
SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2019 - 2020 Regular

Bill No: SB 716 **Hearing Date:** April 24, 2019
Author: Mitchell
Version: February 22, 2019
Urgency: No **Fiscal:** Yes
Consultant: Ian Johnson

Subject: Juveniles: postsecondary and career technical education.

SUMMARY

This bill requires a county probation department and the Division of Juvenile Facilities, in collaboration with the California Community Colleges (CCCs), the California State University (CSU), and the University of California (UC), to ensure that detained juveniles with a high school diploma or the equivalent have access to a full array of postsecondary academic and career technical education programs of their choice.

BACKGROUND

Existing law:

- 1) Provides for the placement of juveniles under the jurisdiction of the juvenile court into a county juvenile hall, ranch, camp, or forestry camp.
- 2) Requires county offices of education to provide for the administration and operation of public schools in juvenile halls, juvenile ranches, and juvenile camps, among others, known as juvenile court schools.
- 3) Establishes the Department of Juvenile Justice to provide comprehensive education, training, treatment, and rehabilitative services to youthful offenders under the jurisdiction of the department, that are designed to, among other things, produce youth who become law-abiding and productive members of society.

ANALYSIS

This bill:

- 1) Requires a county probation department and the Division of Juvenile Facilities, in collaboration with the CCCs, the CSU, and the UC, to ensure that juveniles with a high school diploma or California high school equivalency certificate who are detained in, or committed to, a juvenile hall, ranch, camp, or forestry camp, or a Division of Juvenile Facilities facility, have access to a full array of postsecondary academic and career technical education programs of their choice.
- 2) Specifies that the programs mentioned above shall be considered part of the current responsibilities of the county probation department and the Division of Juvenile Facilities to provide and coordinate services for juveniles that enable the

juveniles to be law-abiding and productive members of their families and communities.

- 3) Specifies that the bill does not preclude juvenile court school pupils who have not yet completed their high school graduation requirements from concurrently participating in postsecondary academic and career technical education programs.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Programming is not currently available to the youth in juvenile facilities who have completed a high school diploma or California equivalency. Youth with high school diplomas or equivalency certificates are particularly motivated to succeed in education programs. Yet, California law does not require juvenile facilities to provide post-secondary programs for these youth. Without an education program, these youth have nothing to do, while in custody, to move their education and career goals forward.

Although California law does not require post-secondary programs for youth, the Juvenile Title XV regulations require county probation to ensure that all youth in their facilities are treated equally with regard to education programs.

Additionally, the Youth Bill of Rights, Welfare and Institution Code section 224.71 (n) states that youth in Division of Juvenile Facilities (DJF) have the right to receive a quality education.

State statutes only require county offices of education (COEs) and the DJF to provide a full high school curriculum to youth in custody who have not completed high school. Nevertheless, there is no statutory obligation for COEs to provide post-secondary education programs to high school graduates in custody in county probation facilities.

Rehabilitation is a key goal of California’s juvenile justice system. Vital to rehabilitation is access to educational opportunities, particularly for the tens of thousands of youth who are detained in or committed to juvenile facilities each year. Quality education for these youth leads to positive skills development and productive career paths and significantly reduces the likelihood of recidivism to the juvenile justice system or future involvement with the adult criminal justice system.”

- 2) ***Juvenile court schools.*** Existing law establishes juvenile court schools—public schools in juvenile halls, juvenile camps, and juvenile ranches. Under current law, COEs are required to provide for the administration and operation of juvenile court schools. In doing so, the COE determines the manner in which the county’s juvenile court schools will best accomplish the goals of providing a quality education and training, and adopts and enforces a course of study.

Traditional public school districts are required to accept credit for juvenile court school coursework, and to issue a diploma in the case of a youth who has completed all necessary requirements. In addition, each county superintendent

of schools is encouraged to enter into a memorandum of understanding or mutual agreement to support and develop a collaborative process for meeting the needs of the youth, including the youth's educational needs. Finally, the county office of education and county probation department are required to have a joint transition planning policy to coordinate the continuation of the youth's education.

