

Transforming Education for Youth in Connecticut's Justice System

Background

Every child deserves an excellent education to pave the way for a lifetime of learning and a bright future of economic opportunity. But Connecticut has long struggled to educate young people in our juvenile and criminal justice systems.

Children are most likely to thrive when they are kept in their own homes and educated in their own communities, not in custody.¹ And, while we still have a long way to go, Connecticut has made real progress in keeping justice-involved children in their own homes, communities, and schools.²

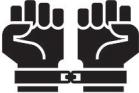
But when we do remove children from their homes, it is critically important to provide them with high-quality educational supports and services. Educational achievement is a key protection against recidivism, and strengthening education is one of the surest ways of increasing community safety and improving life outcomes for vulnerable youth.³

So we cannot afford to delay in reforming education for the relatively small number of youth who are still committed to justice system custody. Continued delay will have a profound and negative effect on the lives of our most vulnerable children and the safety of our communities.

Recognizing the need to reform, the Connecticut legislature in 2016 directed key state stakeholders to collaborate in developing a plan to better meet the educational needs of justice-involved youth.⁴ The ensuing conversation, convened by a workgroup of the state's Juvenile Justice Policy and Oversight Committee, offers a way towards meaningful structural and policy fixes. This Issue Brief summarizes that conversation, discussing the importance of reform and laying out a path forward.

Who Are the Youth in the Deep End of the Justice System, and Who Is Educating Them?

Detention



- Detained youth are physically held in state custody prior to trial and sentencing.
- The Court Support Services Division (CSSD) of the Judicial Branch operates the state's two detention centers, in Hartford and in Bridgeport.
- 1,329 youth were admitted to detention from July 1, 2016 through June 30, 2017.
- The average daily population of youth in detention has fallen below 30 as of the end of 2017, with an average length of stay of 8 days.
- Detained youth are educated by the local school district in which the detention center is located, with funding provided by the district where the child previously attended school.

Secure Custody



- Youth in secure custody are held in a locked facility after conviction and sentencing in juvenile court.
- The Department of Children and Families (DCF) operates the Connecticut Juvenile Training School (CJTS), the state's only secure juvenile facility for boys, in Middletown. DCF contracts with a nonprofit provider for girls' secure custody. By July 1, 2018, CSSD will assume responsibility for youth placed in post-conviction custody, and CJTS will be replaced by smaller, contract facilities.
- 113 boys were admitted to CJTS from July 1, 2016 through June 30, 2017. The average daily population had fallen below 50 by late 2017.
- Youth at CJTS are educated by DCF, with funding provided directly by the state of Connecticut.



Congregate Care

- Youth in congregate care are held in state custody in an unlocked facility, like a group home, after conviction and sentencing in juvenile court.
- DCF contracts with private providers to operate congregate care facilities. By July 1, 2018, CSSD will assume responsibility for youth placed in post-conviction custody, and will contract with its own set of providers.
- 164 youth were placed in congregate care in 2016, with an average daily population of fewer than 200 in 2017.
- A youth in a congregate care facility is likely to be educated in an “approved special education program,” a privately-operated school that is regulated by the State Department of Education. These schools directly bill each student’s home district for the cost of education.



Parole

- Youth are on parole during supervised return to the community after post-conviction commitment to state custody.
- Youth on parole are supervised by DCF. After July 1, 2018, CSSD will take on this role.
- 215 youth were placed on DCF parole in 2016.
- Youth on parole are educated in schools that are run and funded by local school districts. Transitional supports are provided by DCF, through its parole officers and through contractors.



Adult Prison

- Youth are in prison when they are prosecuted as adults and held in a locked state facility, either before or after conviction in criminal court.
- The Department of Correction (DOC) places boys who are prosecuted as adults at its Manson Youth Institution and girls who are prosecuted as adults at its York Correctional Institution.
- 110 boys and girls under 18 were admitted to DOC from July 1, 2016 through June 30, 2017. By the end of 2017, fewer than 60 youth under 18 were held in DOC custody on any given day.
- Youth in DOC custody are educated by DOC, with funding provided directly by the state of Connecticut.

