The Link: Low Educational Achievement, Trauma/Special Needs, and JJ Involvement

- Academic level of adolescent-aged delinquents rarely exceed elementary grade level
- High levels of youth with special education needs and disabilities
- 60% retained
- More than 50% expelled prior to incarceration
- “If special needs of these youth are not met, they are at risk of dropping out of school and returning to the justice system, at considerable social and financial cost.” (Overcoming Barriers to School Reentry (2004) Roy-Stevens, C., OJJDP, https://www.ncjrs.gov/pdffiles1/ojjdp/fs200403.pdf.)
- JJ Youth: 30% physical/sexual abuse, 30% learning disabilities, 20% “wished they were dead.” (Just Learning: The Imperative to Transform JJ Systems into Effective Educational Systems”, Southern Education Foundation, 2014)
Keeping kids in school, keeps them out of court, but......

I. California 2013-14
   A. **503,101** total suspensions
      1. 37% for “willful defiance”
   B. **6,611** expelled students
   C. **279,383** students suspended

II. Disproportionate discipline
   A. African-American students
      1. 6.5% of total enrollment
      2. 19% of studs. suspend./15% of studs. expelled
Suspension rates in California increase by a factor of nearly 4 as students enter adolescence (slide courtesy of Tia Elena Martinez, The Center for Civil Rights Remedies, The Civil Rights Project, 2013.)

Percent of students suspended one or more times during the 09-10 school year:
- Elementary schools: 3%
- Secondary schools: 11%

California suspension rate
Nationally, over 70% of students arrested for school-related offenses or referred to law enforcement are Latino or African-American

(OCR, Civil Rights Data Collection, 2012)
Why does it matter...

I. School exclusions make it far more likely that a student will have contact with the juvenile justice system. One comprehensive study, one suspension makes it three times as likely that a student will enter the JJ system in the same year. Skiba, R., Simmons, A., Staudinger, L., Rausch, M., Dow, G., & Feggins, R. (2003). Consistent Removal: Contributions of school discipline to the school-prison pipeline. Paper presented at the School to Prison Pipeline Conference, Harvard University, Cambridge, MA.


III. If a student appears in court, the likelihood of not finishing high school nearly quadruples. d.

III. Juvenile incarceration data is similar to state suspension and expulsion data with respect to percentages of student subgroups involved. (Ed Source, April 17, 2014)
BSCC Can Support: Alternatives A Win-Win Education Solution

• Keep **schools (juvenile court and others)** safe while holding **students accountable**

• **Increase academic achievement** for the entire school

• **Increase school funding** because attendance rates increase

• Result in **greater teacher stability**

• Improve **overall school climate/safety** and satisfaction
DAVIDSON MIDDLE SCHOOL

SUSPENSIONS DROP, SCHOOL WIDE API CLIMBS...

...INCREASE IN API STEEPEST FOR LATINO, LOW INCOME, AND ELL STUDENTS

Pre-reform  |  Post-reform

Alternative: Restorative Justice + Peer Courts
GARFIELD HIGH SCHOOL

SUSPENSIONS DROP, SCHOOL WIDE API CLIMBS...

...INCREASE IN API STEEP ACROSS ALL GROUPS

Alternative: Moratorium on out of school suspensions & SWPBIS with strong tiered interventions
High Quality Education for Youth In Our JJ System: It is Critical!

- Juvenile Court Schools have the highest drop out rates in the state – 55.8% (http://data1.cde.ca.gov/dataquest/dropoutreporting/OtherSchDopsByGrade.aspx?s=2011-12)


- Only 5% of California students earned a high school diploma while locked up. (study: "just learning")

- Study released April 17: “Quality of learning programs for incarcerated youth had had ‘little positive, enduring impact on the educational achievement of most children and youth in state custody.’.. Students come out of the JJ system in worse shape than when they entered, struggling to return to school or get their lives back on track.” Effects of JJ programs are “profound and crippling.” (study: “just learning”)

- Effective education in JJ system reduces recidivism – could save $3.9 million per youth! (study: “just learning”)

“[T]he states need to redefine the mission of their juvenile justice systems. That means refocusing from warehousing and punishing juveniles to a much more positive mission: educating troubled youth who typically suffer from an array of psychological and educational challenges.”
Title 15 C.C.R. 1370 & 1390 include:

JOINT RESPONSIBILITY
I. “County BOE shall provide for the administration and operation of juvenile court schools in conjunction with the chief probation officer, or designee.”

II. Joint “written policy and procedures to ensure communication and coordination between educators and probation staff.”

SPECIAL EDUCATION
I. Probation is “responsible for providing education to children with disabilities” & “State and federal laws shall be observed for individuals with special education needs.”

QUALITY EDUCATION
I. “Minors shall be provided a quality educational program...designed to respond to the different learning styles and abilities of students.” 15 Cal. Code Regs. § 1370(b) (emphasis added).
“Quality” means, among other things...

- Full curriculum for high school graduation, college preparation and careers
- High quality teaching staff, high expectations, and individualized instruction
- Regular assessments and outcome tracking
- After school: Silent reading time, homework, and after school programs that reinforce learning
- Probation staff working with education to support and reward learning
- PBIS and Restorative Practices – school-wide systems and integration with Probation’s systems
No Denial of Education.

School Is Required At All Times and School Climate Integration

• Expulsion/suspension only with due process and following special education laws. *Id.* at 1370(c).

• Discipline shall be imposed at the least restrictive level and shall not include deprivation of ... education (1390(j))

• Educational program shall be integrated into the facility's overall behavioral management plan and security system.

• School staff advised of ...decisions ...by probation staff that may affect the educational programming

• Facility administrator, in conjunction with education staff ....address the rights of any student who has continuing difficulty completing a school day.

• Education shall be provided on all units, high security or otherwise. (1370)
Transitions and Education Reentry


II. One study: 28% of youth enrolled in school, 27% had withdrawn, 45% never reentered. (1999 Annual Report to the Florida Dept. of Education: JJ Educational Enhancement Program, Chptr 8 – Transition and Aftercare.)

III. Only 21% of youth “enrolled in their local district school” within 30 calendar days after exit from the facility. (December 2012, http://www.cde.ca.gov/ta/cr/documents/legsplmrpt2012.pdf)

IV. “Students trying to return to traditional schools from JJ placements face additional problems accessing credits and records....getting ...transcripts from camps sent to traditional schools.” ("Kept Out- Barriers to Meaningful Education in the School to Prison Pipeline” (Georgetown Law Human Rights Institute, Paril 2012) http://www.law.geogretown.edu/academics/centers-institutes/human-rights-institute/fact-finding/upload/KeptOut.pdf.)
Seamless Transitions and Education Reentry

- Immediate record and appropriate credit and transcript transfer – entry/re-entry
- Placement and proper classes that lead to graduation
- Immediate reentry into appropriate school placements
- Multi-disciplinary team: discussion of reentry, all partners at the table before and after release; education plan and case management
- MDT: What is an appropriate educational placement?
BSCC Can Support and Disseminate Solutions

I. Prioritize education, teaching and learning all day!

I. Joint PD for Probation and Education

II. BSCC – Effective Investigations and Monitoring

III. Joint Policies and Practices – team mindset!

IV. Regular Multi-Disciplinary Meetings for all kids, especially highest risk

V. Education for all students, at all times – track it, make it real!

VI. Track Achievement, Results, Reentry and Recidivism & Revisiting Policies and Procedures