



Interventions to End the School to Prison Pipeline



Beyond the Bench Presentation
December 3, 2013
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+ Agenda

- **The School to Prison Pipeline**
 - What is the "Pipeline"?
 - Which youth are at risk?
- What can you do to support kids caught in it, or at risk of being caught in it?
 - Special Education Advocacy
 - School Discipline Advocacy
 - Delinquency Court Advocacy
- **What is Being Done to Break Youth Out of the Pipeline**
 - Closing of Informal Juvenile Traffic Court
 - 241.1/Multi-Disciplinary Teams
 - Re-entry Supportive Services



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+ The Statistics



75% of state prison inmates did not graduate from high school.

68% of foster children have a disability; however only 36% receive appropriate special education services.

Nearly 30% of foster children will "cross-over" into the juvenile delinquency system.

Foster youth receive **more severe** sanctions from school discipline and the juvenile justice system than their peers.


66% of cross-over youth in Los Angeles have a mental health problem.

87% of youth in the juvenile justice system have learning disabilities.

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+ Why do the statistics look like this: 4


The School to Prison Pipeline



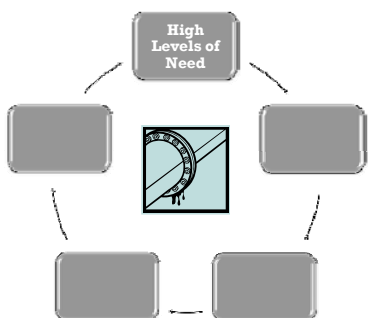
+ The School to Prison Pipeline: *High Levels of Need* 5

- Foster youth, and youth living in poverty have high levels of need for special education services resulting from neglect, abuse, and trauma that are not addressed and lead to development of more extreme behaviors and home and school placement instability.

- Some of these disabilities may include:
 - Intrusive thoughts, irritability, inattention, hypersensitivity.
 - Developmental trauma – language, memory and organizational capabilities
 - Social/emotional/behavioral problems.
 - Complex trauma, Anxiety (PTSD), Depression, etc.
 - Withdrawal, perfectionism, "defiance"...





+ The School to Prison Pipeline 6

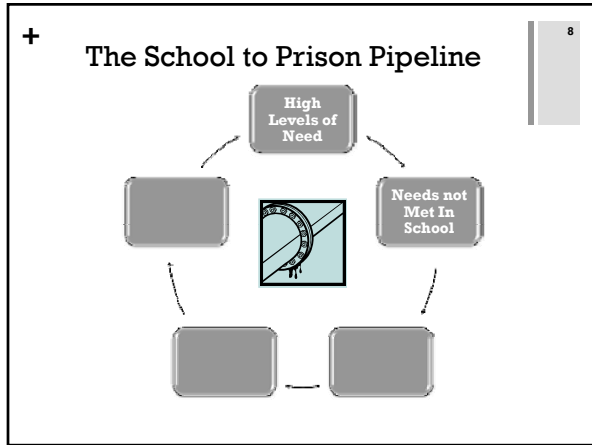


+ **The School to Prison Pipeline:**
Needs Not Met in School

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- As foster youth move from placement to placement, they lose an average of 4-6 months of academic progress with each move, and are unlikely to have a strong parent advocate to identify or seek services to address their needs.
- Overburdened schools are incentivized to ignore needs that might lead to costly services.





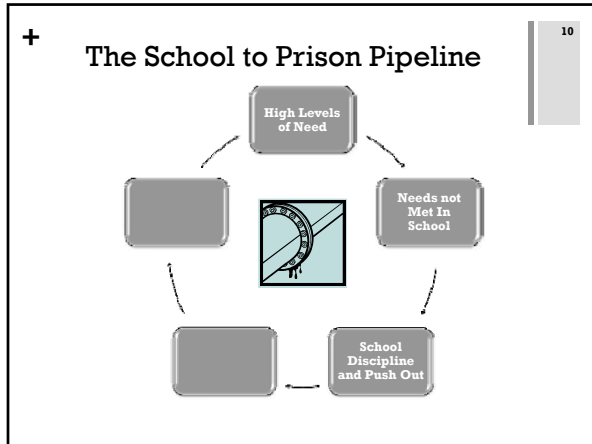


+ **The School to Prison Pipeline:**
School Discipline and Push Out

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- Once unaddressed problems become too great, schools push these youth out of school or shift responsibility to the delinquency system.
- Research shows foster youth experience:
 - Higher absenteeism, tardiness, truancy and dropout rates.
 - Lower high school graduation rates.
 - High rates of out-of-school suspension leading to lower academic achievement and increased juvenile incarceration

