

A young person is sitting on a bed in a dormitory setting. They are wearing an orange t-shirt and khaki pants. The bed has white sheets and a blue blanket. The wall is white with a window in the background.

EXECUTIVE SUMMARY

EDUCATIONAL injustice

Barriers to Achievement and
Higher Education for Youth
in California Juvenile Court
Schools



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EDUCATIONAL INJUSTICE: Barriers to Achievement and Higher Education for Youth in California Juvenile Court Schools

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It is often said that California schools are failing their students in one way or another. Nowhere is the failure more spectacular than in the state's juvenile justice system. This system takes in some of the most challenged youth in our communities and promises to provide them treatment, care, guidance, rehabilitation, and a better path forward. Education is central to the mission. It is also compulsory for those under the age of 19. But rather than lifting youth up, the juvenile justice system's "court schools" provide a fast-track to dismal outcomes. Where they should be pushing youth toward a diploma and higher education or career training, many court schools are not providing even the most basic level of education to the youth in their charge. This report examines those schools, operated by County Offices of Education to serve students detained in juvenile halls or other local juvenile justice placements, and explores key facets of their problems and impacts. The report also offers avenues for improvement that build on existing laws and the successes of model programs in California and beyond.

What effective programs teach is that California's court schools can and should do better. The failures of the juvenile justice system and the County Offices of Education operating court schools have lifelong repercussions for young people and their families and communities. The impact cannot be understated – in 2014 alone, 47,655 youth spent some portion of their school year in a California court school. The racial injustice of the system's failures also cannot be understated. While the causative factors of the imbalance are beyond this report's scope, the fact remains that more than 85% of juvenile court school enrollees are youth of color. Thus, to talk about the juvenile justice system's educational failures and missed opportunities is to talk about a systemic neglect of a largely Black and Latino community and a perpetuation and exacerbation of the inequality that beget such disparities.

Without question, court schools are charged with educating students who enter with disadvantages and challenges that predate involvement in the juvenile justice system. Youth in court schools typically come into the system from underperforming schools and test at levels that are years behind their age-equivalent peers. Two out of five come from homes where English is not the primary language, and 27.5% are classified

as English Learners. Nationally, between 30% and 50% qualify for special education services. Perhaps most importantly, the vast majority have experienced one or more forms of trauma, which can seriously interfere with concentration and other aspects of learning.

These challenges need not be daunting. Indeed, they are part of the fabric of all public schools. And certainly they provide no excuse for a system that is specifically intended to set youth on a better course. Court-involved youth are a captive audience and one with enormous untapped potential. To realize that potential, however, California's court schools need a better understanding of their students, including more systematic collection and analysis of data, high-quality educational programming and supports that are modernized and matched to student needs, improved policies and coordination between detention facility and school staffs, commitment to proven positive behavioral interventions, partnerships with community education providers, and effective case management and resources to facilitate the transition to community schools, higher education, job training, and employment.

Too Many Court Schools Are Failing At The Basics

As a first step, California's juvenile justice system must do a better job of getting its youth to class and keeping them there. At the same time, court schools must raise the quality of their educational programming, so that every student advances. For the school year this report examines, the statistics in these areas are alarming.

Truancy. Chronic truancy increases the likelihood that court-involved youth will fall further behind academically, fail to reenroll in their local schools upon release, and ultimately drop out. Given that youth in secure facilities are under constant supervision and statutes require school attendance, one would expect truancy to be non-existent in court schools, but surprisingly, truancy has been a serious problem for some. Indeed, six court schools reported truancy rates ranging from 28.89% to 68.55% in the 2013-14 school year. With 27 County

Offices of Education reporting 0% truancy rates for the same period, we know that those with higher rates can and should do better. Zero truancies should be the norm.

Suspensions. Like truancies, suspensions mean more than time out of school. Students excluded from school are more likely to drop out of school and end up in the adult prison system. Yet court schools – part of a system that is specifically intended to manage and improve adolescent behavioral issues – in 2013-14 had an average suspension rate more than 2.5 times the state’s overall suspension rate of 4.4%. Twenty-eight of 76 court schools (36.84%) had suspension rates above 10%. Among these, 21 suspended at a rate more than 4 times the state average, and 13 had even more astonishingly high suspension rates, ranging from 40% to 74%.

