

Addendum D



Transforming Education in Connecticut's Justice System



A Publication Supporting the Recommendations of the Recidivism Work Group

Juvenile Justice Policy and Oversight Committee
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INTRODUCTION

Every child deserves an excellent education to pave the way for a lifetime of learning and a bright future of economic opportunity. But the experiences of stakeholders and children, and the limited available data, show that Connecticut struggles to educate young people in the custody of its justice system.

This white paper is a plan to transform education for those young people. It was born out of an initiative that began in 2016, when the state legislature directed key agencies to collaborate in “assessing and addressing the individualized educational needs and deficiencies of children in the justice system and those reentering the community from public and private juvenile justice and correctional facilities.”¹

The Recidivism Reduction Work Group of Connecticut's Juvenile Justice Planning and Oversight Committee (JJPOC) was tasked with developing the plan envisioned by the legislature, and spent much of 2017 studying the problem in Connecticut and examining possible solutions. In January of 2018, those solutions were distilled into a set of recommendations that will be offered to the JJPOC for approval.

This White Paper explains and provides context for the Work Group's recommendations, drawing on information provided to the Work Group by experts from around the state and across the country. It is offered with deep gratitude to the members of the Work Group and to the many others who gave their time and expertise to the effort to change the lives of some of Connecticut's most vulnerable children.

TABLE OF CONTENTS

Executive Summary	4
Recommendations of the JJPOC Recidivism Reduction Work Group	6
Which Agencies, Which Youth?: Providers and Agencies Educating Youth in Custody	8
The Challenge: The Struggle to Educate Youth in Custody	11
Findings and Recommendations 1: Consolidation and Coordination	13
Findings and Recommendations 2: Quality Control and Accountability	15
Findings and Recommendations 3: Expert Teachers and Specialized Curricula	17
Findings and Recommendations 4: Supporting Transitions	19
References	22

EXECUTIVE SUMMARY

Connecticut struggles to educate young people in state custody: In 2015, for instance, 91% of youth in DCF custody did not reach the state's math achievement benchmark, and 80% did not measure up in reading.²

We need to do better. Children are most likely to thrive when they are educated in their own communities, not in custody.³ But, when children are removed from their homes, it is critically important to provide them with high-quality educational supports and services.⁴ Educational achievement is a key protection against recidivism,⁵ and strengthening education is one of the surest ways of increasing community safety and improving life outcomes for vulnerable youth.⁶

We can do better by building a coordinated system for justice system education; by implementing common-sense quality control measures; and by investing in supports that are proven to change lives and increase educational and economic opportunity for vulnerable youth.

The Status Quo Is Failing Our Children, Our Families, and Our Communities

There are four key problems with the status quo for educating youth in the custody of our justice system:

- **We are fragmented and expensive:** Connecticut has a welter of uncoordinated state and local agencies and actors providing educational services for youth in justice system facilities. Fragmentation costs money by defeating economies of scale in an era of shrinking budgets and falling populations of youth in custody. For instance: In 2016, education at the Connecticut Juvenile Training School and in our detention centers cost more than \$35,000 per seat in staffing alone. But, because we have no economies of scale, even that was not enough, as the detention center schools in Hartford and Bridgeport slashed expenses to the extent that teachers were not always available in every classroom.
- **We lack quality standards, monitoring, and accountability:** Connecticut has no quality standards for educating out-of-home youth in the justice system, very little data reporting and external monitoring for educational programs in justice system facilities, and few accountability mechanisms to fix failing programs.
- **We lack specialization and expertise:** Right now, educational services may be provided by programs that lack specialized expertise and which have not invested in teacher training, curriculum development, or the multiple pathways to success that are necessary for educating youth in justice system custody.
- **We let youth slip during transitions:** Fragmentation makes seamless transitions among facilities, and between facilities and the community, more difficult. Connecticut struggles with records collection and transfer; identifying youth with special needs; and reentry planning and support.

Solutions for Quality and Accountability

Coordination & Consolidation



- Legislate a planning process leading to the creation of a single, consolidated system for educating youth in the deep end of the justice system.

Quality Control & Accountability



- Create a comprehensive quality control system for education in facilities and during transitions. That means setting clear standards for educational quality; developing benchmarks for achievement; establishing a data collection and reporting system, including school profiles with relevant, customized quality metrics; mandating external accreditation and evaluation; and developing a set of meaningful interventions, tailored for the custodial context, if education falls short of quality benchmarks.

Expert Teachers & Specialized Curricula



- Redeploy resources conserved through consolidation by investing in new supports, including a statewide professional development community for teachers who work with out-of-home youth and youth who are transitioning home from custody.
- Follow nationally-accepted best practices by developing and deploying a flexible, high-interest, modular curriculum that is aligned with state standards.
- Offer youth in custody a robust set of vocational and post-secondary learning options and multiple pathways to graduation and careers.

Community Transitions



- Reinvest resources conserved through consolidation in reentry coordinators who can support youth returning to the community from both short-term detention and long-term custody.
- Mandate prompt school reconnection for youth who are returning home from juvenile detention.
- Define a clear protocol with timelines for transitional support, including records transfer both at intake and release from custody; team-based reentry planning; reenrollment; and credit transfer when youth return to community-based educational settings.
- Support the development of an electronic database that allows real-time sharing of educational records among schools statewide to support seamless transitions.
- Create pathways into the Technical High School system for youth who have fallen into the deep end of the justice system.

