



JJPOC Meeting Minutes

February 20th, 2020

2:00PM

2E

Attendance:

Abby Anderson	John Frassinelli	Derrick Molden	Martha Stone
Francis Carino	Eulalia Garcia	Desi Nesmith	Amy Vatner
Hon. Judge Patrick Carroll	Hector Glynn	Marc Pelka	Rep. Toni Walker
Hon. Judge Bernadette Conway	Derrick Gordon	Maria Pirro-Simmons	TYJI Staff:
Rollin Cook	Steven Hernandez	Rep. Robyn Porter	William Carbone
Kosta Diamantis	Brian Hill	Christine Rapillo	Danielle Cooper
Vannessa Dorantes	John Holland	Janeen Reid	Susan Cusano
Sarah Eagan	Merit Lajoie	Gary Roberge	Erika Nowakowski
Tais Ericson	Sen. George Logan	Macklin Roman	Kelly Orts
Paul Formica	Eleanor Michael	Stacy Schulman	Catherine Parafati

Representative Toni Walker called the meeting to order and welcomed everyone.

Rep. Walker asked for a motion to accept the minutes for the January 16th, 2020 meeting. The motion to accept the minutes was moved, seconded and passed unanimously.

Overview of Meeting

William Carbone, Executive Director of the Tow Youth Justice Institute (TYJI) at the University of New Haven, reviewed the agenda for today's meeting, which included the discussion and voting on the recommendations made by the Education Committee, the Group to Integrate Community Voice, and the revised language from the Incarceration Workgroup.

Mr. Carbone briefly reviewed and summarized the recommendations from the Diversion and Incarceration Work Groups that were previously passed during the January JJPOC meeting.

JJPOC 2020 Workgroup Recommendations

The Group to Integrate Community Voice

Mr. Carbone introduced Iliana Pujols, a co-chair of The Group to Integrate Community Voice, to present their 2020 recommendation for consideration by the JJPOC.

The Group to Integrate Community Voice's Recommendation was as follows:

Recommendation #1

A. The General Statutes be amended to increase the membership of JJPOC by two community members and two youth (must be under 26 years of age) with first or second-hand justice system involvement. Funding should be provided for stipends, transportation, and childcare to enable member attendance.

The members of the JJPOC then voted on the proposed recommendation. A total of 24 votes were cast with 23 members voting "yea", 0 members voting "nay" and 1 member abstaining. An additional 16 members were absent and did not vote. The recommendation was **passed**.

Education Committee

Mr. Carbone then introduced Amy Vatner and Representative Robyn Porter, co-chairs of the Education Committee, to present the Education Committee's 2020 Recommendations to the members of the JJPOC.

The Education Committee's Recommendations were as follows:

Recommendation #1

A. Current legislation be amended to expand USD #2 (DCF school district) and authorize it to provide for the education of youth in all juvenile justice out-of-home placements including incarcerated youth.

1. The expanded USD#2 may hire its own personnel, and/or subcontract to private providers and/or other school districts for the provision of services.
2. The expanded USD#2 will create an advisory board of interested parties including, but not limited to, members from:
 - a. Judicial Branch CSSD
 - b. DOC
 - c. SDE
 - d. the community; including, but not limited to, members with expertise in provision of education, mental and behavioral health services, social work services, and advocacy.

1.
2.

Recommendation #1 (cont.)

3. USD#2 is authorized to operate as other school districts function within the state.
4. USD #2 will be adequately funded and resourced to accommodate for its expansion.
5. USD#2 administration will develop and review quarterly reports on academic performance, school discipline, attendance, etc.
6. USD#2 administration will require subcontracted education providers (no less than semi-annually) to provide student performance data to ensure that reporting measures are tailored to experiences of students in short and long-term placements.
7. USD#2 administration will require education providers to develop partnerships and programs with local education agencies, non-profit cultural groups, local industries, and businesses.
8. In all instances where there is a nexus, local LEAs will retain responsibility for the cost of educating their pupils within USD#2 and will reimburse USD#2 for such costs.
9. USD#2 will be required to report student performance data, attendance, and rates of participation for all education programs. They will also be required to document transition activities and outcomes, collaborations with community service providers, and parents.
10. USD#2 will ensure that students earn credits toward high school graduation, have access to arts and career and technical education (CTE) courses, statewide and college prep testing, and provide alternative options for HS equivalency certificates for students who are overage and under credits.
11. USD #2 will enable students to have access to web-based content including credit recovery programs.

