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*Via U.S. Mail, electronic mail and facsimile
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Governor Jerry Brown
c/o State Capitol, Suite 1173
Sacramento, CA 95814

**RE: Support - SB 1088 (Price) – Ensuring that Juvenile Justice
Youth Enroll in School**

Dear Governor Brown:

The Youth Law Center is a national, public interest children's advocacy organization that works to protect the rights of children in the child welfare and juvenile justice systems. We are pleased to co-sponsor and write to voice our strong support for SB 1088, a bill that would amend the Education Code to address the reenrollment rights of juvenile justice youth.

In California, school districts do not have the unfettered discretion to decide which students they can or cannot allow to enroll in school. However, some school districts do deny youth who come in contact with the juvenile justice system reenrollment in their school of origin or automatically relegate these youth to alternative schools, without any hope of returning to a regular comprehensive school. A recent study on the educational needs of juvenile justice youth confirmed the following: "Reenrollment of youth in schools following discharge from a juvenile correctional facility has been a perennial challenge as schools and school districts have resisted reenrollment of formerly incarcerated youth."¹ The U.S. Department of Justice further found that "the criminal justice and education systems often seem to work at cross-purposes. Judges mandate school attendance, but the community lacks an effective system for reenrolling students."² This practice stigmatizes some of California's most vulnerable youth and denies them their basic right to an equal educational opportunity.

Juvenile justice youth are one of the most academically at risk student groups enrolled in our public schools. Researchers have found that incarcerated youth read far below grade level and disproportionately (30-50%) suffer from disabilities that qualify them for special education services. Notwithstanding the unique

¹ "Addressing the Unmet Educational Needs of Children and Youth in the Juvenile Justice and Child Welfare Systems" (2010) Peter Leone, Lois Weinberg.

² "Overcoming Barriers to School Reentry" (2004) U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP) Cora Roy Stevens.

educational challenges facing this high risk student group, education is one of the most critical factors in reducing criminality and assuring successful transition to self-sufficient adulthood. One study found that providing a good quality education program to detained youth reduced the juvenile recidivism rate from 80% down to 15%. Another study concluded that, "It is crucial that students are involved in an appropriate educational program while in the correctional center, and upon release. The incidence of recidivism becomes greater when enrollment is not available soon after release."³ Despite the strong correlation between "school truancy, dropouts, and delinquency" the National Reentry Center found that "while more than half of confined youth have not completed the eighth grade, the majority - 66% do not return to school after release."

There is strong evidence that juvenile justice youth in California encounter the same barriers to continued education. Detained youth should be enrolled in California's juvenile court school system, a system in which we invest millions of dollars. To capitalize on this investment, assuring that these youth are immediately enrolled in school and placed in appropriate educational programs once released should be a priority for California. Unfortunately, this is not occurring. Juvenile court schools have the highest dropout rates of all schools in the state. In a recent report to the State Legislature, the California Department of Education revealed that of the 56,492 juvenile detention youth served by programs funded under the state's Neglected or Delinquent program, only 13,693 (or 24%) "enrolled in their local district school" within 30 calendar days after exit from the facility.⁴

It should be noted that the youth most impacted by the failure to ensure subsequent enrollment in school are youth of color, primarily Black and Latino students. These two groups comprised 81% of the total student enrollment in California's juvenile court school system during 2010-11. They are also, in general, disproportionately enrolled in California's alternative school system.

Contrary to public perception, most juvenile justice youth want to return to school, upon release: "According to the latest OJJDP Survey of Youth in Residential Placement . . . more than two-thirds of youth in custody report that they have aspirations of higher education."⁵ Providing a clear understanding of the

³ "A Summary of Best Practices in School Reentry for Incarcerated Youth Returning Home" (2004) Just Children, Legal Aid Justice Center.

⁴ See, page 2 of Attachment 2 to "Report to the Governor, Legislator, and Legislative Analyst's Office: Identification and Status of State Monitoring of County Court Schools and State Division of Juvenile Justice Schools" (California Department of Education – August 2011) <http://www.cde.ca.gov/ta/cr/documents/legsplmrpt2011.pdf>.

⁵ See "Reentry Myth Buster – On Youth Access to Education Upon Reentry" http://www.nationalreentryresourcecenter.org/documents/0000/1202/Reentry_Council_Mythbuster

enrollment rights of juvenile justice youth in statute will provide parents, probation officers, counsel, judges and youth a vital tool in advocating for the proper educational placement of youth so that they can achieve these aspirations. It will also provide school district personnel a better understanding of the rights of these students. In our view, SB 1088 will help to remove barriers to educational attainment for these youth and will hopefully help to reduce the probability that they will return to the juvenile justice system.

It should be noted that this bill has received bi-partisan support and no opposition in the State Legislature. If signed into law, this bill will serve as a model to be replicated nationally to address the re-entry concerns for juvenile justice youth in the United States

For all the foregoing reasons, Youth Law Center strongly supports SB 1088 and urges your signature on this bill.

Sincerely,



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