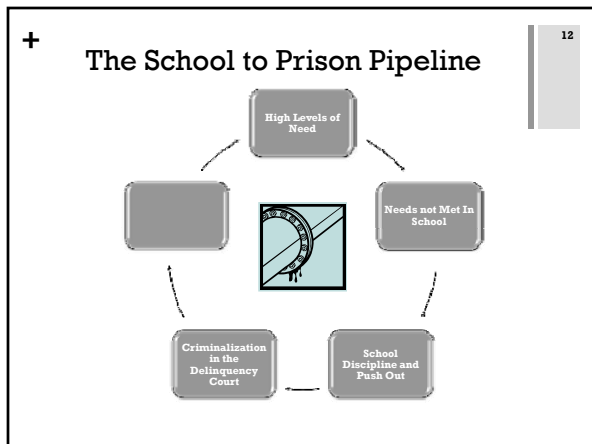




+ The School to Prison Pipeline:
Criminalization in Delinquency Court



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- Courts and stakeholders are unaware of how disabilities and a lack of appropriate services may lead to criminalization of disability related behaviors.

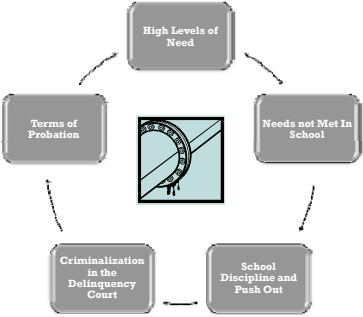


+ **The School to Prison Pipeline:**
Terms of Probation 13

- Success in school is required for completion of probation, but without services, students are unable to improve performance.
- Often youth who have been involved in delinquency are discriminated against in school, which makes compliance even more difficult.

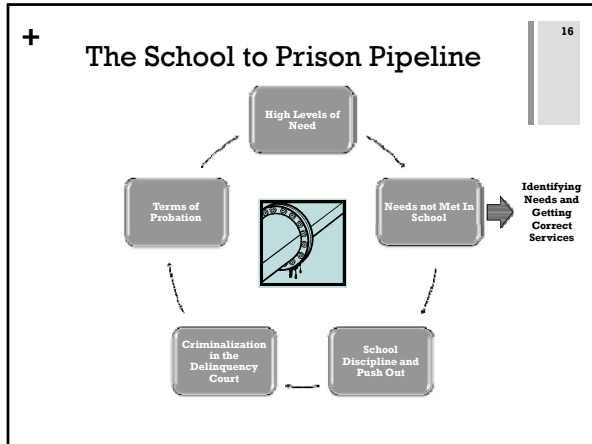


+ **The School to Prison Pipeline** 14



+ **Interventions to End the School to Prison Pipeline** 15





+ **Pipeline Interventions: *Identifying Needs and Getting Services*** 17

- Special Education and Other School-Based Services
 - Indicators of Need for Intervention:
 - Poor Grades or Poor Standardized Test Scores
 - Poor Behavior
 - Excessive Absences or Skipped Classes

I will not misbehave in class!
I will not misbehave in class!
I will not misbehave in class!
I will not misbehave in class!
I will not misbehave in class!
I will not misbehave in class!

+ **Pipeline Interventions: *Identifying Needs and Getting Services*** 18

- Tutoring or other remedial services
 - No Child Left Behind
 - Supplemental Education Services
 - Transitional Independent Living Plan (TILP) – 14/15
 - Wide Range Achievement Test (WRAT)
 - Up to 50 hours of tutoring services
 - Community Resources
 - Low-cost or free tutoring services

+ Pipeline Interventions: *Identifying Needs and Getting Services* 19


Special Education:

