
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Nancy Skinner, Chair

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Bill No: SB 304 **Hearing Date:** April 18, 2017
Author: Portantino
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Urgency: No **Fiscal:** Yes
Consultant: SJ

Subject: *Juvenile Court School Pupils: Joint Transitions Planning Policy*

HISTORY

Source: Youth Law Center

Prior Legislation: AB 2306 (Frazier) Ch. 464, Stats. 2016
AB 2276 (Bocanegra) Ch. 901, Stats. 2014
SB 1088 (Price) Ch. 381, Stats. 2012

Support: California Catholic Conference; California Public Defenders Association; Children's Defense Fund- California; Children Now; National Association for Social Workers, California Chapter; National Center for Youth Law; Public Counsel; Young Women's Freedom Center

Opposition: None known

PURPOSE

The purpose of this bill is to specify components to be included in the joint transition planning policy relative to coordinating education and other services for youth in the juvenile justice system by a county office of education and county probation department in preparation for the youth's transition from a court school to a district school.

Existing law defines juvenile court schools as public schools or classes in any juvenile hall or home, day center, juvenile ranch or camp, regional youth educational facility, or Orange County youth correctional center, or in any group home housing 25 or more children and operating one or more additional sites under a central administration, with acceptable school structures at one or more centrally located sites to serve the single or composite populations of juvenile court school pupils. (Ed. Code § 48645.1.)

Existing law requires the county board of education to provide for the administration and operation of juvenile court schools by the county superintendent of schools or by contract with the respective governing boards of the elementary, high school, or unified school district in which the juvenile court school is located. (Ed. Code § 48645.2.)

Existing law requires each public school district and county office of education to accept for credit full or partial coursework satisfactorily completed by a pupil while attending a public school, juvenile court school, or nonpublic, nonsectarian school or agency. Existing law also requires that the coursework be transferred by a standard state transcript. (Ed. Code § 48645.5.)

Existing law requires the school district of residence while a pupil is detained to issue a diploma from the school the pupil last attended before detention if the pupil completes the graduation requirements of the school district. Alternatively, the county superintendent of schools may issue the diploma. (Ed. Code § 48645.5.)

Existing law prohibits a pupil from being denied enrollment or readmission to a public school solely on the basis that he or she has had contact with the juvenile justice system, including, but not limited to arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, or detention for any length of time in a juvenile facility or enrollment in a juvenile court school. (Ed. Code § 48645.5.)

Existing law requires the county office of education to issue a diploma of graduation to a pupil who completes the statewide coursework requirements for graduation while attending a juvenile court school. The county office of education is prohibited from requiring the pupil to complete coursework or other requirements that are in addition to the statewide coursework requirements. (Ed. Code § 48645.5.)

Existing law encourages local educational agencies to enter into memoranda of understanding and create joint policies, systems, including data sharing systems, transition centers, and other joint structures that will allow for the immediate transfer of educational records, create uniform systems for calculating and awarding course credit, and allow for the immediate enrollment of pupils transferring from juvenile court schools. (Ed. Code § 48647.)

Existing law requires the county office of education and county probation department to have a joint transition planning policy that includes collaboration with local educational agencies to:

- Improve communication regarding dates of release and the educational needs of students who have had contact with the juvenile justice system.
 - Coordinate immediate school placement and enrollment.
 - Ensure that probation officers in the community have the information they need to support the return of pupils who are being transferred from juvenile court schools to public schools in their communities.
- (Ed. Code § 48647)

This bill requires that the joint transition planning policy include an individualized transition plan that addresses the pupil's academic, behavioral, social-emotional, and career needs. This bill provides that an individualized transition plan only needs to be developed for pupils detained for more than four consecutive school days.

This bill requires that the joint transition planning policy include a transition portfolio, which the pupil may keep upon exiting a juvenile detention facility. The transition portfolio is required to contain all of the following:

- School transcripts
- The pupil's individualized education program, if applicable
- Any academic, career, or technical assessments

- An analysis of credits completed and needed, and
- Any certificates or diplomas earned by the student.