Equally troubling, court schools employed the controversial, ill-defined, non-violent “willful defiance” ground as the most serious charge for approximately 44.3% of their suspensions. Willful defiance, a ground used disproportionately against youth of color, can include behavior such as rolling one’s eyes, refusing to follow instructions, or cursing in class. Eleven of 76 court schools had willful defiance account for their suspensions at a rate more than 50% higher than the overall state average, and seven of those schools had “willful defiance” suspension rates as high as 70% to 88.4%. For any school, but especially one that is part of a program to rehabilitate and encourage positive behaviors, these rates are shockingly and unacceptably high. Both the high overall suspension rates and the excessive use of the “willful defiance” ground raise additional serious questions about whether the court schools involved are complying with due process and related statutory requirements.

Again we know court schools can do better. Twenty-eight of 76 court schools – more than a third (36.84%) – had zero suspensions in the same period, and another six had suspension rates below 1%.

Poor Academic Outcomes, Low Reenrollment & High Drop-Out Rates. While the aim is to get youth back on track, the juvenile justice system has been failing at assessing and responding to special needs, failing at providing a high-quality comprehensive education, failing at getting exiting youth back to their community schools, and failing at giving them the tools they need to graduate.

Assessments of educational advancement is sorely lacking for the youth in court schools, but the available data shows that, among long-term students, less than two-thirds made gains in reading (57.7%) and math (59%) proficiency; slightly more than 10% and 12%, respectively, made no improvements in reading and math; and a disturbing high percentage actually lost ground, with over 29% showing a loss of reading ability and 27.7% exhibiting diminished math skills.

When court schools neglect to engage their students, there is little cause for hope that educational outcomes will improve

from there. Indeed, the juvenile justice system fails miserably in ensuring that youth reenroll upon transitioning out of the system. For the 2011-12 school year, only 56% of court school students enrolled in their local school district within 30 to 90 days of exiting court school. A mere 7.4% were enrolled in a job training program, 1.1% were accepted to or enrolled in post-secondary education, and a striking 0.01% had secured employment within 30 days of leaving a facility.

The failures within the court school system unsurprisingly translate into staggering drop-out rates. California’s court schools had a drop-out rate of 37.7% for 2013-14, compared to an adjusted statewide rate of 11.6%. Ten counties had court schools with drop-out rates of 60% or higher, and another five had rates between 40% and 59%. These numbers speak of a system that has given up on its essential purpose and the vulnerable youth in its care.

Prescriptions for Success: Eliminate Barriers, Scale Up Effective Models & Raise Expectations

Before and after their exit, youth in the juvenile justice system encounter myriad barriers to reentry and pursuit of further education. These young people often face significant difficulty in securing transferable academic credit while in court schools and in getting credits recognized when they exit and seek to reenroll in their local districts. Additionally, once out of detention, these youth are often deterred from rejoining traditional comprehensive schools and are instead pushed, if at all, to lesser alternatives such as county community schools, continuation high schools, and independent study. Perhaps most despairingly, low expectations permeate the current system. For those who dare to dream of college, there is a dearth of opportunities for advanced coursework within the juvenile justice system and, with a handful of exceptions, little to no guidance or support in the application process for admission, financial aid, and enrollment.

While there is reason for great concern about the state of education in California’s juvenile justice system, there is also reason for hope and a meaningful commitment to a better future. As the report lays out, there are straightforward, viable solutions for a number of problems that have been unnecessarily entrenched to this point. Better enforcement of existing protections can be had, and recent program expansions like AB 12 offer expanded opportunities. Innovating and proven programs for improving educational engagement and advancement – from positive behavioral interventions and elevated expectations for students to partnerships with community colleges and job training programs – can be replicated and adapted as needed to meet students’ needs. With thought and care, court schools up and down the state can be held to the test and can earn the grades their students deserve.

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