A friendly amendment was proposed by Representative Porter which states, “An implementation team shall be established by JJPOC to assist in the development of an operational plan to expand USD#2 as explained in this recommendation. This implementation team will include representatives from state and local agencies and shall identify the implementation timeline, funding and other measures necessary to fully implement the recommendation.”

A friendly amendment was proposed by Commissioner Vannessa Dorantes to change the language from “expansion of USD #2” to “a newly created DCF administrative body” that would be charged

with providing oversight for juveniles in out of home placement. This language change would be applied throughout the entirety of the Education Committee's recommendations

Discussion was had on clarification of the friendly amendments. At the discretion of the JJPOC co-chairs the amendments were combined to read, "an implementation team shall be established by the JJPOC to assist in the development of an operational plan to establish a DCF administrative body responsible for providing oversight for the education of all juvenile justice out-of-home placements as explained in this recommendation. This implementation team will include representatives from state and local agencies, as well as members of the JJPOC Education Committee and the JJPOC, and shall identify the implementation timeline, funding, and other measures necessary to fully implement the recommendation. The implementation team shall provide a report back to the JJPOC by September 2020."

The members of the JJPOC then voted on the combined friendly amendment. All present members voted in favor. The friendly amendment was **accepted**.

The members of the JJPOC then voted on Recommendation #1 with the friendly amendment. A total of 22 votes were cast with 22 members voting "yea", 0 members voting "nay" and 0 members abstaining. An additional 18 members were absent and did not vote. The recommendation was **passed**.

Recommendation #2

A. USD #2 *employ transition specialists* whose primary responsibility is to facilitate the successful transition of youth from secure facilities back to the communities. These transition specialists shall:

1. Collaborate with receiving schools, youth serving agencies, employers, and other community supports to plan and manage successful transition.
2. Manage to track educational credits of youth while in out of home placement and document the success of placements following youths' reentry into their communities.
3. Be responsible for communicating with the reentry coordinators. This information will be used in reporting by the receiving district LEA or the district of nexus, if applicable.

Recommendation #2 (cont.)

B. Reentry coordinators (established per PA 18-31 Sec. 7(q)) shall be responsible for obtaining records of youth in juvenile justice out of home placement and assisting in transfer of the records to the facility.

1. The list of reentry coordinators shall be distributed to system stakeholders, including DOC, DCF, CSSD and parents of students. This list should also be made public and displayed on the SDE website.
2. SDE should implement and maintain a current list of reentry coordinators. This list should be reviewed and updated concurrently with the August 1st statutory guideline. In districts under enrollment of 6,000, an alternate will be identified to coordinate the reentry process.

C. An amendment to C.G.S § 10-253 (g)(7) & (g)(8) be made to read, “(7) When a child is not enrolled in a school district at the time of a juvenile justice out-of-home placement, or upon discharge does not return to the same school where the child was previously enrolled,” “(8) Upon learning that a child is to be discharged, the educational services provider for the facility shall immediately notify the jurisdiction in which the child will continue his or her education after discharge. A child shall have the right to enroll in such school district immediately upon discharge into the community, as provided in subsection (7).”

D. Legislation to require special education students in juvenile justice out-of-home placements, when at all possible, be provided PPT meetings upon entry and in advance of their discharge to plan for their program and placement in their receiving school district.

1. For youth who are sentenced or given an order of probation supervision with residential placement, a transition PPT meeting should be held 30 days in advance of the youth’s known date of discharge. Both the discharging and receiving school district shall participate in this PPT meeting and a person knowledgeable about the continuum of programmatic offerings available in the receiving district shall participate in the meeting.

The members of the JJPOC then voted on the proposed recommendation. A total of 21 votes were cast with 20 members voting “yea”, 0 members voting “nay” and 1 member abstaining. An additional 19 members were absent and did not vote. The recommendation was **passed**.

Recommendation #3

- A. Use a uniform system of state-wide electronic record transfers (i.e. Powerschool, PSIS) for maintaining and sharing educational records for all students, including court-placed youth in educational programs, to be overseen by a Directory Manager as designated by USD#2 and align with the IEP Task Force.
- B. A student's home district should be mandated to offer home district diplomas earned by students 17 and above graduating while in educational programs for court-placed youth who meet the statutory graduation requirements. If no nexus district can be determined, DCF will participate in the determination of credits and facilitate in the issuance of a diploma. There should be flexibility and collaboration in this process with the student's home district and special school districts.
- C. State-wide expectations should be established for ensuring credit transfers/partial credit transfers.
 - 1. Classroom hour-to-credit conversion should be standardized within USD #2
 - 2. Credits should be awarded as soon as possible, but no later than 30 days of the transfer to the home district.
 - 3. At intake, it is recommended that a review be done of the student's transcript and attendance records to determine educational requirements up to graduation. Credits should be transferred from the home district within 5 school days of students' placement.
- D. A timeframe should be established for updating educational records pre-discharge.
 - 1. At a minimum, educational records should be up to date per marking period, as well as immediately upon discharge.