This bill requires that the joint transition planning policy include a procedure for the timely, accurate, complete, and confidential transfer of records in compliance with state and federal law.

This bill requires that the joint transition planning policy include a plan for completion of financial aid and college enrollment applications.

This bill requires that the joint transition planning policy include the identification and engagement of programs, services, and individuals to support a pupil's successful transition into and out of the juvenile detention facility, including, but not limited to, family members, probation services, education services, social services, mental health services, higher education programs, and community-based organizations.

This bill requires that the joint transition planning policy include a timeline for regular review and revision of each pupil's individualized transition plan.

COMMENTS

1. Need for This Bill

According to the author:

In 2014, 47,655 California youth attended a court school in a juvenile hall or camp. Upon release from detention, these youth encounter a number of barriers to reentry and to the pursuit of further education. These young people often face significant difficulty in securing transferable academic credits while in court schools and in getting academic credit recognized when they exit and seek to reenroll in their local districts. Additionally, once released, these youth are often deterred from rejoining traditional comprehensive schools but instead are sent to continuation schools with few opportunities to prepare for post-secondary education. Youth in court schools need support to transition smoothly to a comprehensive high school that can prepare them to achieve their educational goals.

Education is central to the rehabilitative mission of the juvenile justice system. Yet youth who attend court schools because of detention in juvenile halls or camps are far more likely to drop out of high school and enter the adult criminal justice system than they are to enroll in college or be gainfully employed as young adults. Moreover, youth who attend court schools have significantly lower rates of post-secondary enrollment and completion than do public school students. The transition from court school to a community school, when youth are released from detention, is a critical time when youth are vulnerable to dropping out of school altogether. Strong support is needed during that crucial period so that the education of these youth is not disrupted. Current law does not go far enough to ensure that these youth receive the support they need during the pivotal time of transition from court school back to a community school.

SB 304 amends Education Code section 48647 to require that the county office of education and probation department develop and implement an individualized transition plan to meet the academic, behavioral, social-emotional, and career needs of each court school pupil detained for more than four consecutive school days. The bill requires the transition plan to include a transition portfolio with school transcripts, the IEP, assessments and an analysis of credits needed for high school graduation; timely, accurate, complete and confidential transfer of records; a plan to help the pupil with financial aid and college applications; and the identification of programs, services and individuals to support the pupil's successful transition. The goal of the bill is to ensure continued and consistent educational opportunities for youth involved in the juvenile justice system and to support their highest possible educational attainment.

SB 304 clarifies existing law by delineating the components to be included in transition plans for youth involved in the juvenile justice system and enrolled in court schools. By delineating critical components of transition plans for pupils enrolled in court schools, the bill supports these pupils transitioning successfully from court school to community school and achieving their highest possible educational goals.

2. Juvenile Court School Outcomes

According to the California Department of Education, there were 83 juvenile court schools reporting an enrollment of 9,010 students as of October 2010¹. However, many students attend juvenile court schools for a short period of time, so this “point in time” number does not reflect the total number of students served on an annual basis. CDE states that its demographic reports for prior school years indicate that the total number of students served by these schools over the entire year averaged over 42,000.

A number of studies have found poor educational outcomes and difficulty transitioning back to school districts for these students. A 2010 report² by the Center for Juvenile Justice Reform at Georgetown University found that “reenrollment of youth in schools following discharge from a juvenile correctional facility has been a perennial challenge as schools and school districts have resisted reenrollment of formerly incarcerated youth.” A 2014 report³ by Southern Education Foundation found that incarcerated juveniles were less likely to receive a high school diploma. Finally, a 2016 report⁴ published by the Youth Law Center found that many students do not enroll in school after leaving a juvenile court school. The report notes that in the 2013-2014 school year, juvenile court schools students had a dropout rate of 37.7%, compared to the statewide adjusted dropout rate of 11.6%. The report noted that ten counties had court school dropout rates of 60% or higher and that another five had dropout rates ranging from 40% to 59%.