RECOMMENDATIONS OF THE RECIDIVISM REDUCTION WORK GROUP

A. The JJPOC should propose legislation that calls for a process of planning for the development of a consolidated system for educating youth in custody of the justice system. The planning process will include key state agencies – including the State Department of Education, the Court Support Services Division of the Judicial Branch, the Department of Correction; local education agencies in districts that house detention centers; and experts in educating youth in custody. By January of 2019, the process will result in a detailed implementation plan, submitted to relevant legislative committees and to the JJPOC. The plan will include provisions for:

- Designating a single state agency, supported by resources reallocated from the existing fragmented array of service providers, to be responsible for ensuring high-quality educational services and transitional supports for youth in the deep end of the justice system.
- Ensuring that a range of quality educational services are delivered to youth in justice system custody, whether directly by a state or local agency or else by a single contracted provider with statewide scope. The range of services provided will include, at a minimum: A traditional high-school diploma program; an accelerated credit recovery program; vocational training programs; and access to post-secondary educational options, whether on-site or through partnership(s) with institutions of higher education.
- Developing and deploying a comprehensive quality control system, overseen by the single state agency responsible for educating youth in the justice system, for the education of youth in justice system custody and during transitions between custody and the community. The quality control system should include: Clear standards for education in each context, from detention to secure custody to reentry; benchmarks for achievement in each context; a data collection and reporting system, including publicly-available school profiles with relevant quality metrics; evaluation procedures that include external monitoring and accreditation; and a set of meaningful interventions, tailored for the custodial context, if education falls short of quality benchmarks.
- Designating appropriate staffing within the single state agency responsible for educating youth in the justice system to ensure system-wide planning; oversight; quality control; legal compliance; and the allocation of state and federal funds for education of youth in justice system custody.
- Engaging one or more curriculum development experts to support learning in custodial settings statewide and to develop a flexible, high-interest, modular curriculum that is aligned with state standards and adapted to the context of educating youth in custody.
- Engaging professional development and teacher training specialist or specialists, and creating a statewide professional development community for teachers and other educational staff who work with youth in the deep end of the justice system.
- Engaging regional reentry coordinators to support youth returning to the community from both short-term detention and long-term custody. The coordinators' activities and outcomes will be monitored by the single state agency responsible for educating youth in the justice system.

B. The JJPOC should propose legislation requiring that the plan developed pursuant to Recommendation 1 be implemented no later than July 1, 2020.

C. Concurrent with implementation, the single state agency responsible for educating youth in the justice system should define, and the consolidated system for educating youth in the deep end of the justice system should adopt, a clear protocol with timelines for educational support of youth transitioning into, and out of, custodial facilities. The protocol should mandate team-based reentry planning and should include clear and ambitious timelines for records transfer at intake and release from custody; timelines for reenrollment; and timelines for credit transfer when return to community-based educational settings.

D. The JJPOC should propose legislation that requires school districts to continuously maintain the enrollment of youth who are held in juvenile detention facilities.

E. The State Department of Education should incentivize and support the development of a data system that allows real-time sharing of educational records among schools statewide. The system will support smooth transitions by ensuring seamless transfer of information between schools in facilities and schools in the community.

F. The JJPOC should propose legislation requiring each school district that sends a significant number of youth into the juvenile justice system to designate a staff person who will serve as liaison between the justice system and the school district to facilitate smooth transitions of youth between custodial facilities and community schools.

G. The JJPOC should propose legislation requiring the Connecticut Technical High School system to provide career and technical education programming for youth who are in justice system custody or who are returning to the community from custody. That collaboration should include creating a pathway to enrollment, and reserving capacity to enroll, for qualified and interested youth who are returning to the community from a justice system facility.

WHICH AGENCIES, WHICH YOUTH?

The fragmented array of providers working to educate youth in custody

Youth in Juvenile Detention

Who Are They?	Children who are accused of committing a delinquent act before turning 18 can be detained prior to sentencing in a secure, state-run juvenile detention center.
Where Are They Held?	The Court Support Services Division of the Judicial Branch (CSSD) operates two detention centers, in Bridgeport and in Hartford.
How Many Youth, & for How Long?	The total number of youth admitted to detention has fallen from 2,916 in 2006 to 1,080 in 2016 – a decline of nearly 63%. ⁷ The average length of stay has fallen to fewer than 11 days, and the average daily population in 2017 projects to fewer than 26 youth in Bridgeport and fewer than 21 youth in Hartford.
Who Educates Them?	The education of detained youth is the responsibility of the school district in which a detention center is located. ⁸ Bridgeport directly operates its detention center's school, and Hartford contracts with DOMUS Academy. CSSD is obligated by law to review the educational files of youth entering the detention centers to determine special education eligibility. ⁹
Who Pays, & How Much?	The district providing education bills each youth's home district. ¹⁰ In 2017, Bridgeport billed at \$200 per child/day, and Hartford – through a contractor – billed at \$213.40 per child/day. Bridgeport budgeted \$524,197 in expenses for the 2016-2017 school year. Hartford's provider for the 2016-17 school year, the Capitol Region Education Council, budgeted \$1,168,350 in expenses. ¹¹
What Do We Know About Quality	Neither Bridgeport nor Hartford regularly makes public any data about enrollment, curriculum, or educational outcomes for youth in detention centers. The state's Next Generation Accountability System does not score detention center schools, and no profile for the schools appears on SDOE's website. ¹² A law requiring annual reporting to the legislature on academics in the detention centers is apparently honored in the breach. ¹³