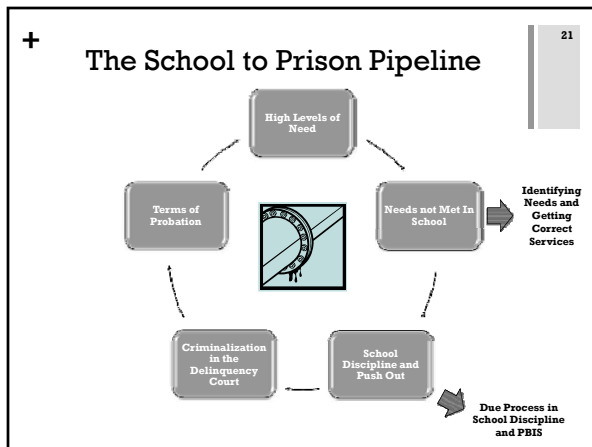
- A system of services and supports
- Designed to meet the specific learning needs of a child with a disability
- Must provide a free, appropriate, public education (FAPE).
 - Right to receive placement, services, and supports to "progress from grade to grade"
 - Least Restrictive Environment (LRE).
- Must assess in "all areas of suspected need"
- Ask for Services at an Individualized Education Plan (IEP) meeting.
- Even for youth with an IEP, ask for a new meeting to review progress. If not succeeding, needs new plan.
- If needed, request appointment of a 317e education attorney.

+ Pipeline Interventions: *Identifying Needs and Getting Services* 20

Special Education


- Common Related Services
 - Speech and Language Therapy.
 - Occupational or Physical Therapy.
 - Transportation.
 - School Mental Health Counseling.
 - Behavior Specialist.
- Accommodations & Modifications
 - Helps child access curriculum, includes things like:
 - Extra Time
 - Special Seating
 - Breaks during the day
 - Scaffolded teaching
 - Notetaker





+ Pipeline Interventions: *School Discipline*

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- Suspensions
 - Students may only be suspended for a total of 20 days per school year (30 days if they change schools).
 - Students should not be sent home early or asked to stay home for a day without formal suspension in writing. (The record is needed to ensure students are not being pushed out of school.)
 - In many circumstances a school is required to attempt other interventions prior to suspension or discipline.
- Expulsions
 - Students are not required to write a statement regarding incident.
 - A hearing must be held. A student may bring an attorney to hearing. Schools cannot expel a student without providing all documents in writing and formally inviting an education rights holder to a hearing.
 - If expelled, students must be given specific terms to meet that will allow them to apply for readmittance within 1 school year.

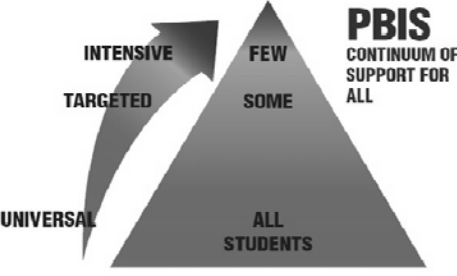
+ Pipeline Interventions: *School Discipline (Special Education)*

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- For youth with IEPs or in the process of assessment, there are special requirements for school discipline:
 - If the school wants to suspend a student for 10 days or more in a school year, or expel a student, a manifestation determination IEP must be held to decide if the act was caused by or had a direct relationship to the youth's disability. If there is a relationship, the youth may not be subjected to any further discipline.
 - If a youth with an IEP is expelled, they continue to have a right to a "Free and Appropriate Public Education".

+ Pipeline Interventions: *Positive Behavior Intervention Services*

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PBIS
CONTINUUM OF SUPPORT FOR ALL

UNIVERSAL ALL STUDENTS

TARGETED

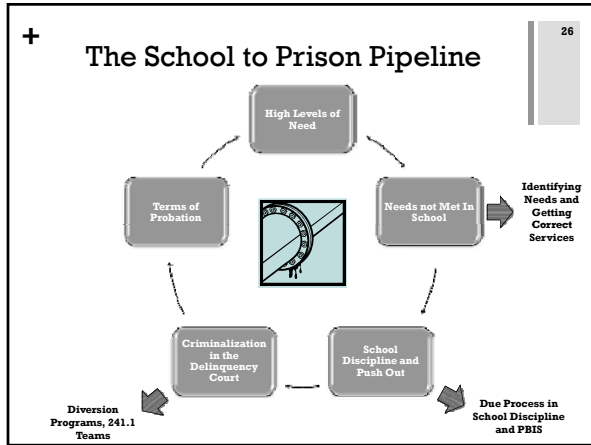
INTENSIVE

FEW SOME

+ Pipeline Interventions: *Positive Behavior Intervention Services* 25

LAUSD Passes
School Climate Bill of Rights, May 2013

- Bans suspensions for “willful defiance”
- Ensures access to alternatives to suspension and meaningful involvement of parents and students in School Discipline Teams
- Moves entire District to Restorative Justice by 2020



