensures all JDCs provide regular access to a therapist, in a confidential setting, for all youth.
6. DJJDP prohibits the use of solitary confinement in all JDCs.

# Family Contact

Youth in JDCs should have access to regular visitation, mail, and phone calls with family (see DJJDP Policy DC 1-3 2.7-2.8). The JDCs, both DJJDP- and county-operated, have varying policies around visitation, mail, and telephone use. Yet, despite the variation, most facilities provide robust access to family contact, when not limited due to lockdown or other reasons.

## Visitation

Per DJJDP Policy DC 1-3 2.8.3, opportunities for visitation must occur at least twice weekly. Positively, all DJJDP- and county-operated facilities provided access to regular visitation, with facilities often having set days for in-person visits and/or ways to set up virtual visits. Youth generally had weekly or twice weekly visitation opportunities. Several youth at Dillon JDC had

visits only once every two weeks. Family visits most often ranged from 30 minutes to an hour on set days. Some youth were confused about the availability of visits.

By DJJDP policy (DC 1-3 2.8.3(7)), youth in temporary room confinement are prohibited from having visitation.

One of the most problematic practices that DRNC learned of when speaking with youth is the use of strip-searches after youth have in-person visits. DJJDP Policy DC 1-3 2.8.10 requires strip searches after all visitation. Some youth avoided in-person visits because they did not want to experience the trauma of a strip-search as a result of spending time with their families. One facility even placed youth on temporary room confinement if they refused to consent to a search after a visit. (Youth at Durham County Youth Home also reported random strip searches during the week, separate from the visitation policy.)



A visitation area at Durham County Youth Home

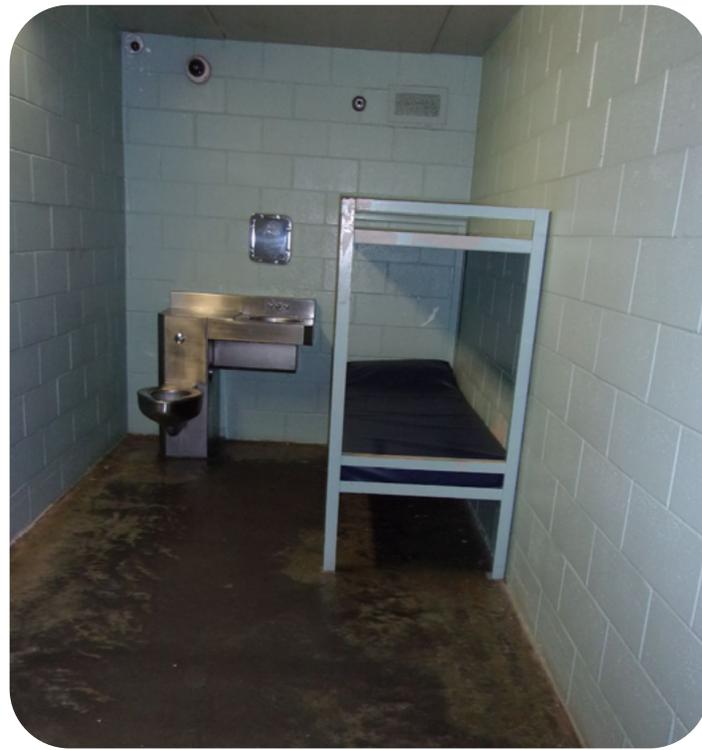
[According to the American Bar Association](#), strip searches should be used only on a very limited basis and under very specific individualized circumstances, not as a regular policy or practice. It is widely known and recognized that strip searches for children and youth are [traumatizing](#) and dehumanizing.

PM each day.” At Durham County Youth Home, some youth reported access to phone calls twice weekly while others reported having no phone calls.

## Phone Calls

Per DJJDP Policy DC 1-3 2.7, each JDC must establish procedures to ensure equal access to phone calls, which must be placed and supervised by staff but not monitored by staff. At all but one DJJDP-operated facility, youth had access to daily phone calls. At Cabarrus JDC, youth had access to twice weekly calls, with additional call privileges available to be earned. For the most part, the length of phone calls in DJJDP-operated facilities correlated with a youth’s behavior. Youth could earn increases to their phone call times as an incentive or reward for positive behavior. Phone calls ranged from as little as 3 to as many as 20 minutes daily.