The Challenge of Educating Youth in the Deep End of the Justice System

Factors intrinsic to custody often make it harder to educate out-of-home youth. Education in detention centers, for instance, is confounded by structural problems that include short lengths of stay; the disruptions necessitated by court appearances; and the mobility of youth who enter and leave the school for reasons unrelated to their education.⁵

Other challenges arise from the educational deficits and unmet needs that are already present in the lives of youth who fall into the deep end of the justice system.

Too frequently, youth in the justice system have already become disconnected from school.⁷ In Connecticut, only half of the youth entering detention centers were previously enrolled in traditional high-school settings.⁸ A survey found that 57.5% of youth entering the school

“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 Settings⁶

in Hartford’s detention center have diagnosed special education needs.⁹ The overwhelming majority of youth in detention are behind in school, usually by at least two or three grades.¹⁰ And, if their experience is consistent with their peers across the country, a majority have a history of suspensions and expulsions.¹¹

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 combined reading and math grade level of entering youth is 5.4.¹²

The Importance of Educating Youth in Custody

Too often, children do not experience educational turn-arounds in custody. Instead, the problems often get worse. National data compiled by the Southern Education Foundation show that 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.”¹³

Youth in custody fail to progress, and their experience of frustration and disconnection only makes them less likely to continue in school when they return to the community. 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.”¹⁴ This dropout has significant lifelong consequences for youth who lose access to a world of educational and economic opportunity.¹⁵

By contrast, effectively educating youth in custody can make an enormous positive difference. 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, “youth 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.”¹⁷ Even those youth who attended school and were rearrested were picked up on less-serious allegations.¹⁸

Connecticut Struggles to Meet the Educational Needs of Youth in Justice System Custody

Justice systems across the country struggle to educate youth in custody. U.S. Department of Education data show that 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.¹⁹

“[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... High-quality correctional education is thus one of the most effective crime-prevention tools we have.”

-U.S. Attorney General Eric Holder and U.S. Education Secretary Arne Duncan¹⁶

Like many states, Connecticut publishes little data on educational

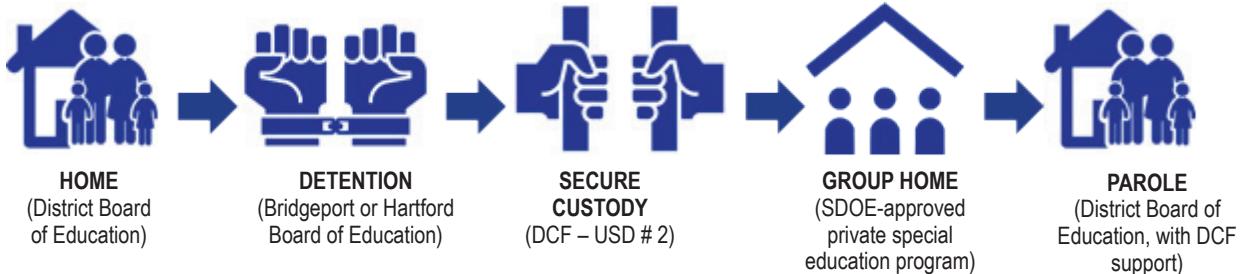
outcomes for youth in the deep end of the justice system. The State Department of Education’s school profiles for educational institutions in custodial facilities, for instance, are missing most of the key accountability data that is provided for community-based schools. But the data that we have are 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.²⁰ And DCF’s Fostering Responsibility, Education and Employment (FREE) 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.” 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.²¹

What Isn’t Working? Diagnosing the Problems

A work group convened by Connecticut’s Juvenile Justice Policy and Oversight Committee met throughout 2017 and diagnosed four key problem areas that need attention from policymakers:

- 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, each with its own policies and practices. 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 slashed expenses to the extent that teachers were not always available in every classroom.

Fragmentation: Connecticut Lacks a Coherent System for Educating Youth in Custody. One child could potentially touch five different school systems.



