SOUTHERN EDUCATION FOUNDATION

SPECIAL SUMMARY

JUST LEARNING

The Imperative to Transform Juvenile Justice Systems Into Effective Educational Systems

A Study of Juvenile Justice Schools in the South and the Nation

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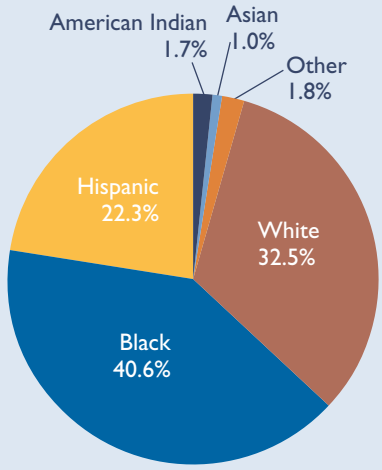
The most disadvantaged, troubled students in the South and the nation attend schools in the juvenile justice systems. These children, mostly teenagers, usually are behind in school, possess substantial learning disabilities, exhibit recognizable behavioral problems, and are coping with serious emotional or psychological problems. They are often further behind and hampered with more personal problems than any other identifiable group of students in the nation's elementary and secondary schools. In recent years, due to the efforts of advocates and reformers, the number of youth in the custody of the juvenile justice systems has been declining. But, those who remain are often confined in large, overly restrictive institutional facilities that are operated without priority or focus on their education.

Race and Ethnicity of Youth Detained & Committed in Juvenile Justice Systems

2010

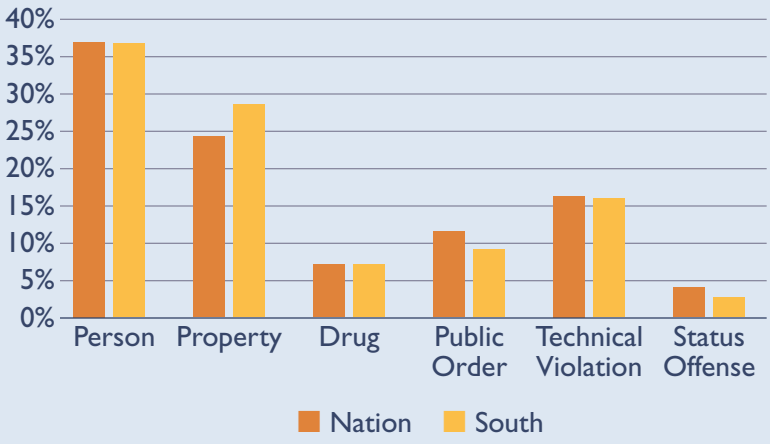


In 2010, approximately 70,000 young people on any given day were detained in the custody of the juvenile justice systems across the United States. Approximately one-third of those troubled youth were found in the 15 states of the Southern United States.[1]

In both the South and the nation, the youth in the custody of juvenile justice systems are overwhelmingly children of color – primarily African American and Hispanic. According to juvenile justice data, 41 percent of the juveniles detained and committed to the juvenile justice systems were African American in 2010. Twenty-two percent were Hispanic. Altogether, children of color constituted 63 percent of the juveniles taken into custody. Eighty-five percent of the youth in the juvenile justice systems were male.