+ Pipeline Interventions: *Diversion* 27

LA County – Juvenile Tickets

Informal Juvenile Traffic Court	Post-June 2012 - PROBATION
<ul style="list-style-type: none"> ■ <i>CLOSED June 2012</i> ■ Previously handled all matters under WIC 256 (fare evasion, disturbing the peace, alcohol possession, tagging) ■ Included all juvenile vehicle code violations ■ Minimal due process, heavy fines until Judge Nash issues reforms that guarantee right to community service 	<ul style="list-style-type: none"> ■ Probation now has jurisdiction over all OLD (issued under IJTC) and new tickets ■ Diversion Program for new citations: NO Court Involvement ■ June 2012- June 2013: nearly 28% of the 46,000 tickets were Fare Evasion. ■ Now all vehicle code violations go to Adult Traffic Court.

+Pipeline Interventions: *Diversion*
Reforming LA's Daytime Curfew Law

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- **Los Angeles City Council (Councilmember Cardenas)** – Motion to Amend statute:
 - Enforcement not on school grounds or for kids going to school
 - First and second citation – directed to research-based services, like tutoring, mentoring, substance abuse, mental health, and credit recovery that address root cause
 - Third citation - \$20 fine and cap
- **County-wide Support:** Supervising Judge Nash, Board President Monica Garcia, LAPD, LASPD, DSC-LA, and many other community organizations
- Unanimous vote: 2.13.12

+Pipeline Interventions: *Diversion*
Reforming LA's Daytime Curfew Law

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What Has Changed?

- In **2004-2009**, LASPD issued 13,118 citations under LAMC 45.04.
 - This comes to approximately 2,600 per year, or assuming a 9-month school calendar, approximately 290 per month.

+Pipeline Interventions: *Diversion*
Reforming LA's Daytime Curfew Law

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Looking at Data from the 2012-2013 School Year

- For **2012-2013**, there have been 284 total formal contacts (referrals and diversions) through March 2013, or approximately 40 per month.
 - This represents a nearly 90% decrease on a per-month basis over 2004-2009.
- For the **first quarter of 2012** (Jan. through March), there were total 359 citations. For the **first quarter of 2013**, there 71 total formal contacts (62 diversion + 9 referral).
 - This represents a more than 80% decrease over the prior year for the same quarter.

+ Pipeline Interventions: *Diversion*
Reforming LA's Daytime Curfew Law

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Meaningful Interventions Replace
Punitive Court Involvement

- Under the diversion protocol, students generally are referred to LAUSD WorkSource Center, with a PSA counselor on site to meet with the student and conduct an assessment, as appropriate.
- As of March 2013:
 - **143 students** had successfully completed diversion this year.
 - **Only 26 students** had been referred to Probation for failing to meet with the PSA counselor, with the remaining diversions still in process.

+ Pipeline Interventions: *Court*

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- **Advocating in the dependency and delinquency courts**
 - Refer Youth for Education or Mental Health Services
 - Communicate with Delinquency Personnel:
 - Bring copies of transcripts, assessments and IEPs to court to share with the public defender.
 - Tell probation officers and social workers when support is needed to get a child services in school.



+ Pipeline Interventions:
241.1/Multi-Disciplinary Teams

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- When a youth with an open dependency case is charged with a crime in the delinquency court, a 241.1/Multi-Disciplinary Team (MDT) meeting is ordered.
- This is a meeting between the youth's social worker, a probation officer, a mental health professional, and an education consultant.
- The team is tasked with writing a report to the court about the youth's needs, and making recommendations regarding disposition and services.