- 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 custodial facilities; and few accountability mechanisms.
- We lack specialization and expertise: Right now some educational services are provided by programs that lack specialized expertise in educating youth in custody. Largely because of resource deficits that come with fragmentation and the absence of economies of scale, some providers are not able to invest in teacher training, curriculum development, or the multiple pathways to success – like rapid credit recovery, vocational education, and post-secondary options – that youth in custody need.
- 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.

The Opportunity: A Moment of Structural Change in Connecticut’s Juvenile Justice System

Legislation passed in 2017 works a fundamental structural change in Connecticut’s juvenile justice system, charging the Judicial Branch’s Court Support Services Division with designing and overseeing a single, coherent continuum of supervision for youth from the moment of detention through return to the community.²⁴ At the same time, Connecticut is proceeding with plans to close its remaining secure facility for boys, in the face of mounting evidence that large locked facilities are less effective at reducing recidivism and improving life outcomes than community-based services. The closure of the Connecticut Juvenile Training School and the consolidation of juvenile justice services come at a time when the

juvenile justice system itself has been rapidly shrinking: For instance, the number of Connecticut youth in confinement fell by 83% from 2006 to 2015, the highest rate of decline in the country over that time period.

The confluence of these three trends – consolidation, abandoning the failed experiment in juvenile incarceration, and a shrinking system – creates an opportunity for structural and policy change to solve Connecticut's chronic problem of poor educational outcomes for justice-involved youth.

Connecticut now envisions a comprehensive system of support and supervision for justice-involved youth, characterized by seamless continuums of services; clear lines of authority; and – critically, in an era of budget cuts – the cost-effectiveness that comes with consolidation and the creation of economies of scale. In other words: Rather than a network of agency providers, Connecticut is creating a truly coordinated juvenile justice system. A similar approach seems promising in the education realm: Consolidation of responsibility and oversight under a single state agency.

With a shrinking system and the replacement of a single large training school with regionalized facilities that look more like group homes, the existing problems posed by small scale will only be exacerbated – unless we can rethink the provision of education, and find a way to create economies of scale and consolidated mechanisms for support, training, and oversight across the entire justice system.

As stays in juvenile justice custody grow shorter, and youth move more frequently on a continuum among smaller facilities and the community, it becomes more important to promote truly seamless transitions and to measure outcomes at the systems level, not at the level of individual providers.

Consolidation and Quality

Just next door, there is a promising example of a solution to fragmentation. In Massachusetts, a single nonprofit operates all of the schools in juvenile justice facilities.²² 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.²³ 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.

The Path Forward: Towards A Solution

As the 2018 legislative session approaches, the legislature's Juvenile Justice Policy and Oversight Committee will be presented with a set of recommendations for legislative and policy change aimed at taking advantage of this moment of opportunity to effect lasting structural change. Among the key recommendations under consideration:

Coordination & Consolidation

- Legislate a planning and implementation process leading to the creation of a consolidated system for educating youth in the deep end of the justice system
- A single state agency should assume ultimate responsibility for ensuring and overseeing the delivery of high-quality educational services and transitional supports

Redeploy Resources

- Resources conserved through consolidation should be redeployed to support increased oversight and stronger supports for teachers and students

Quality Control & Accountability

Create a comprehensive quality control system with:

- Clear quality standards
- Benchmarks for achievement
- School profiles with relevant quality metrics
- Evaluation and monitoring
- Meaningful interventions if achievement falls short of benchmarks

Expert Teachers & Specialized Curricula

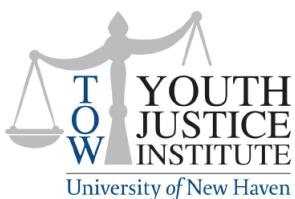
- Support a statewide professional development community for teachers of youth in the justice system
- Develop a flexible, high-interest, modular curriculum, aligned with state standards
- Offer vocational and post-secondary learning options, with multiple pathways to graduation and careers

Transitional Supports

- Reinvest resources conserved through consolidation in reentry coordinators
- Mandate continued enrollment in home schools for detained youth
- Incentivize infrastructure for real-time sharing of educational records
- Create pathways from the justice system to the Technical High School system