Youth in Juvenile Secure Custody

Who Are They?	Children who are convicted of committing a delinquent act prior to turning 18 can be placed in a secure facility – the equivalent of an adult prison).
Where Are They Held?	The Department of Children and Families (DCF) operates the Connecticut Juvenile Training School (CJTS), the state's only secure facility for boys, in Middletown. DCF contracts with Journey House, a nonprofit provider, for the care of girls in secure custody. By July 1, 2018, CSSD will assume responsibility for youth placed in post-conviction custody, and CJTS is to be replaced by smaller, contract facilities.
How Many Youth, & for How Long?	The total number of new youth committed to secure juvenile justice custody has fallen from 492 in FY 2006 to 120 in FY 2017. ¹⁴ In CY 2016, the average daily population at CJTS was 45 boys, ¹⁵ and the average length of stay in juvenile secure custody in 2015 was 7.1 months for boys and 2.8 months for girls. ¹⁶
Who Educates Them?	Boys at CJTS attend the Walter G. Cady School, which is run by DCF through Unified School District #2 (USD2), a school district within DCF that is responsible for educating all youth in DCF-run facilities. ¹⁷ There were 112 total youth at the Cady School in 2015-2016, with an average daily student population of 54. ¹⁸
Who Pays, & How Much?	USD2 is funded through an appropriation from the state, with \$1.936 million in salary costs for the Cady School in the 2015-2016 school year. DCF received a total of \$260,000 in federal Title I, Part D funding, for the entirety of USD2, in the 2015-2016 school year.

What Do We Know About Quality? A profile for the Cady School on SDOE’s website omits most of the significant quality and achievement metrics that are reported for community-based schools.¹⁹ There is no clear regular compliance with the state law requiring DCF and SDOE to report annually on the academic progress of youth in post-disposition state custody.²⁰

Youth in Adult Custody

Who Are They?	Children who are prosecuted as adults for an act allegedly committed before they turn 18, and who are jailed prior to trial or imprisoned after conviction.
Where Are They Held?	The Department of Correction (DOC) holds boys under the age of 18 who are prosecuted as adults, whether before or after trial and conviction, at the Manson Youth Institution. DOC’s York Correctional Institution houses the parallel population of girls.
How Many Youth, & for How Long?	The number of youth under 18 jailed and incarcerated as adults has fallen from 1,696 boys under 18 held in DOC custody in FY 2006 to just 103 in FY 2017, a 94% decline. The average daily population of boys under 18 at Manson was 57 in May of 2017; the average daily population of girls under 18 at York in the same month was 3. ²¹
Who Educates Them?	Education at both Manson and York is provided by DOC through Unified School District #1 (USD1), a district within DOC that is responsible for providing education across all DOC facilities.
Who Pays, & How Much?	USD1 is funded through a direct appropriation from the state. The Work Group was not provided with data on costs for educating youth at the Manson and York facilities. For the 2015-2016 school year, DOC received a total of \$1,002,000 for in federal Title I, Part D funding, for the entirety of USD1. ²²
What Do We Know About Quality?	School profiles for the Manson school on SDOE’s website omit most of the significant quality and achievement metrics that are reported for community-based schools. DOC publishes an annual performance report with aggregate data on outcomes – like high school diplomas awarded – across the entire district, but without a specific focus on youth under 18.

Youth in Congregate Care Facilities

Who Are They?	Children who are convicted in the juvenile justice system of committing a delinquent act and who are placed in a non-secure facility, like a group home.
Where Are They Held?	DCF contracts with congregate care facilities around the state. By July 1, 2018, CSSD will assume responsibility for youth placed in post-conviction custody, and is projected to develop its own network of contract facilities.
How Many Youth, & for How Long?	A total of 164 new youth were committed to congregate care for delinquent acts in CY 2016. ²³ According to DCF, the average daily population of delinquent-committed youth in congregate care was approximately 200 in early 2017. ²⁴
Who Educates Them?	Youth in congregate care facilities usually attend “private approved special education programs,” privately-run schools on the campus of congregate care facilities that are regulated by SDOE. ²⁵
Who Pays, & How Much?	Private approved special education programs bill youths’ home districts at a per diem rate approved by SDOE. ²⁶ Enrollment and budgets for youth who attend private special education programs while placed in a congregate care facility after a delinquency adjudication were not supplied to the Work Group.

What Do We Know About Quality? It appears that no agency reports data on educational experiences or outcomes for all of the juvenile justice youth in private special education programs.