3. Report on Transition of Students from Juvenile Court Schools to District Schools

The Superintendent of Public Instruction is required to convene a statewide group with stakeholders from the community, advocacy organizations, and education and probation department leaders to develop a model and study existing successful county programs and

¹ <http://www.cde.ca.gov/sp/eo/jc/cefjuvenilecourt.asp>

² http://cjjr.georgetown.edu/wp-content/uploads/2015/03/EducationalNeedsOfChildrenandYouth_May2010.pdf

³ <http://www.southerneducation.org/getattachment/cf39e156-5992-4050-bd03-fb34cc5bf7e3/Just-Learning.aspx>

⁴ <http://www.ylc.org/wp/wp-content/uploads/EDUCATIONAL%20INJUSTICE.pdf>

policies for the immediate transfer of educational records, uniform systems for calculating and awarding credits, transition planning, and the immediate enrollment of students who are being transferred from juvenile court schools. Existing law requires the statewide group to report its findings and provide recommendations for state action to the Legislature and appropriate policy committees. A report was submitted to the Legislature and made the following recommendations relative to transition planning:

- A student transition team shall be established for each student.
- The student transition team should provide each student with a plan that includes the requisite academic and behavioral actions necessary to establish a clear pathway back to a comprehensive public school in their community.
- Identified staff shall be accountable for providing necessary assistance and effective case management to each transitioning student.
- A transition plan shall be prepared for each student.
- Accurate student records shall be available for all students transitioning into and out of a juvenile court facility.
- A transitioning student from a juvenile court school shall be immediately enrolled regardless of the availability of academic records, among other things.
- Each school district shall identify one or more persons responsible for ensuring the immediate enrollment of a student transitioning from a juvenile court facility.
- County offices of education and school districts should adopt and comply with the California Model Policy, which provides a partial credit calculation formula, explanations of the policy's provisions, and implementation tools for use by school personnel and social workers.

4. What This Bill Does

This bill expands existing requirements regarding the joint transition planning policy that a county office of education and county probation department develop for a student transferring from a juvenile court school to a public school.

Specifically, this bill requires that the joint transition planning policy include the following:

- An individualized transition plan
- A transition portfolio
- A procedure for the transfer of records
- A plan for completion of financial, aid and college enrollment applications
- The identification and engagement of programs, services, and individuals to support the student's transition, and
- A timeline for the regular review of each student's individualized transition plan.

This bill also requires that the transition portfolio contain:

- School transcripts
- The student's individualized education program, if applicable
- Any academic, career, or technical assessments
- An analysis of credits completed and needed, and
- Any certificates or diplomas earned by the student.

5. Argument in Support

The National Center for Youth Law supports this bill stating:

SB 304 clarifies existing law by ensuring that the joint transition planning policy that county officers of education and probation departments are required to develop includes individualized planning for each court school pupil....

Current law does not go far enough to ensure that youth receive the support they need during the pivotal time of transition from court school back to community school. Under current law, county offices of education and probation departments are required to have a joint transition planning policy to help students transition from court schools to their community schools. However, the statute does not require individualized transition planning for students and does not delineate the critical components to be included in each individualized transition plan. Without an individualized transition plan and strong support for youth transitioning from court schools back to community schools, transitions are often unsuccessful, resulting in poor education outcomes for these youth.

SB 304 requires that county offices of education and probation department develop and implement a joint transition planning policy that includes an individualized transition plan to meet the academic, behavioral, social-emotional, and career needs of each court school pupil detained for more than four consecutive school days. SB 304 will ensure that youth leave detention with a transition portfolio containing all the information they need to forward their education. . . The bill requires that counties make provision for timely, accurate, complete and confidential transfer of records to facilitate quick reenrollment in community schools. Finally, SB 304 will help prepare youth for success in community schools and in higher education by requiring a plan to assist pupils with financial aid and college applications and by providing for the identification of programs, services and individuals to support each pupil's successful transition.

SB 304 will improve the effectiveness of existing transition planning requirements to ensure continued and consistent educational opportunities for youth involved in the juvenile justice system and to support their highest possible educational attainment.