Family contact varied at county-operated facilities. Brunswick County JDC offered youth tablets from which they could make phone calls as often as they wanted. At Guilford County JDC, youth could have two to three phone calls per week. According to a [January 2026 letter from Guilford County JDC](#), youth are now able to access “unlimited phone calls to court-approved parents or guardians between 3:00 PM and 9:00



A cell at Brunswick JDC

## Mail

Youth at all facilities generally had access to letter writing materials and were able – pursuant to DJJDP Policy DC 1-3 2.7(4) – to send mail to and receive mail from approved contacts.

## Recommendations for Family Contact:

1. DJJDP ends mandatory strip searches after visitation unless specific and individualized exceptions are met and documented.
2. DJJDP ensures that all youth know the facility policies concerning visitation, phone calls, and mail as part of the intake process for each facility, and enforces those policies.
3. DJJDP requires that all JDCs make telephone calls available to youth on a daily basis to increase likelihood of successful re-entry and kinship supports after detention.

# Nutrition



Access to healthy, nutritious meals is vital for all youth. All youth in JDCs are adolescents in a prime stage of growing and developing, [making nutrition critically important](#). DRNC asked about food quality and quantity in the majority of our interviews with youth. As with other of our monitoring focus areas, responses revealed wide variations among facilities.

Most JDCs served three meals a day with two snacks. Youth in some facilities reported getting enough to eat, while other youth did not get enough food or were hungry at points in the day. In response, several JDCs reported that they had

to follow strict nutritional requirements for breakfast and lunch. However, some facilities demonstrated flexibility with portions for dinner or operated a canteen system through which youth were able to buy additional snacks using behavior incentive points.

In addition to concerns about food quantity, there were concerns about the quality of food across several facilities. Some of the more frequent concerns included spoiled milk and under-cooked food.

One positive nutritional standout was Alexander JDC, where youth generally had few complaints about the food and felt they received enough to eat.

## Recommendations for Nutrition:

1. DJJDP establishes protocols and enforcement mechanisms to eliminate food quality concerns that raise safety issues, such as undercooked meat and spoiled milk.
2. DJJDP shares practices used by JDCs that have successfully addressed food quantity concerns with other JDCs and ensures young people receive sufficient nutrition.

## Overall Trends

North Carolina’s youth in juvenile detention centers deserve the opportunity of a supportive, rehabilitative environment that equips them with the skills they need to re-enter their communities in productive and successful ways.

The biggest theme that emerged during DRNC’s monitoring initiative was the significant variation between JDC facilities in the state. The 14 JDCs that DRNC monitored varied widely in the provision of rehabilitative environments, ranging from those that stand out positively to those with highly concerning practices detrimental to youth well-being, including those leading to the closure of Madison County’s JDC.

This report highlights the range of environments present in the JDCs, as observed and reported to DRNC between July 2024 and August 2025,

in the areas of time in cell, discipline, education, special education, recreation, medical/mental health care, family contact, and nutrition.

DRNC has particularly severe concerns about the amount of time many youth spend in their cells, some of which rises to the level of solitary confinement; harsh disciplinary practices practiced in some JDCs; and failures in education/special education at certain facilities.

DRNC raised concerns and made recommendations to facility leadership following each monitoring visit. For facilities operated by DJJDP, DRNC included DJJDP leadership in our debriefings. During these meetings, DJJDP leadership and some facility leadership seemed receptive to DRNC’s reports and recommendations. A partial list of positive steps DJJDP leadership reported to DRNC include: 1) creation of Quality Assurance positions to



The outdoor recreation area at New Hanover JDC

be hired for each DJJDP-operated facility, 2) incorporation of student surveys into facility monitoring by DJJDP, and 3) addressing physical facility conditions at Pitt JDC.

In addition, [DJJDP’s Deputy Secretary, William Lassiter, responded in a letter](#) to additional questions DRNC posed to the Division in December 2025, and the three county-operated JDCs ([Brunswick County JDC](#), [Durham County Youth Home](#), and [Guilford County JDC](#)) responded to questions DRNC posed to each facility. Where aligned with the content in this report, we have included their responses.