Reasons for Confinement in Juvenile Justice Residential Facilities

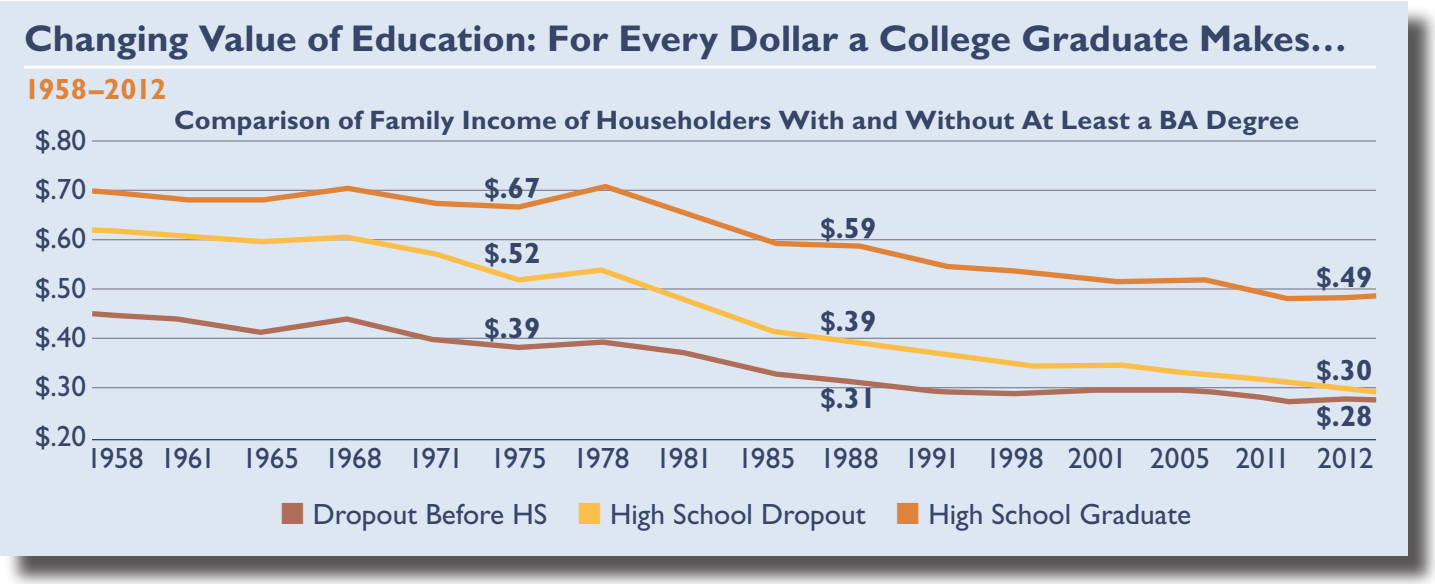
2010



In 2010, 24 percent of juveniles were confined to residential facilities because of offenses against property. About seven percent were in custody due to drug problems. One-third of the youth population in juvenile justice facilities in the U.S. were there because they had been unruly, incurred technical violations, or had committed a status offense.

All told, almost two-thirds of the children and youth in the residential facilities of the juvenile justice systems in the nation and the South were confined for offenses and problems that in 2010 did not involve any wrongdoing directly against another person.

[1]The full report with citations and sources can be found in the publications section at www.southerneducation.org or linked through the quick response code on the last page. The SEF South includes Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.



Economic Necessity of Higher Education for Juvenile Justice Youth

Education is important to all of the nation's young people, but it is a necessity for most youth in the juvenile justice system. During the first half of the 20th century, a young person who got into trouble, quit high school, and did not seek higher education could still find jobs that earned a decent income. But, by 2012 the high school dropout's median family income had declined to only 30 cents for every dollar earned by a college graduate. (See the chart above for comparisons over time.)

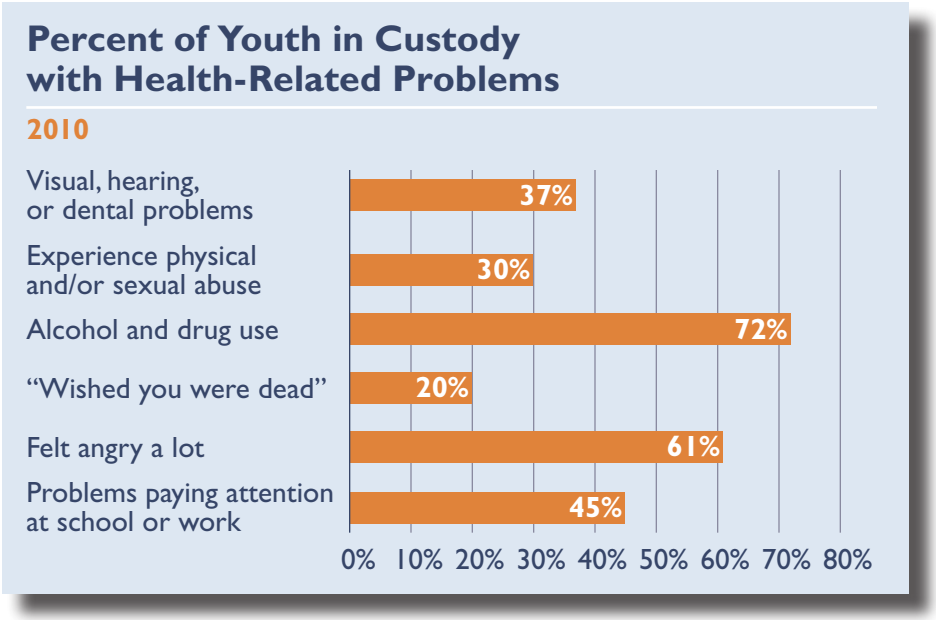
Today any juvenile justice system that does not place education for young people as the essential, central element of rehabilitation and prevention has failed.