The members of the JJPOC then voted on the proposed recommendation. A total of 23 votes were cast with 22 members voting "yea", 0 members voting "nay" and 1 member abstaining. An additional 17 members were absent and did not vote. The recommendation was **passed**.

Incarceration Workgroup

Mr. Carbone then introduced Attorney Christine Rapillo, co-chair of the Incarceration Workgroup, to present the amended language to the Incarceration Workgroup's recommendations.

Recommendation #1 - language

This language addresses the transfer laws for juveniles and would state, "[(3) No case of any child charged with the commission of a violation of section 53a-55, 53a-59b, 53a-71 or 53a-94, subdivision (2) of subsection (a) of section 53a-101, section 53a-112, 53a-122 or 53a-129b, subdivision (1), (3) or (4) of subsection (a) of section 53a-134, section 53a-196c, 53a-196d or 53a-252 or subsection (a) of section 53a-301 shall be transferred from the docket for juvenile matters to the regular criminal docket of the Superior Court, except as provided in this subdivision. Upon motion of a prosecutorial official, the superior court for juvenile matters shall conduct a hearing to determine whether the case of any child charged with the commission of any such offense shall be transferred from the docket for juvenile matters to the regular criminal docket of the Superior Court. The court shall not order that the case be transferred under this subdivision unless the court finds that (A) such offense was committed after such child attained the age of fifteen years, (B) there is probable cause to believe the child has committed the act for which the child is charged, and (C) the best interests of the child and the public will not be served by maintaining the case in the superior court for juvenile matters. In making such findings, the court shall consider (i) any prior criminal or juvenile offenses committed by the child, (ii) the seriousness of such offenses, (iii) any evidence that the child has intellectual disability or mental illness, and (iv) the availability of services in the docket for juvenile matters that can serve the child's needs. Any motion under this subdivision shall be made, and any hearing under this subdivision shall be held, not later than thirty days after the child is arraigned in the superior court for juvenile matters.]

Francis Carino proposed a friendly amendment to change this language to state, "Upon motion of a prosecutorial official, following a consultation and agreement of the prosecutorial official in the adult criminal court, the superior court for juvenile matters shall conduct a hearing to determine whether the case of any child charged with the commission of a felony shall be transferred from the docket for juvenile matters to the regular criminal docket of the Superior Court. The court shall not order that the case be transferred under this subdivision unless the court finds that (A) such offense was committed after such child attained the age of fifteen years, (B) there is probable cause to believe the child has committed the act for which the child is charged, and (C) the risks to

public safety, if the case is maintained in the superior court for juvenile matters, outweigh the best interests of the child in keeping the case on the juvenile matters docket. In making such findings, the court shall consider (i) any prior criminal or juvenile offenses committed by the child, (ii) the seriousness of such offenses and the seriousness of the current and other pending offenses, (iii) any previous attempts to rehabilitate the child, (iv) any evidence that the child has an intellectual disability or mental illness, and (v) the availability of services in the docket for juvenile matters or in the adult criminal system that can serve the child's needs.”

Brief discussion was had on the specifics of both of the proposed languages.

The members of the JJPOC then voted on the proposed amended language presented by Ms. Rapillo. A total of 24 votes were cast with 22 members voting “yea”, 2 members voting “nay” and 0 members abstaining. An additional 16 members were absent and did not vote. The amended language was **accepted**.

The members of the JJPOC then voted on the proposed friendly amendment presented by Mr. Carino. A total of 24 votes were cast with 1 member voting “yea”, 23 members voting “nay” and 0 members abstaining. An additional 16 members were absent and did not vote. The friendly amendment was **not accepted**.

Next Meeting: March 19th, 2020 2:00pm

Meeting adjourned at 3:45pm.

*Audio and/or video of the meeting can be found on
https://www.cga.ct.gov/app/taskforce.asp?TF=20141215_Juvenile%20Justice%20Policy%20and%20Oversight%20Committee