Positively, DJJDP and each facility in their responses shared that they had efforts in place to support youth re-entry. Supported, successful [re-entry](#) is critical for youth and community well-being and for decreasing recidivism. [DJJDP shared](#) that it has secured grant funding from the federal Office of Juvenile Justice and Delinquency Prevention to support youth re-entry, including one grant to “deliver a data-driven evaluation of North Carolina’s juvenile reentry system to identify gaps and strengthen services for youth returning to their communities.” [Brunswick County JDC reported](#) that Brunswick Community College provides a 100-hour re-entry pre-release program for youth who have completed the high school equivalency program. [Guilford County JDC reported](#) in a letter that youth in both the juvenile and adult court systems have access to various re-entry supports, including an employment collaboration and a workforce readiness partnership for youth in the adult court system. [Durham County Youth Home reported](#) that it has a Resources for Youth Success and Empowerment (RYSE) Assessment Center that serves youth in the detention center and in the community; through the RYSE Assessment Center, youth in the detention center “receive supportive services such as life

skills training and discharge planning to promote successful reintegration into society and help prevent recidivism.” DRNC commends these re-entry efforts and urges increased investment in programs and practices that successfully support youth re-entering their communities.

A summary of recommendations for DJJDP and North Carolina’s DJJDP- and county-operated JDCs is below. These recommendations are intended to create a rehabilitative environment for youth and promote the public safety of North Carolina’s communities.



A youth bed and window at Richmond-Jenkins JDC

## Facility Physical Conditions

1. DJJDP and facility staff thoroughly clean and maintain each JDC facility interior and exterior on a scheduled basis. In a response to concerns this report raised, [DJJDP Deputy Secretary William Lassiter sent a letter](#) to DRNC and said DJJDP is seeking funding from the NC General Assembly for 13 additional “maintenance staff, tools and equipment to address critical needs and optimize operational efficiency across regional facilities, including youth development centers, juvenile detention centers and Multipurpose Group Homes.”
2. Facility staff use window flaps on cell windows only as needed and requested by youth for their privacy.

## Time Out of Cell

1. All North Carolina JDCs immediately cease allowing solitary confinement, regardless of the name or terminology used to describe the practice of isolating youth in their cells for more than 22 hours per day.
2. The North Carolina General Assembly affirmatively bans the use of solitary confinement for youth in JDCs statewide.
3. DJJDP intervenes intensively at Cumberland JDC, Durham County Youth Home, Cabarrus JDC, Dillon JDC, and Guilford County JDC to substantially increase time out of cell.
4. DJJDP conducts monthly in-person monitoring of the facilities above to ensure significant, consistent progress towards increasing time out of cell.
5. DJJDP creates a policy that time out of cell is the expectation during waking hours. The policy must require at least 12 hours out of cell per day.
6. DJJDP examines JDC facilities where youth report spending a greater amount of time out of cell (high out-of-cell time facilities) and shares best practices and effective policies with other JDC facilities. High out-of-cell time facilities demonstrate that JDCs can be operated in more rehabilitative and humane ways.
7. DJJDP requires structured programming at all JDCs during the day by staff, including the following program areas: education, recreation, and appropriate mental health supports. If grouping is needed to ensure safety, group to maximize time out of cell.
8. DJJDP prohibits the use of flaps that cover cell windows unless a youth requests the flap for privacy.
9. DJJDP revises any facility admission policy that requires quarantining, except where

necessary for public health (such as confirmed measles exposure).

10. DJJDP requires all JDC facilities to provide meals on the pod, rather than in cells.
11. DJJDP creates a public dashboard detailing the number of youth being held in their cells for more than 22 hours a day daily, by facility.
12. DJJDP terminates contracts with county facilities not adhering, within strict deadlines, to DJJDP policies concerning youth confinement.
13. The North Carolina General Assembly provides adequate funding for DJJDP to allow increased wages for all facility positions to reduce vacancy rates and ensure high quality staff dedicated to supporting system-involved youth.