Educational Status and Needs of Juvenile Justice Students

By all accounts, students in juvenile justice schools in both the South and nation have profound challenges when they enter the custody of the juvenile justice systems. They are significantly behind in school, often possess learning disabilities or delays, and frequently have multiple emotional, psychological, and physical problems.

The latest government-sponsored survey of young people residing in state juvenile justice facilities confirms the findings of prior studies. For example, the survey indicates that roughly half the students are below grade level in learning.

The survey also provides data on the problems these students face that impact their ability to learn and do well in school. For instance, 37 percent reported having problems with their hearing, eyes, or teeth. Forty-five percent of the youth reported that they had problems paying attention in school or at work. Thirty percent had experienced physical or sexual abuse. Over 60 percent suggested they had frequent problems with anger. One in five youth wished they were dead.

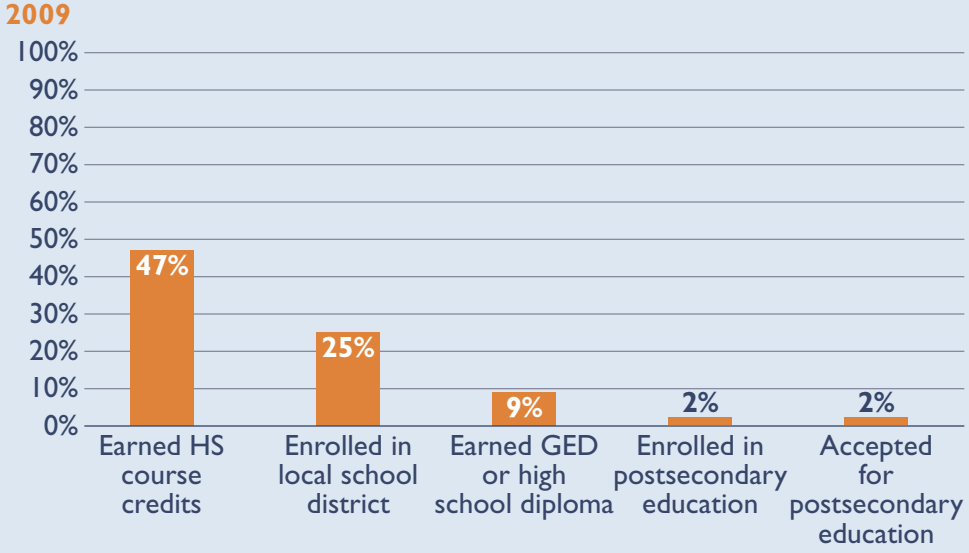


Status of Effective Education in State Juvenile Justice Schools

Across the nation, most juvenile justice schools and educational programs appear to be failing to make major improvements in the education of the students in state custody. These schools differ widely in how they teach and deliver education and provide related support services to students, but the available data clearly demonstrates that most children and youth who go through the states' juvenile justice systems have received an inadequate education. These children and youth have the greatest need to learn and advance their own education, but, as a group, they are probably receiving the least effective education.

In 2009, according to data from the U.S. Department of Education, most "longer-term" students (those enrolled for 90 days or more and whose progress was documented) failed to make any significant improvement in learning and academic achievement. Less than half of these students in the age range for attending high school earned one or more course credits attending state juvenile justice schools across the nation.

Measures of Student Achievement in Nation's Juvenile Justice Schools



In general, the juvenile justice schools in the South were not significantly better or worse than those across the nation from 2007 to 2009. None showed important signs of achievement or improvement in measured performance in recent years. Southern states appear to have made gains over prior years in the percentage of students with reported high school credits. At the same time, there has yet been a reported year in which a majority of the longer term students in the South made any measured progress in juvenile justice schools.