Youth Returning to the Community from Justice System Custody

Who Are They?	Children who have been held in the state's short-term or long-term custody after an arrest or conviction, either in the juvenile or criminal justice systems, for an alleged offense committed before they turned 18.
How Many Youth?	215 youth were paroled out of DCF's long-term custody in 2016, and the significant majority of the 1080 youth detained in 2016 returned to their communities without a stay in long-term custody. ²⁷
Who Educates Them?	<p>A number of state agencies and contractors are responsible for supporting successful transitions from long-term custody into community-based educational settings:</p> <ul style="list-style-type: none"> • Through its FREE ("Fostering Responsibility, Education and Employment") program, DCF contracts with a nonprofit provider in each of its six regions to provide reentry support to adolescents and young adults who are returning to the community from commitment. As of June 9, 2017, 20 of the 24 post-conviction youth at MYI and 35 out of 50 youth at CJTS were already connected with FREE, with additional referrals made for youth as they approach discharge.²⁸ • Every youth with a delinquency commitment to DCF is assigned a Juvenile Justice Social Worker, whose responsibilities include assisting with reentry. • DCF has two education consultants in each of its six regions, whose role is to provide education support for DCF-committed youth in the community. • The Cady School at CJTS employs four Pupil Service Specialists, whose responsibilities include assisting youth with transitions into the community. <p>By contrast, and while CSSD probation officers attempt to provide assistance, there are no specialized supports in place for youth returning to the community from short-term detention.</p>
Who Pays, & How Much?	DCF's FREE program cost \$3,082,124 in FY 2016. ²⁹
What Do We Know About Quality?	DCF's Results Based Accountability report card collects and reports data on metrics relating to the success of the FREE program. Connecticut does not otherwise appear to systematically track and report either outputs or outcomes for its efforts in assisting youth who reenter educational settings after stays in justice system custody.

THE CHALLENGE: The Struggle to Educate Youth in Custody

Education is one of the best ways to break the cycle of delinquency.³⁰ Connecticut should strive to ensure that young people are given an excellent education in their own homes and communities.³¹ But when we do commit children to the custody of the justice system, we need to do everything we can to help them learn.

Often because of factors that are intrinsic to custody, it can be challenging to educate youth who are confined in facilities. Educating youth in detention centers, for instance, presents structural problems including short lengths of stay, the disruptions necessitated by court appearances, and the mobility of youth who enter and leave the school for reasons utterly unrelated to their education.³²

“Experts agree that juveniles confined to secure residential facilities represent a high-risk, vulnerable school population.... In theory, a custodial setting provides a unique opportunity to overcome these educational deficits. Unfortunately, that opportunity is too often squandered, because juvenile facilities across the country often do not offer incarcerated youth access to robust educational and vocational programs.”

– David Domenici, Director, Center for Educational Excellence in Alternative Settings³³

Other challenges arise from the educational deficits and unmet needs that are already present in the lives of youth who enter justice system custody.³⁴ Only half of the youth in Connecticut’s detention centers in 2016 were previously enrolled in traditional high-school settings.³⁵ The overwhelming majority are behind in school, usually by at least two or three grades.³⁶ 57.5% of youth entering the school in Hartford’s detention center had existing, diagnosed special education needs.³⁷ And, if Connecticut youth entering detention are like their peers across the country, a majority have a history of suspensions and expulsions.³⁸

At the deeper end of the system, the data suggest even greater challenges. The Department of Children and Families, which operates the school in Connecticut’s secure custody facility for boys, reports that 80% of youth have identified special education needs at intake, and the average youth entering secure custody reads and does math at a combined 5th grade level.³⁹

Most of these children do not experience educational turn-arounds. Instead, the problems often get worse, as justice systems across the country struggle to educate youth in custody. Data compiled by the Southern Education Foundation show that, nationally, fewer “than half of high school-aged students earned *any* high school credits while in custody; only nine percent earned a GED certificate or high school diploma; and only two percent were accepted and enrolled at a two- or four-year college.”⁴⁰ And U.S. Department of Education data show that most youth in long-term custody come out with nothing to show for it educationally: Most students enrolled in a juvenile justice school for 90 days or more “failed to make any significant improvement in learning and academic achievement” over that time.⁴¹

Like many states, Connecticut has little information on educational outcomes for youth in the deep end of the justice system. But the data that we have are troubling, and reflect some of the most disturbing national trends. In 2015, for instance, 91% of youth in the custody of the Department of Children and Families (DCF) – which holds both justice system involved youth and youth in the abuse and neglect system – did not reach the state’s math achievement benchmark, and 80% did not measure up in reading.⁴² And DCF’s Fostering Responsibility, Education and Employment reentry program – which contracts with nonprofits to provide case management for paroled youth – reports that “of the discharged youth who are enrolled in secondary or post-secondary education, the level of engagement remains low.”⁴³ FREE’s Hartford contractor quantifies that disengagement: Of paroled youth served in

the Hartford region in FY 2017, only 14% had a school attendance rate of 80% or more within six months after release.⁴⁴

There is apparently no mechanism in place for surveying youth and families about their satisfaction with educational services and supports offered at the deep end of the justice system. In the absence of data, the Work Group spoke with dozens of stakeholders with experience in Connecticut's juvenile justice system. Their disappointment with the status quo is reflected in the conclusion of a report made by the Center for Children's Advocacy to the Juvenile Justice Policy and Oversight Committee in the fall of 2015: "[F]or some students, a good education is not just a basic need, like food or safety or shelter – it is the only path to freedom. Yet tragically, the students most in need of a good education are precisely those least likely to receive it."⁴⁵

Connecticut cannot afford to maintain the status quo. When youth in custody fail to progress, their experience of frustration and disconnection only makes them less likely to continue in school when they eventually come home. One analysis found that "[w]ithin a year of re-enrolling in school after spending time in juvenile detention, up to 75% of formerly incarcerated youth end up dropping out of school, and less than 15% will finish their high-school education within four years."⁴⁶ This dropout has significant lifelong consequences for vulnerable children, who lose access to a world of educational and economic opportunity.⁴⁷

"[A] \$1 correctional education investment can cut re-incarceration costs by between \$4 and \$5 during the first three years post-release. Less crime means not only lower prison costs – it also means safer communities."