+ Pipeline Interventions:
241.1/Multi-Disciplinary Teams

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- The education consultant is able to work in with all other members of the team to address the youth's history, and make a plan for breaking them out of the school to prison pipeline. Some of the most important question the education consultant seeks to answer are:

1. Does the child have an education rights holder?
2. Is the child enrolled in school?
3. Is the child attending school regularly?
4. How many schools has the child attended?
5. Is the child struggling with behavior or academics?
6. Does the child receive special education services? If so, is it meeting their needs?
7. Has the child been expelled or suspended? If so, have appeals been filed and has school district considered alternatives?
8. Who has discussed the educational plan with the child and what does the child want to do?
9. How many credits does the child have/are they eligible for partial credits?
10. Are there any other special rights that this youth has as a foster child that they could be accessing? (See next slides)

+ Pipeline Interventions:
Foster Youth Rights: AB 490

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- Effective 1/1/04, it ensures that FY have a meaningful opportunity to meet state standards!
- Applies to youth in:
 - relative or non-relative foster homes,
 - group homes,
 - probation placements,
 - placements with relative caregivers.
- AB 490 requires that all education and school placement decisions should be made in the best interests of the child, pursuant to the opinion of his/her educational rights holder (ERH).

+ Pipeline Interventions:
Foster Youth Rights: AB 490

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AB 490 Top 10:


- Identify the holder of education rights!
- Right to a free, appropriate public education. (1858)
- Consideration of home placement close to school.
- Right to remain in school of origin (best interests).
- Records request/transfer within 2 bus. days.
- Right to immediate school enrollment.
- Right to receive full or partial credit for all coursework satisfactorily completed; "seat time."
- Right to attend all court-related activities without penalty.
- Foster Care Education Liaison in each district.
- CSW access to school records.

+ Pipeline Interventions:
Foster Youth Rights: AB 167/216

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Foster youth who change schools after their second year of high school can graduate from high school by only completing state course requirements if they cannot reasonably complete the additional local graduation requirements.

- Foster youth and their ERHs must be told if they are eligible for AB 167 graduation within 30 days of transferring.
- Foster youth have a right to remain in high school for a 5th year in order to complete all graduation requirements.
- Only a youth (who is over 18) or the ERH can determine if they should graduate under AB 167.

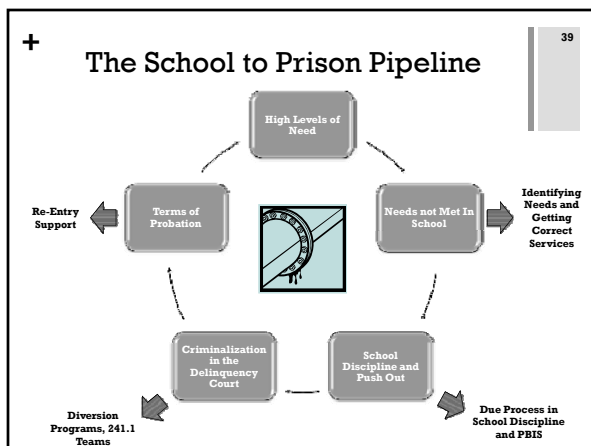


+ Pipeline Interventions:
Foster Youth Rights: AB 167/216

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Pros and Cons of AB 167 Graduation

<p>Pros</p> <ul style="list-style-type: none"> • Receive a regular high school diploma. • Graduate on time with your classmates. • May be eligible to attend community college for free. 	<p>Cons</p> <ul style="list-style-type: none"> • Usually not eligible to apply to 4 year universities in California right after high school. • May make it more difficult to remain AB 12 eligible. • Lose learning opportunities and supports offered by high school. • No longer eligible for extra-curricular high school activities, including sports.
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**+ Pipeline Interventions:
*Re-Entry Supportive Services***

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Judge Groman's Road Show

- Collaborative effort of Judge Groman, Probation, Los Angeles County Office of Education, Department of Mental Health, Alliance for Children's Rights.
- Went to each SPA and trained as many of Los Angeles County school districts as possible on the rights of youth transitioning out of juvenile hall and camps, and back into the community.
- Discussed collaboration of school districts and probation in the transition of youth, and ongoing services and supports available.
- Rights include:
 - Right to attend a comprehensive public school
 - Ability to earn additional credits through community colleges and adult school rather than full time continuation or community day school.

