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No Child Left Behind and the Juvenile Justice Education System: A Plan for National Collaboration

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Overview of Presentation

- 1. NCLB and Juvenile Justice Education**
- 2. Challenges in Implementing NCLB in Juvenile Justice education**
- 3. A Positive Policy Illustration – The Florida Experience**
- 4. Juvenile Justice NCLB National Collaboration Project**

Response to NCLB in Public Schools

- Recent public opinion surveys have found that the majority of people do not favor high stakes testing as the primary means of measuring a school's performance
- AYP – States are measuring progress differently and, as a result, showing mixed results
- Finding 'Highly Qualified' teachers considered an insurmountable task
- Despite these issues, the majority of national, state, and local education communities support the notion of higher standards for students and school accountability

Response to NCLB in Juvenile Justice Schools

- Currently juvenile justice schools are not receiving the same public scrutiny as regular schools
- Fundamental concern over juvenile justice schools relates largely to identifying resources for the implementation of NCLB rather than on questioning of requirements
 - Major disparity of juvenile justice schools across and within states
 - Difficulty in calculating student performance measures
 - Juvenile justice schools are temporary settings with high student mobility rates, making AYP difficult to calculate
 - Competing with public schools for 'Highly Qualified' teachers

Juvenile Justice Education: Historical Overview

- **1899 – Creation of the Juvenile Court**
- **Past century – Juvenile justice systems evolved in an uneven and fragmented fashion throughout the U.S.**
- **1965 – Elementary and Secondary Education Act**
Neglected and Delinquent was added to the act in 1966 and originally contained no program or student performance measures
- **1975 – Individuals with Disabilities Education Act**
Guaranteed the right to educational services for youth with disabilities who were incarcerated
- **Late 1980's to Present – 25 states involved in litigation concerning education of incarcerated youth**
- **2002 – No Child Left Behind**
Requires program and student performance measures for all incarcerated youth
- **Today – NCLB requirements are one of multiple challenges faced by state and local juvenile justice education systems**

Challenges in Educating Incarcerated Youth

- **Juvenile Justice youth are on average close to 2 years behind their age appropriate grade level**
- **43% have been diagnosed with a disability**
- **Chronic histories of school failure, truancy, dropout, and school discipline problems**
- **High mobility rates**

Challenges in Educating Incarcerated Youth – Cont.

- Large facilities in rural areas results in related difficulties in parental involvement and transition services
- The juvenile justice system is often not part of the public school system
- Accelerated problems in recruiting and retaining qualified teachers
- The education component of a juvenile justice facility often competes for resources with other areas such as security and treatment

Juvenile Justice Statistics

- According to a 1996 DOJ study, victim costs of crime exceed \$450 billion per year
- According to an OJJDP census there were 104,413 youth incarcerated in residential facilities in 2001
- According to the USDOE the nations neglected and delinquent count in 2004-2005 was 123,945
- Estimated cumulative totals of detained and incarcerated youth reach close to 500,000 annually
- States received \$157 million in neglected and delinquent funds for the 2004-2005 school year
- In comparison, states received \$12 billion for Title I grants and \$110 billion for all state formula grants and student aide
- USDOE spends approximately **\$1,200** per Neglected and Delinquent student compared to **\$2,200** per student across all public school programs

Litigation in Juvenile Justice

- In the past two decades 25 states have experienced litigation regarding juvenile justice education services
- Provision of education services for students with disabilities is the most common reason for litigation in juvenile justice facilities
- This litigation resulted in
 - ◆ 17 states developing or changing their accountability system
 - ◆ 14 states changing their overall organizational structure including education administration
 - ◆ 4 states developing new education standards
 - ◆ 6 states increasing their monitoring

NCLB's Requirements

- **To ensure high quality and accountable education for students in public and juvenile justice schools**
- **To ensure academic achievement of juvenile justice students**
- **To ensure successful transition and community reintegration of juvenile justice students**



The Challenges in Increasing Quality and Accountability in Juvenile Justice Schools

No Child Left Behind Requirements for Juvenile Justice Schools

Highly Qualified Teacher Requirements

- **College Degree**
- **State teaching certification or license**
- **Teaching in-field for core academic areas**

Adequate Yearly Progress (AYP)

- Progress to be determined by annual academic achievement testing that is a part of each state's plan which is submitted and approved by U.S. DOE

Evaluation & Accountability

- **Multiple and appropriate measures of student progress**
- **Use results of the evaluation to improve educational programs**
- **Emphasis on transition and returning youth to school after release**
- **Demonstration that there has been an increase in the number of youth returning to school, obtaining a diploma, or employment following release**

National Survey of States in Implementing NCLB in their Juvenile Justice Education Systems

- **The state agency responsible for juvenile justice education varies widely across states and local jurisdictions**
- **Most states are having difficulty hiring and retaining ‘Highly Qualified’ teachers**
 - ◆ **There exists a chronic shortage of certified teachers throughout the U.S. for both public and juvenile justice schools**
- **The quality of educational services is uneven across and within states**
 - ◆ **25 states have experienced litigation within the past 20 years regarding their education services for incarcerated youth**

National Survey (Cont.)