## Youth Discipline

1. DJJDP bans solitary confinement as discipline or punishment in all juvenile facilities.
2. DJJDP bans the use of cell confinement as discipline, instead limiting cell confinement to the standard outlined in DJJDP's policy – only as needed until a youth regains behavioral control, and never more than two hours.
3. DJJDP develops a policy guaranteeing youth on any form of cell confinement access to education, mental health services, phone calls, and large muscle movement daily. Youth on cell confinement should also have access to visitation.
4. DJJDP must urgently stop the Durham County Youth Home's use of the Hole for any purpose.
5. DJJDP bans the practice of extended handcuffing or shackling youth by the ankles as a response to behavior.
6. DJJDP requires development and implementation of robust positive behavior incentive structures in all DJJDP-operated JDCs and county-operated JDCs. DJJDP should regularly conduct in-person monitoring of these facilities to ensure compliance with these vital structures that promote rehabilitation and youth, staff, and public safety.
7. DJJDP reports all serious occurrences – such as physical or mechanical restraints, prone restraints, and the use of solitary confinement-like conditions for more than two hours in response to behaviors – in a database for a third party to review with the goal of reducing such incidents over time.

## Education

1. DJJDP ensures every JDC follows DJJDP policy requiring at least 4.6 hours of school every school day during the traditional school year and during DJJDP's summer term.
2. DJJDP enforces its policy requiring instruction in all core subjects.

3. DJJDP tracks the frequency of class cancellations by facility and requires facilities to provide make-up instruction for cancelled classes.
4. DJJDP requires all JDCs to offer robust academic and vocational summer programming.
5. DJJDP develops and implements a clear protocol to ensure timely access to records, including access to PowerSchool/Infinite Campus and Every Child Accountability & Tracking System (ECATS) for appropriate educational staff.
6. DJJDP implements a policy that ensures all youth can participate in classes even while their JDC is awaiting the receipt of youth records.
7. DJJDP requires that all youth, regardless of their county of residence, are able to enroll in classes in county-operated JDCs, without delay.
8. DJJDP ensures JDC facility staff review with each youth how many credits they have earned and how many they have left to earn to graduate, as soon as the facility receives their transcript.
9. DJJDP requires all core academic coursework at JDCs to be credit-bearing and allows youth to transfer into the JDC's school at any time and finish credits for any in-progress classes. DJJDP must ensure youth can transfer partial-credit work back to their home school.
10. DJJDP ensures that all youth pursuing the high school equivalency pathway have appropriate parent/guardian consent for that pathway, particularly for youth at Brunswick County JDC.
11. DJJDP offers a traditional high school diploma pathway to all youth who desire it, including youth at Brunswick County JDC.
12. DJJDP offers community college courses to all high school completers in JDCs.
13. DJJDP offers honors level coursework to youth in JDCs.
14. DJJDP creates an educational re-entry plan for each youth when they are transitioning back to the community or their next placement.
15. DJJDP requires that full academic instruction is available to all youth on any form of cell confinement, including disciplinary cell confinement.

## **Education for Youth with Disabilities**

1. DJJDP trains all educational staff at JDCs and DJJDP educational leadership in Child Find.
2. DJJDP develops a Child Find protocol to be used and enforced in all JDC facilities.
3. All facility special education lead teachers or administrators have access to ECATS (North

Carolina's special education electronic data platform). Upon a youth's admission and enrollment in school at the JDC, DJJDP policy must require JDC staff to promptly begin the process of assessing whether a youth has an IEP in ECATS and require the JDC staff to verbally ask youth during intake if they have ever had an IEP.

4. DJJDP ensures that youths' IEPs, including any related services such as speech/language therapy, and Section 504 plans be fully implemented in the JDCs.
5. DJJDP conducts timely annual review IEP meetings and re-evaluation meetings, as well as timely reevaluations, for youth in JDCs with IEPs.
6. For county-operated JDCs, the responsible public agency promptly enrolls out-of-county youth and fully implements any IEPs for those youth.
7. For youth who choose to pursue a traditional diploma path at Brunswick County JDC, the responsible public agency requires full implementation of IEPs and all special education legal requirements.
8. NCDPI and DJJDP conduct comprehensive monitoring of special education programming in all JDC facilities.

## Recreation

1. DJJDP ensures that all JDCs follow DJJDP policy that youth have no less than one hour of large muscle activity every day.
2. DJJDP ensures that all DJJDP-operated and county-operated facilities allow all youth regular access to the outdoors and outdoor recreation.