– U.S. Attorney General Eric Holder and U.S. Education Secretary Arne Duncan⁴⁸

By contrast, effectively educating youth in custody can make an enormous positive difference for both the lives of our children and the safety of our communities. Youth who gain educational ground in custody are more likely to stay in school when they come home and less likely to reoffend. One study found that youth with above-average achievement in custody were 69% more likely to return to school after release; meanwhile, "youths with higher school attendance had a 26.4% lower likelihood of being rearrested at 12 months and were 15.3% less likely to be rearrested at 24 months."⁴⁹ Even those youth who attended school and were rearrested were picked up on less-serious allegations.⁵⁰ As former U.S. Attorney General Eric Holder summed up the research in a "Dear Colleague" letter, written together with U.S. Secretary of Education Arne Duncan, imploring states to improve education in juvenile justice facilities: "High-quality correctional education is thus one of the most effective crime-prevention tools we have."⁵¹

FINDINGS AND RECOMMENDATIONS:

1. We Should Build a Single, Consolidated System to Educate Youth in Justice System Custody



Connecticut's struggles to educate youth in custody begin with a structural problem: Fragmentation. Fragmentation has blunted the impact of past reform efforts, and – if left unaddressed – may continue to thwart policy-level and program-level changes in the future.

Connecticut's fragmented array of uncoordinated state and local entities – both government agencies and private contractors – lacks the comprehensive planning, oversight, and accountability that characterize the systems that are most effective at educating youth in custody. And fragmentation frustrates the economies of scale that would allow Connecticut to conserve and redeploy limited funds for the critical services and supports that have been shown to help vulnerable children succeed.

The opening section of this white paper shows what fragmentation looks like by introducing the main agencies and providers who work with the different populations of youth in justice system facilities. Here are just a few implications of that fragmentation:

- Connecticut relies on two local school districts, chosen by accident of geography and with no special expertise in custodial education, to perform the highly-specialized and demanding job of teaching youth in detention centers.
- Connecticut calls on the Department of Children and Families and the Department of Correction to run two entirely separate schools for youth under 18 in juvenile and criminal custody, even though the two schools are a mere 24 miles apart and work with imprisoned boys in the same age range and with the same educational profiles. Neither of those two long-term custody schools is formally linked to the detention center schools that effectively serve as their feeders.
- Youth in congregate care – whose educational and demographic profiles are very similar to those of youth in secure custody – are educated by private providers, none of which are connected to the DCF or DOC systems and none of which called upon to demonstrate any particular expertise in educating justice-involved youth or to report any outcomes.
- Connecticut maintains at least four separate groups of specialists, with overlapping responsibilities, to support educational reintegration for youth who are on parole.

Fragmentation Is Expensive

The costs of fragmentation are difficult to justify in an era of shrinking state budgets. In the 2015-2016 school year, Connecticut spent about \$35,852 per pupil to educate youth at the Connecticut Juvenile Training School (CJTS), our secure juvenile justice facility. It cost more than that – about \$36,012 per pupil in the 2016-2017 school year – to educate youth in detention centers. Those figures only represent staffing costs, since schools in locked facilities generally do not spend money on facilities, maintenance, transportation, and food.

Despite those substantial per-pupil budgets, the detention center schools struggled even to put a teacher in every classroom. At the end of the 2016-2017 school year, the educational provider in Hartford's detention center declined to renew its contract, citing limited resources. Some costs of a quality education – like special education experts, principals, and curriculum development – are relatively fixed, and high per-student budgets, at a time of low absolute numbers of youth in custody, are simply not enough to make ends meet.

While fully costing-out the solutions to fragmentation was beyond the capacity of the Work Group, it seems likely that consolidation would save a meaningful amount for the state of Connecticut. Budgets provided to the Work Group by the state of Massachusetts, which has contracted with a single provider of educational services for youth in juvenile justice custody statewide, suggest that per-child costs in a consolidated system may be approximately half of what

Connecticut currently spends to educate youth at CJTS or its detention centers. If we could realize the benefits of economies of scale, it seems likely that we would have funds to redeploy for proven educational services and supports that we currently lack, like expanded vocational training options.

Fragmentation Impairs Coordination and Responsibility

Right now, each agency and provider that educates youth in custody is essentially responsible for setting its own standards, collecting its own data, holding itself accountable, and enforcing compliance with existing rules. That diffusion of responsibility is inefficient and illogical: It assigns each agency or provider responsibility for interventions and outcomes that, in truth, implicate – or, in a well-designed system, ought to implicate – an entire continuum. Consider a youth who moves from his home community in New Haven to a detention center in Bridgeport to the state-run secure facility in Middletown to a congregate care facility in Litchfield. Some of those stays may be shorter than two weeks; some may last months. Smooth transitions among facilities are at least as important as substantive education in each facility. But, in Connecticut's fragmented system, no single entity is responsible for coordinating those transitions and ensuring quality throughout.

Consolidation Can Make a Difference

In Massachusetts, a single nonprofit provider operates all of the schools in juvenile justice facilities.⁵² The nonprofit reports directly to the state Department of Education, which has exclusive responsibility for oversight over contract compliance and educational quality.