Independent studies of teaching and learning in juvenile justice schools have found considerable problems. Dr. Thomas Blomberg, one of the nation's leading experts on education in juvenile justice systems, led a team that summarized the research: the "quality of juvenile justice schools throughout the United States historically has been uneven and inferior to that of public schools." The Social Policy Report of 2011 on what works and what doesn't work in reducing criminal behavior of confined youth concluded that fewer than five percent of "eligible high-risk juvenile offenders in the U.S. are treated with an evidence-based treatment annually."

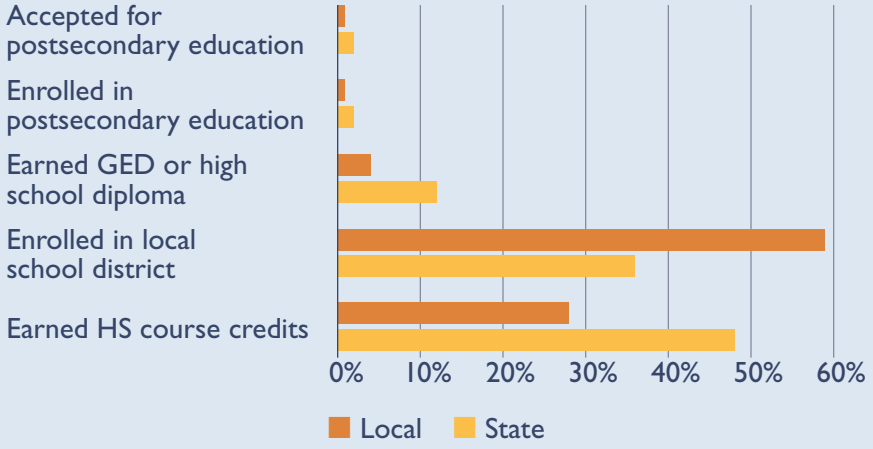
The latest federal survey of youth in state custody indicated that more than one-fourth of the students with reported learning disabilities had not received special education to address those disabilities.

Status of Effective Education in Local Juvenile Justice Programs

Keeping children and youth close to home and in the least institutional environment in any juvenile justice system has many benefits, including helping students learn. But, it appears that local schools and local education services in juvenile detention and corrections have been no more successful than the state juvenile justice schools in assuring effective teaching and learning.

Measures of Student Achievement in State and Local Juvenile Justice Schools in Southern States

2011



Based on available statistical data, children and youth in local juvenile justice programs in the South are making very limited progress in education. Only 28 percent of the juveniles 13 to 20 years old in local facilities earned a high school course credit in 2011. Far fewer eligible students earned a high school diploma or were accepted or enrolled in higher education.

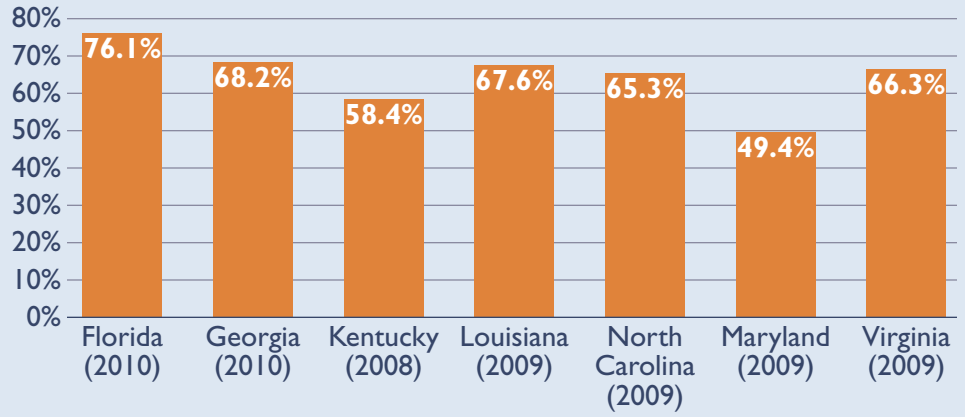
Robert Balfanz and other scholars who study the educational achievement of troubled youth concluded that "neither neighborhood high schools nor the juvenile justice system currently appear to be institutionally capable of providing the range and intensities of academic supports needed by students who become incarcerated during high school."