- **Widely varying capacities to conduct system-wide accountability and evaluation**
 - ◆ 19 states reported that they are currently not reporting Adequate Yearly Progress on their juvenile justice schools
 - ◆ When asked about implementation of NCLB's educational program evaluation requirements, 21 states responded that they did not know how to meet the requirement, and one state claimed an exemption
- **Available student performance data and outcome measures are not consistent across states and local agencies**
 - ◆ Some states reported having no educational performance data regarding their juvenile justice youth, and 18 states reported collecting less than three measures of student outcomes

Positive Policy Implications of NCLB in Juvenile Justice Education

- If states are able to successfully implement the various NCLB juvenile justice school requirements, educational opportunity will be substantially increased for incarcerated delinquent youth throughout the country thereby providing the potential for greater academic achievement and transition from delinquency

A Positive Policy Illustration: The Florida Experience

- In 1998, Florida began developing a research driven accountability system for juvenile justice education
- Florida has established a comprehensive, statewide data management system with the goal of effectively evaluating juvenile justice education
 - ◆ Annual educational program performance results
 - ◆ Program characteristics
 - ◆ Teacher qualifications and characteristics
 - ◆ Student educational performance
 - ◆ Community reintegration results



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Juvenile Justice Education and NCLB

A National Collaboration

Project Purpose

- **Assist states with their implementation of NCLB requirements for juvenile justice education through collaboration and consensus building**
 - ◆ **Direct services**
 - ◆ **Indirect services**

Major Project Goals are:

- **Identify each state's administrative structure for juvenile justice education**
 - ◆ **Identify those personnel responsible for administration and evaluation**
 - ◆ **Identify those responsible for implementing the requirements of NCLB for juvenile justice youth**

- **Determine the juvenile justice education evaluation capacity of each state**
 - ◆ **Conduct national survey**
 - ◆ **Construct typology (grouping) of states**
 - ◆ **Identify national problems**
 - ◆ **Identify problems shared by groups of states**
 - ◆ **Identify problems that are unique to specific states**

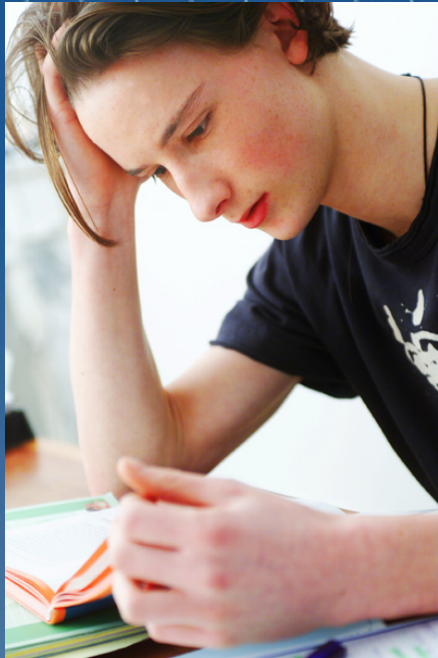
- **Develop a network of agencies, administrators, and evaluators responsible for juvenile justice education across the nation**
 - ◆ **Develop working partnerships with U.S. Department of Education and Department of Justice**
 - ◆ **Create a national association of juvenile justice education administrators and evaluators**

- **Provide information on NCLB requirements and evaluation methods to states in order to improve their ability to meet NCLB requirements and effectively evaluate their juvenile justice education systems**
 - ◆ **Host a national conference**
 - ◆ **Assist states in beginning development of their NCLB implementation plan for juvenile justice schools**

- **Measure and report the progress of this project on the capabilities of states to meet NCLB requirements and effectively evaluate their juvenile justice education systems**
 - ◆ **Ongoing communication with state administrators and evaluators, U.S. Department of Education, and U.S. Department of Justice**

The Key to Success is Collaboration

- **Sharing common problems**
- **Communication and coordination between**
 - ◆ **States**
 - ◆ **The Collaboration Project**
 - ◆ **U.S. Department of Education**
 - ◆ **U.S. Department of Justice**
- **Building consensus on common problems and solutions**



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Questions and Suggestions

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