Massachusetts' successful innovation began in 2003. Its first systematic evaluation, in 2008, found structural improvements in areas like the stability and qualifications of education staff. The evaluation also found improvements in outcome measures like the number of youth earning high school diplomas and pass rates on state standardized tests.⁵³ The juvenile justice education system's annual reports, which feature extensive data reporting and in-depth discussions of instructional initiatives, show continued outcome improvements over time. Today, Massachusetts is cited by national experts as a model juvenile justice education system.⁵⁴

Massachusetts may be the gold standard, but it is far from the only state that has embraced centralized coordination, accountability, and planning for justice system education. Washington State, which is nationally recognized for excellence in juvenile justice education, designated a single office to monitor educational services in custodial facilities; distribute Title I, Part D funding; coordinate statewide professional development for teachers of youth in custody; and provide technical assistance to schools that work with out-of-home youth.⁵⁵ Utah goes a step further, empowering an office within the state Department of Education to allocate all state funding for educating out-of-home youth.

FINDINGS AND RECOMMENDATIONS:

2. We Should Identify Quality Standards, Evaluation Strategies, and Accountability Mechanisms



Quality control requires ambitious and relevant standards and benchmarks; expert monitoring, including careful data collection, to evaluate performance in light of standards; and meaningful interventions to ensure accountability when programs do not measure up. Connecticut comes up short in all three areas.

We Need to Define Quality in Educating Justice-Involved Youth

A child is removed from home and held in a detention center for a week or two while awaiting trial. What would it look like for the detention center school to serve that child well? What would it look like for the school to fail her? What does Connecticut expect from detention center schools – or schools in secure custody, for that matter? How do we know if they're improving?

It is surely unfair to judge a detention center school by the same standards applied to a neighborhood school that is attended predictably, from August through June, by students who go home every night to their own families. It is also unfair to have no specialized, context-specific standards at all for that school – unfair to the student, and also unfair to the teachers and the school itself. But Connecticut has not taken steps to clearly define quality in each custodial education context.

We Need to Routinely and Systematically Measure Quality

Even if we had standards, Connecticut would not be equipped to know if they were being met because we do not regularly and comprehensively monitor schools in justice-system facilities or collect and report data on inputs or outcomes.

When it surveyed juvenile justice education in states across the country, the Council of State Governments found that “most states do not collect, track, and report student outcome data for incarcerated youth in all facility schools.”⁵⁶ Unfortunately, Connecticut is right in line with the national norm. The state’s Next Generational Accountability System does not report most of its usual achievement metrics for schools in long-term custodial facilities, and there is no separate reporting at all for schools in detention centers. The State Department of Education’s profile for the Walter G. Cady School – the school for boys confined at the Connecticut Juvenile Training School – does not report on cohort graduation rates, college entrance and persistence, students meeting key college readiness benchmarks, and other important quality measures. Those omissions may, in themselves, be justified by factors like small cohort sizes and the transience of the student population. What is more difficult to justify is Connecticut’s failure to identify, collect, and report replacement measures, tailored for relevance in the custodial context, that families and government officials alike can use to assess how our children are learning.

Meanwhile, legislation requiring state agencies to report annually on academic outcomes for youth in detention centers and in long-term custody is apparently honored in the breach.⁵⁷ The sole education-focused report that is regularly produced by a state agency – DOC’s annual report on Unified School District #1, a district that enrolls upwards of 12,000 people across a dozen institutions every year – gives almost no detail that is specific to the relatively small population, averaging just 57 a day in mid-2017, of youth under 18 at the Manson Youth Institution.⁵⁸

We Need Meaningful Accountability Mechanisms

A minimum of consistency requires that we not demand accountability for children in the justice system without also imposing accountability on government. But there is no clear system of accountability, and no appropriate

interventions in place, when a custodial facility in Connecticut fails to educate its children. The absence of external accountability may make sense in the context of local school districts, which are subject to both frequent informal parental oversight and formal oversight by elected school boards. But a lack of external oversight is much harder to understand in the justice system context, where schools in facilities are physically cut off from the outside world; are attended by youth who are mostly not from the communities where the schools are located; and are not subject to oversight by directly-elected officials.

Perhaps because responsibilities are currently spread among a range of agencies and organizations, there is little evidence of accountability under the status quo even when a legal requirement relating to oversight – like the legislative mandate for an annual report on the quality of detention center schools – is violated. The Work Group repeatedly heard concerns that, because of the absence of a quality control system including accountability measures, there is insufficient compliance with existing legislation, some of which has been in place for years, relating to issues like swift reenrollment of youth when they reenter the community, timely records and credit transfers, and special education compliance.

Models for Building a Quality Control System

In 2016, Louisiana passed legislation requiring its state Department of Education to build and implement a quality control system for juvenile justice education.⁵⁹ The legislation passed after a review by the Center for Educational Excellence in Alternative Settings, a nationally-recognized expert in correctional education, released a report diagnosing serious deficits including the absence of quality standards and the need to clarify and consolidate responsibility and authority for juvenile justice education.⁶⁰ Louisiana's quality control system includes specialized quality metrics, an annual external evaluation process, and a set of mandatory interventions that the Louisiana Department of Education must implement when quality benchmarks are not met.

External monitoring and evaluation is an important element of a quality control system in justice system facilities. The Council of State Governments, in its compilation of best practices for custodial education, endorses all of the steps embraced by Louisiana and recommended for Connecticut, including “require[ing] all facility schools to receive nationally recognized accreditation for their education programs.” In Connecticut, the Cable Academic and Vocational Center at Connecticut Junior Republic – a private special education program on the grounds of a congregate care facility that houses youth committed by the juvenile justice system – has already paved the way by voluntarily seeking and receiving accreditation by the New England Association of Schools and Colleges.