Local school systems also contribute to the problems. A major 2011 study in Texas by the Council of State Governments found that almost one-third of all students and a notably higher percentage of students of color in the state were suspended out-of-school somewhere between the 7th through the 12th grade. It also reported that a suspended or expelled student was "nearly three times as likely to be in contact with the juvenile justice system the following year." The Texas study also documented that the vast majority of all school suspensions were for breaking school rules – not for conduct that required removal from school – and African-American students were more likely to be disciplined for lower-level violations.

Based on available data from seven other Southern states, most students recently removed from school were suspended for reasons that are relatively minor – reasons relating to classroom and school management much more often than to school safety. Only a small fraction of school suspensions in this sample were for dangerous acts. A significant percentage of students were suspended from school for fighting. But school suspensions were used most frequently to respond to far less significant problems. Major offenses

Percent of All Suspensions for Minor Offenses by State

2008–2010



(dangerous acts, student fighting, and tobacco, alcohol, and drug offenses) did not constitute the reasons for most school suspensions in almost all surveyed states.

The largest segment of minor offenses that prompted suspensions was related to disrespect, disobedience, and insubordination. These types of reasons for suspending students involved 30 to 40 percent of all suspensions in five states that reported specific details. It appears that from three to eight percent of all students suspended from school were removed because of their failure to attend school.

Some schools have helped in recent years to begin to reduce the number of youth moved into the juvenile justice system, but the fact remains that local school systems in the South and elsewhere in the nation have attempted too often to resolve their own systems' challenges by consciously or unconsciously helping to move students into the juvenile systems. At worst, the juvenile system has become a dumping ground where troubled children and youth are sent beyond any accountable system of education.

Effective Education: A Key Strategy for Creating Positive Turning Points

The juvenile justice systems may be doing more harm than simply failing to provide effective education during the time young people are in custody. They also may be denying troubled youth the means by which to turn around their own lives in the near future so that they can make full use of education in the long run.

Recent research offers growing evidence that making real progress in juvenile justice schools often serves as an "effective turning point" for troubled youth as well as the start of the effective education they need to earn a decent living in the future. A 2008 study of young males in the California juvenile justice system found that "finishing high school served as a turning point in offenders' lives," especially for those youth arrested as teenagers. Professor Thomas G. Blomberg has found that "youth released from juvenile institutions who had above average academic achievement while incarcerated were significantly more likely to return to school" than lower-performing youth.

In a second study of the same cohort of Florida youth, Blomberg and his colleagues found that above-average academic achievement during incarceration made the largest difference for black males in decreasing the likelihood of delinquency, while it made a significant difference for all males. And all males, including black males, with above average school attendance had a significantly lower likelihood of arrest.

A study of an innovative educational program in Chicago involving almost 3,000 youth showed a 44 percent reduction in violent crime arrests among participants during the program year and gains in attendance, grade point average, and school persistence that continued into the follow-up year. In addition, James Heckman, Nobel laureate in economics, recently examined "the channels through which different programs produce their effects" and found in examining the highly successful Perry pre-school program that a change in academic motivation and persistence in learning and a reduction in aggressive, disruptive, or dishonest

behaviors explained the bulk of the program's long-term effects in reducing future criminal activities and providing job gains and better health outcomes.

David Domenici and James Forman Jr., who founded the Maya Angelou Academy as a juvenile justice school in the District of Columbia, have documented their educational strategies, which include creating a school culture of learning, re-structuring a challenging curriculum, and developing individual teaching methods – each remarkably similar to the strategies proven to be effective for many high-risk youth in controlled studies.

Societal Gains/Costs of 14-Year-Old "High Risk" Youth Offender

Number of Youth	One Year Societal Monetary Gains/Costs	Five Year Societal Monetary Gains/Costs	Ten Year Societal Monetary Gains/Costs
100	$14,344,800	$178,852,200	$389,361,000
250	$35,862,000	$447,130,500	$973,402,500
500	$71,724,000	$894,261,000	$1,946,805,000
1000	$143,448,000	$1,788,522,000	$3,893,610,000
5000	$717,240,000	$8,942,610,000	$19,468,050,000
10,000	$1,434,480,000	$17,885,220,000	$38,936,100,000

Potential Economic Gains from Effective Education

Keeping young persons in the juvenile justice systems in humane and constitutional conditions is expensive. In Georgia, the special commission on juvenile justice reform estimated in December 2012 that the cost of each residential placement in the state's juvenile justice system was on average between $88,000 and $91,000 per year – with a recidivism rate of about 65 percent. These facilities' costs usually do not include the costs of activities and personnel before placement. A study in Dallas, Texas added 30 percent to 40 percent to residential costs for calculating the real, direct costs of incarcerating a young person.

