

## ADDRESSING THE EDUCATIONAL RIGHTS OF YOUTH ALREADY “PIPELINED”



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### Juvenile Court School Enrollment and the Failure to Return to School



	Black	Latino
• California Enrollment	6%	53%
• Court School Enrollment	18%	63%

• 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.”

[http://www.nationalreentryresourcecenter.org/documents/00001200/Reentry\\_Council\\_Mythbuster\\_Youth\\_Access\\_Ed.pdf](http://www.nationalreentryresourcecenter.org/documents/00001200/Reentry_Council_Mythbuster_Youth_Access_Ed.pdf)

• In a recent report to the State Legislature, the CDE revealed that of the 56,492 juvenile detention youth served by programs funded under CA’s Neglected or Delinquent program, only 24% “enrolled in their local district school” within 30 calendar days after exit from the facility.

<http://www.cde.ca.gov/ta/cd/documents/legasprp2011.pdf>

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### SB 1088 - Ensuring Juvenile Justice Youth Reentry



• Clarifies existing law by prohibiting a school district from denying enrollment or readmission to a student “solely on the basis that he or she has had contact with the juvenile justice system.” (EC Sec. 48645.5)

- Barriers to re-enrollment continue:
  - Need to serve out expulsion term
  - Failure to accept partial credits
  - Placement in a group home
  - Tracking of youth into an alternative school placement regardless of their educational needs
  - Failure to follow the requirements of the Education Code

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### Independent Study Must be Voluntary



• "About 35 percent of community school students were enrolled in independent study. . . While many educators question the effectiveness of independent study for these types of students, community schools nonetheless use this approach."

"Improving Alternative Education in California" (LAO – Feb. 2007) [http://www.lao.ca.gov/2007/alternative\\_educ/alt\\_ed\\_020707.pdf](http://www.lao.ca.gov/2007/alternative_educ/alt_ed_020707.pdf)

- Is independent study an appropriate placement for juvenile justice youth released from detention – at home and unsupervised?
- Independent study must be *voluntary*, but parents sign off on these agreements because they are given no other option. EC Section 51747

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### Questions to Ask About Alternative Schools



- For each student it should be determined:
  - Why is the student enrolled there?
  - Is he or she in a program to address their educational needs and to help them return to a regular school?
  - What type of program are they receiving?
  - When is the student entitled to return to a regular school?
  - If the student has a right to return to a regular school, and that has not occurred, why not?

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### The Need for Discipline Reform in Juvenile Court Schools



- Juvenile court schools must comply with the due process provisions of the discipline code (Title 15, Section 1370).
- Discipline data for Juvenile Court Schools should also be assessed to determine how often "willful defiance" is the most serious grounds for suspensions.
- Positive Behavior Support Youth At-Risk and Involved in Juvenile Corrections [http://www.pbis.org/community/juvenile\\_justice/default.aspx](http://www.pbis.org/community/juvenile_justice/default.aspx)
  - One facility saw a 41% decrease in rule violations & a 22% decrease in fights
  - Another saw a 52% reduction in off-task behavior or "horseplay"
  - Another saw a 39% decrease in rule violations
  - Another facility saw an 86% reduction in major and minor reported student behaviors

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## The Need to Break the Myth



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

- 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.”

- “Reentry Myth Buster – On Youth Access to Education Upon Reentry” (The National Reentry Resource Center – The Council of State Government Justice Center)




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