FINDINGS AND RECOMMENDATIONS:

3. We Should Invest in Expert Teachers and Specialized Curricula



Because youth served by schools in the justice system present with such a wide variety of needs, strengths, and goals, justice system schools must be prepared to help them thrive by making available a wide range of pathways to educational success, from vocational training and rapid credit recovery through post-secondary educational options. Unfortunately, in Connecticut, educational services for youth in custody may be provided by programs that lack specialized expertise, and which may have not have the capacity to provide teacher training, curriculum development, or the multiple pathways to educational success youth in justice system custody need and deserve.

Creating Multiple Pathways to Educational Opportunity

The average child who enters detention in Connecticut is almost exactly 16, and 31% are at least 17 at detention admission, according the Judicial Branch. Many of these youth are overage and undercredited,⁶¹ and some would benefit from accelerated credit recovery opportunities so that they can get back on grade level and progress quickly to a diploma or an equivalency degree. At the same time, some youth entering custody are at or above grade level and are moving closer to high school graduation and post-secondary education. And while education in core academic subjects is critically important for all youth,⁶² some youth are ready for – and would like to be able to avail themselves of – vocational and technical education options.

So Connecticut must be sure that the justice system is prepared to provide a range of pathways to academic success. That means, as national experts have recommended, investing in all of “the same educational and vocational services that are available in the community,”⁶³ including “postsecondary education or career and technical training programs”⁶⁴ and access to both traditional high school diplomas and equivalency degrees.⁶⁵ States that have implemented policies embodying these recommendations include Florida, which passed legislation requiring the development, implementation, and annual updating of a Comprehensive and Professional Education (CAPE) plan for juvenile justice system schools, and Oregon, which offers 26 different career training tracks in its juvenile justice facilities.⁶⁶

Unfortunately, while data is lacking on everything from the kinds of programming to the degrees and certificates earned by youth in custody, it seems likely that Connecticut is underinvested in the full range of educational pathways youth need to succeed. It appears to be very difficult, for instance, for youth who have fallen into the deep end of the justice system to access the quality technical education provided for youth in the community through Connecticut’s Technical High School System.

Cultivating and Supporting Expert Teachers

Teaching youth in custody can demand unusual skills. Teachers must adapt curriculum and teaching styles to youth who enter and leave at unpredictable times, who are often under extraordinary stress, and who are sometimes impeded by behavioral and mental health concerns. Especially because Connecticut’s successful reforms have reduced populations of youth in custody, teachers must be prepared to lead classes with youth of very different ages and levels of academic proficiency.

It is critical for education systems that work with youth in custody to invest heavily in recruiting, retaining, and training qualified staff. Successful programs across the country take pride, and invest significantly, in their professional development systems. Because its statewide scale means that it can extend centralized supports over a range of facilities, Massachusetts’ Collaborative for Educational Services (CES), which works with all of the state’s incarcerated youth, has the capacity to invest in significant specialized professional development training for all teachers in the state’s juvenile justice facilities.⁶⁷ Similarly, Washington State’s Institutional Education Program, run

out of its state Office of the Superintendent of Public Instruction, oversees a statewide professional development community for teachers in justice system facilities.⁶⁸ And high-needs jurisdictions like New Orleans, LA and Washington, DC, which confronted public outcries and even litigation over the quality of their correctional education, experienced significant advances when they adopted turn-around plans that included a new focus on recruiting and training the best teachers.⁶⁹

Developing Specialized Curricula

Education in justice system facilities must be aligned with ambitious state standards⁷⁰ – lowering the bar will not help youth who deserve a quality education – but the curriculum in detention centers and long-term custody alike should be adapted to the needs of a mobile population with relatively short stays. For instance: In detention centers, experts suggest that the curriculum should be modular, flexible, and engaging, with a heavy focus on literacy, numeracy, and current events.⁷¹ But there is no indication that Connecticut’s detention centers have developed and deployed a customized curriculum informed by expertise in best practices for educating youth in custody.

FINDINGS AND RECOMMENDATIONS:

4. Supporting Community Transitions



Connecticut has done the right thing by reducing lengths of stay for youth in custody. As stays in our juvenile justice system grow shorter, ensuring smooth transitions among facilities, and between facilities and the community, grows relatively more important. Unfortunately, supporting youth during transitions is one of the areas where the broadest consensus exists that Connecticut comes up short.

Consolidating and Coordinating Transitional Supports

Reams of reports from national experts echo many of the same recommendations around best practices for supporting youth during transitions. Among the most frequent prescriptions for success:

- Complete portfolios of academic records and school work must be transferred swiftly into, among, and from custodial schools.
- Youth entering schools in custodial settings must be promptly and comprehensively evaluated for academic needs, including special education needs.
- Reentry planning, with a heavy focus on finding the right educational setting, must begin from the moment a youth enters custody.
- When they come home, students must quickly be awarded credit for the work they do in custody.
- Local school districts must coordinate closely with justice system schools to support transitioning youth.
- Everything practicable must be done in community-based schools to avoid stigmatizing and excluding youth who have been in the justice system.
- Kids coming home need intensive support and case management from professionals who are equipped to help them get enrolled and stay in school.⁷²

Connecticut does not appear to lack the assets to implement these recommendations. Thanks to past reform efforts, much of the necessary legal framework is in place: For instance, existing laws require school districts to credit youth for school work in long-term custodial facilities.⁷³ And, as illustrated in the capsule review of reentry supports at the start of this plan, the Department of Children and Families employs or contracts with four different types of professionals to help ease transitions back into the community for youth in secure custody.