Footnotes

1. Anna Aizer & Joseph J. Doyle, Jr., "Does Incarcerating Juveniles Reduce their Human Capital and Increase the Likelihood of Future Crime? Evidence from Randomly-Assigned" (National Bureau of Econ. Research, 2013).
2. The Pew Charitable Trusts Public Safety Performance Project, "Juvenile Confinement Drops by Half," (November 6, 2017).
3. See, e.g., Mark A. Cohen and Alex R. Piquero, "New Evidence on the Monetary Value of Saving a High Risk Youth," p. 17, 25 Journal of Quantitative Criminology 25-49 (2009) ("When juveniles are educated, they are less likely to recidivate and more employable, which in turn leads to safe and stable communities... Helping young, high-risk youth turn their lives around reduces criminal activity, drug use, and government dependency. The results in savings total, over a lifetime, between \$3.2 million and \$5.8 million per juvenile.").
4. Connecticut Public Act 16-147, § 14(a).
5. Peter Leone, "Raising the Bar: Creating and Sustaining Quality Education Services in Juvenile Detention: First Edition," p. 3 (National Technical Assistance Center for the Education of Neglected or Delinquent Children and Youth, 2017)
6. David Domenici, "Transforming Education in Juvenile Justice Facilities," p. 6 (Washington, DC: Center for Educational Excellence in Alternative Settings, 2016).
7. Alexandra Dufresne et. al., "Students First: Ensuring Excellence and Opportunity for Students in Connecticut's Juvenile Justice System," pp. 5-6 (Hartford: Center for Children's Advocacy (2015)).
8. Data provided by the Connecticut Judicial Branch, Court Support Services Division, on file with author.
9. Data provided by Lilian Ijomah, principal, CREC School at Hartford Detention Center; on file with author.
10. Connecticut Judicial Branch Court Support Services Division, "Raise the Grade Facilities and Programs Plan: Report to the Achievement Gap Task Force," p. 6 (July 1, 2014).
11. Andrea J. Sedlak & Karla McPherson, "Survey of Youth in Residential Placement: Youth's Needs and Services, 33-36 (Westat: 2010).
12. Data provided by Christopher Leone, former Superintendent of Unified School District #2, on file with author.
13. "Transforming Education," supra note 6, at 6 (citing The Southern Education Foundation, "Just Learning: The Imperative to Transform Juvenile Justice Systems Into Effective Educational Systems," pp. 15-16 (2014)).
14. Justice Policy Institute, "Education Under Arrest," pp. 17-18 (2011).
15. See, e.g., Thomas G. Blomberg, et. al., "Incarceration, Education and Transition from Delinquency," p. 357, 39 Journal of Criminal Justice 355-365 (2011) ("Educational success can lead to college, graduate school, and professional careers, while educational failure reduces these same opportunities and the potential employment doors they may open.").
16. U.S. Department of Education, "Law and Guidance, Elementary & Secondary Education, Key Policy Letters Signed by the Education and Secretary of Deputy Secretary" (2014).
17. Thomas G. Blomberg, et. al., supra note 15 at 361.
18. Id.
19. The Southern Education Foundation, "Just Learning: The Imperative to Transform Juvenile Justice Systems Into Effective Educational Systems" p. 15 (Atlanta: The Southern Education Foundation, 2014)
20. Connecticut Department of Children and Families, "Raise the Grade Pilot: Final Report", pp. 21-22 (2016).
21. Data provided by Catholic Charities of Hartford; on file with author.
22. Massachusetts Department of Youth Services, "Comprehensive Education Partnership Report: FY 2016."
23. University of Massachusetts Donahue Group, "Evaluation of the Department of Youth Services Education Initiative," pp. vi-vii (University of Massachusetts, 2008).
24. Connecticut Public Act 17-02, June Special Session, §§ 321-323.



The Tow Youth Justice Institute is a university, state and private partnership established to lead the way in juvenile justice reform through collaborative planning, training, research and advocacy.

Please visit our website at newhaven.edu/towyouth and follow us on social media @towyouth or call 203-932-7361 with questions or for more information.