Scholars associated with the National Academy of Sciences reviewed research on direct costs and benefits of a wide range of juvenile justice interventions in their 2012 study of juvenile justice. Their findings estimated that educational services can have the highest direct, monetary benefits – more than $100,000 per youth in direct benefits – among a wide range of interventions.

These direct economic benefits are only a small part of the overall gains that improved, effective education in juvenile justice programs can provide states and their residents. The real societal benefits and savings from effective education in juvenile justice systems can come from reductions in criminal activity, drug use, and dependency on government support and future, additional contributions from job earnings and tax payments.

Every young person who leaves the juvenile justice systems in the South and the nation today without an effective educational experience to help change the trajectory of his life is liable to cost his state and community from $2 million to $3 million dollars during the next 10 years of his life. This cost will continue to mount if nothing changes in how juvenile justice systems educate children and youth in their custody.

These numbers are dramatic and spotlight in dollars and cents a simple, profound truth: by becoming effective institutions that are in the business of providing just learning, juvenile justice systems across the South and the nation have the potential to render an enormous positive impact on the lives of individual troubled children and youth and on the states and communities where they live.

Conclusions and Recommendations

Both state and local juvenile justice systems are failing profoundly in providing adequate, effective education in the South and the nation. The evidence for this conclusion is overwhelming, and, it confirms what has been consistently proven by a large body of individual academic and scientific studies and national data for at least the last two decades. The current and future consequences of this persisting failure are enormous.

A safe, secure environment that is the least restrictive has been and remains the first order of business in juvenile justice and a prerequisite in the states' responsibilities for the young people whose lives they control. But, that is not enough – not nearly enough in this day

and age. A system of effective teaching and learning is a necessity for the juvenile justice system today because the effects of inadequate, ineffective education are profound and crippling for both troubled youth and their communities.

The mission of juvenile justice systems must be redefined and reorganized with a fundamental purpose of education, if the systems are to be successful. Without profound transformation, there will be little or no justice for both the young individuals in custody, especially the young African American males, and for society.

There is little doubt that improving coordination among various state and local agencies would help. But, there must be a fundamental transformation in the purposes, organization, and functions of the juvenile justice systems if effective teaching and learning is to become systematic in juvenile justice systems. In transforming juvenile justice systems with a new, primary purpose of education, the states will need to completely recreate institutions and processes in order to advance the primary goal of delivering effective education for the children and youth they control and serve.

The juvenile justice systems must undergo changes that embed essential components for effective educational institutions and systems today:

- Re-organize the juvenile justice systems so that their functions, arrangements, and daily schedules are designed and carried forward to advance teaching and learning of students.
- Apply existing standards for teaching and learning in each state to all educational programs and schools in the state's juvenile justice system.
- Establish effective, timely methods of testing and reporting on the educational status and progress of each and every student in the juvenile justice system.
- Develop and implement a progressive individual educational plan and learning strategy for each and every student to guide individualized instruction and special services.
- Establish effective systems and methods of coordination and cooperation that provide a seamless transition of students into and out of the juvenile justice system.
- Create and maintain useful data systems of reporting and accountability to measure institutional educational progress and identify areas in need of improvement.

Nothing less will assure that juvenile justice systems help young people leave and never return to the juvenile system or to adult prisons. Nothing less will produce just learning and just results. Nothing less will deliver in the coming years on a promise of justice for the children and youth in custody and for the communities they re-enter. And nothing less will provide the South and the nation with the effective governmental systems that succeed in providing the nation's most under-educated, vulnerable youth with a future that is better than the past.

Founded in 1867 as the George Peabody Education Fund, the Southern Education Foundation's mission is to advance equity and excellence in education for all students in the South, particularly low income students and students of color. SEF uses collaboration, advocacy, and research to improve outcomes from early childhood to adulthood. Our core belief is that education is the vehicle by which all students get fair chances to develop their talents and contribute to the common good.

SEF SOUTHERN EDUCATION FOUNDATION

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Founded in 1867

135 Auburn Ave NE, 2nd Floor
Atlanta, GA 30303

404.523.0001 Office
404.523.6904 Fax

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