But despite our assets and good-will, the Work Group heard, again and again, that one of Connecticut's areas of greatest weakness was promoting quick reenrollment, transferring credits seamlessly, and keeping kids in school after they come home from custody. The problem appears to be with implementation – and here too, much of the problem is traceable to difficulties with coordination and accountability. Consolidating oversight in a single government agency, and building a quality control system that extends its standards, benchmarks, and metrics to school reentry, will help. The Council of State Government urges states to “[d]esignate a single agency to be responsible for ensuring youths’ successful transition to a community-based educational or vocational setting after release from incarceration.”⁷⁴

Connecticut has a positive experience with enhanced coordination around reentry. In 2013, the General Assembly passed a law establishing a two-year “Raise the Grade” pilot program, which engaged full-time coordinators to assist with improving academic achievement for justice-involved youth in New Haven, Bridgeport, and Hartford.⁷⁵ The Department of Children and Families’ final report on the pilot acknowledged the importance and difficulty of the reentry process: “Re-entry from detention and residential programs also challenges students, families, DCF and CSSD. A smooth transition process is needed for returning students to successfully re-enter and remain in their schools and communities.”⁷⁶ Smoothing out the process, the report concluded, required engaging coordinators with expertise in the justice system and meaningful relationships in local school districts. Real value was added when

districts met the justice system halfway by designating their own liaisons to work with the justice system's reentry coordinators.⁷⁷

Connecticut's experience with the Raise the Grade pilot closely tracks the experience of other states that have not just funded reentry professionals but consolidated them within a single agency; deployed them regionally so that they can develop specific expertise and relationships within school districts; and carefully tracked their outputs and outcomes within a larger quality control and accountability framework. We should be able to realize lasting gains by redeploying resources currently dedicated to educational reentry support – now divided among probation and parole officers, regional DCF education counselors, full-time staff assigned to CJTS, and contractors in the FREE program – to create this cadre of accountable, highly-trained, regionalized coordinators.

Supporting Reentry from Detention

Redeploying resources to fund regionalized reentry coordinators working under the oversight of a single statewide education provider will also help to fill a significant existing gap - reentry from detention.

Connecticut's existing school reentry assets are almost entirely focused around reentry from post-disposition custody. But a much larger group of youth reenter the community from short-term detention every year. Unfortunately, there are no specialized reentry resources for those youth, since in recent years the local school districts that provide educational services at the detention center have dedicated no resources to reentry staff. There is no reason why a single set of expert coordinators, deployed regionally, could not efficiently provide school reentry supports for both populations of youth – those returning from detention and those returning from long-term custody.

The legal framework requiring swift reenrollment for youth returning from detention is less well-developed. The Work Group found, for instance, that one of the key flaws in the status quo is the resistance of some school districts to reenrolling and crediting the schoolwork of detained youth. A simple legislative change can lay the groundwork for fixing that problem – and reentry coordinators can promote compliance.

Coming Home to Opportunity

Reentry coordination and support only works if youth have the opportunity to enroll in good schools when they come home. Every school should be excellent, and comprehensive education reform is beyond the Work Group's scope. But the Work Group is especially concerned about existing policies and practices that prevent justice-involved youth from accessing existing high-quality educational opportunities.

One of those barriers is the Technical High School System's apparent practice of accepting only youth who matriculate in the ninth grade and attend continuously thereafter. By definition, youth who have fallen into the deep end of the justice system do not experience uninterrupted progress from elementary school and into a community-based high school that they attend, continuously, for four years. The interruptions in their schooling can act as a *de facto* barrier to entering and graduating from technical high schools. Connecticut should require the creation of pathways for justice-involved youth to take advantage of the same technical education opportunities that are available to all of our other children.

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³ See, e.g., Anna Aizer & Joseph J. Doyle, Jr., “Does Incarcerating Juveniles Reduce their Human Capital and Increase the Likelihood of Future Crime? Evidence from Randomly-Assigned Judges,” p. 3 (National Bureau of Econ. Research, 2013), available at http://www.mit.edu/~jdoyle/aizer_doyle_judges.pdf (“Even when every other factor – age, severity and nature of offense, prior history, etc. – is controlled for, the mere fact of being incarcerated reduces a young person’s chances of graduating from high school by 13%, while increasing the odds of adult incarceration by 22%.”).

⁴ See, e.g., The Southern Education Foundation, “Just Learning: The Imperative to Transform Juvenile Justice Systems Into Effective Educational Systems,” p. 4 (The Southern Education Foundation, 2014) (“There is every reason to predict that today most of these students, like those who came before them in the juvenile justice systems, will never receive a high school diploma or a college degree, will be arrested and confined again as a juvenile or adult, and will rarely, if ever, become self-supporting, law-abiding citizens during most of their lives. Yet, substantial evidence shows that, if these children improve their education and start to become successful students in the juvenile justice systems, they will have a far greater chance of finding a turning point in their lives and becoming independent, contributing adults. The cost savings for states and state governments could be enormous.”).

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- ¹⁶ Fernando J. Muñiz, “Plan for the Closure of the Connecticut Juvenile Training School,” p. 2 (October 18, 2016), available at http://www.ct.gov/dcf/lib/dcf/cjts/pdf/cjts_closure_plan_final.pdf.
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