## Medical and Mental Health Care

1. DJJDP establishes medication protocols to ensure no gap in youth receiving prescribed medications.
2. DJJDP provides appropriate bathroom access for menstruating youth.
3. DJJDP conducts a comprehensive review of its suicide watch policies and practices, and revises them to be [trauma-informed](#). Punitive responses to suicidal ideation do not belong in these policies.
4. Durham County Youth Home ceases using the Hole for suicide watch or any other purpose.
5. DJJDP ensures all JDCs provide regular access to a therapist, in a confidential setting, for all youth.
6. DJJDP prohibits the use of solitary confinement in all JDCs.

## Family Contact

1. DJJDP ends mandatory strip searches after visitation unless specific and individualized exceptions are met and documented.
2. DJJDP ensures that all youth know the facility policies concerning visitation, phone calls, and mail as part of the intake process for each facility, and enforces those policies.
3. DJJDP requires that all JDCs make telephone calls available to youth on a daily basis to increase likelihood of successful re-entry and kinship supports after detention.

## Nutrition

1. DJJDP establishes protocols and enforcement mechanisms to eliminate food quality concerns that raise safety issues, such as undercooked meat and spoiled milk.
2. DJJDP shares practices used by JDCs that have successfully addressed food quantity concerns with other JDCs and ensures young people receive sufficient nutrition.

## Internal & External Monitoring and Accountability

1. DJJDP leadership visit each facility and speak with youth and staff at each facility at least twice per year.
2. DJJDP continues to fill Quality Assurance positions at each DJJDP-operated facility.
3. DJJDP works with an external monitoring entity to monitor JDCs, much as the NC Division of Health Service Regulation does for county jails.
4. DJJDP adopts the Juvenile Detention Alternatives Initiative juvenile detention facility standards, or a similar measure.
5. DJJDP is strongly encouraged to have an internal conference whereby JDC facilities' leadership share positive practices and improvement practices in the areas noted in this report.

## Re-entry

1. DJJDP expands its re-entry focus to explicitly include youth in JDCs, in cooperation with internal and external stakeholders including youth and families.
2. DJJDP embeds, throughout DJJDP policies and practices, practices that prepare youth for eventual return to their communities.

## County-Operated Facilities

1. DJJDP ensures robust monitoring at least quarterly by DJJDP staff that includes, at

minimum, speaking with youth about education, cell confinement, discipline, recreation, and access to family contact.

2. DJJDP ceases contracting with county-operated facilities in the event of significant policy violations.
3. DJJDP revises its Memoranda of Agreement for county-operated facilities to specifically ban solitary confinement.

## Footnotes

[1] NC DJJDP and many other juvenile justice organizations reference the places where youth are held in detention as “rooms.” However, with one exception, all of the “rooms” in NC JDCs are actually what a member of the general public would refer to as, and see as, cells. Photographs accompanying this report illustrate this. For the purposes of this report, DRNC will use the term “cell” in order to reflect the conditions NC youth are held in at JDCs.

[2] See also [The Use of Solitary Confinement on Youth](#).

[3] See also [The Use of Solitary Confinement on Youth](#).

[4] See Individuals with Disabilities Education Act (IDEA), 20 USC § 1400 et seq; 34 CFR § 300 et seq.

[5] Per DJJDP Policy DC 1-3 2.6.1(3), recreation may be restricted or modified due to behavior, medical issues, or weather.

# ATTACHMENT 4

## Peggy Nicholson, J.D.

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**From:** Theresa McGowan <Theresa\_McGowan@dpsnc.net>  
**Sent:** Monday, April 7, 2025 10:54 AM  
**To:** Nicholas King; Kristin Bell; Anthony Lewis (Supt)  
**Cc:** Nunn, Angela  
**Subject:** FW: Completed: Complete with DocuSign: MOA Youth Home - DPS FY2023-2024.pdf  
**Attachments:** MOA Youth Home - DPS FY2023-2024.pdf

Hello team,

This is the most recent MOA we have with the youth home. I have answered Dr. King's questions below... TM

- What is our agreement with the youth home as it relates to how much instructional time students are providing on a daily basis? Answer: Our student receives 6.5 of educational services.
- How many of the students at the Youth home are IEP students and how do we provide them with services? Answer: 4 ( but the number can change daily)
- Are we meeting their established IEP services? Answer: Yes, we have an EC teacher assigned who provide support several days per week.

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