The state regulations that govern the education program in county juvenile facilities specify that youth must be provided a rigorous, quality educational program that responds to the different learning styles and abilities of students and prepares them for high school graduation, career entry, and post-secondary education. The regulations also encourage school and facility administrators to, whenever possible, collaborate with local post-secondary education providers to facilitate access to educational and vocational opportunities for youth that considers the use of technology to implement these programs.

- 3) ***State juvenile facilities.*** Existing law provides that Department of Juvenile Justice (DJJ) wards are encouraged to participate in programs that will facilitate the ward's education. Existing law also provides that the director of DJJ may require a ward to participate in vocational, physical, educational, and corrective training and activities and may provide useful work projects or work assignments.

Similar to the regulations that govern the education program in county juvenile facilities, the regulations governing the education in DJJ facilities also focus on aiding students in obtaining their high school diploma or the equivalent. Specifically, the regulations state that curricula must be developed that will provide meaningful learning experiences commensurate with and related to a ward's age, capabilities, educational needs, goals and interests as well as the ward's individual needs. The regulations also require that academic programs be designed to meet requirements for high school graduation, or the equivalent, and that the remedial, vocational, and academic programs offered at DJJ facilities meet the standards established for the department by the California Department of Education.

- 4) ***Study provides basis for moving toward meaningful collaborative approach.*** In 2013, the Rand Corporation released a study entitled: Evaluating the Effectiveness of Correctional Education—the report included "...A common thread among instructional delivery methods is that—programs with courses taught by college instructors, programs with courses taught by instructors external to the correctional facility, and programs that have a post-release component—can connect inmates both directly and indirectly with the outside community. In addition, college instructors and instructors external to the correctional facility can potentially infuse the program with approaches, exercises, and standards being used in more traditional instructional settings. Programs with post-release components can provide continuity of support that can assist inmates as they continue on in education and/or enter the workforce in the months immediately after they are released.
- 5) ***Model programs already exist to inform the implementation of this bill.*** Currently, there are specific programs in the state that are successfully providing detained youth with a spectrum of postsecondary education opportunities. For

example, the College of San Mateo administers Project Change, the first community college supported program in California to provide wrap-around student support services, direct access to postsecondary education for incarcerated youth, and in-person college instruction inside juvenile youth facilities. The project connects students to resources and programs at the college, including a college readiness summer bridge program, social and academic support services, cohort learning communities, and career and technical education programs. Students are assisted with navigating their first year of college by a network of volunteer faculty and staff mentors, a project director, and students.

Project Change and other programs like it could serve as the model for how the requirements of this bill could be implemented to ensure that, at a minimum, detained juveniles that are otherwise eligible for postsecondary education have access to online courses and student support services.

- 6) ***Concerns from the higher education segments.*** The California State University has expressed concerns with the feasibility of the provisions of this measure, particularly with the requirement that the segments ensure that detained juveniles have access to “a full array” of postsecondary academic and career technical education programs of their choice. Further, it is unclear if the bill would compel the segments to provide these students with additional financial aid, tutoring, and other student support services. The author has committed to working with all of the higher education segments to ensure that the local cost pressures that may be created by this bill are contained.

SUPPORT

Associated Builders and Contractors of Northern California
 California Catholic Conference
 California EDGE Coalition
 California Police Chiefs Association
 California Public Defenders Association
 Center on Juvenile and Criminal Justice
 Children Now
 Initiate Justice
 John Burton Advocates for Youth
 Juvenile Court Judges of California
 Juvenile Justice Commission of Santa Clara County
 Los Angeles County Office of Education
 National Association of Social Workers, California Chapter
 National Center for Youth Law
 Pacific Juvenile Defense Center
 Youth Law Center

OPPOSITION

None received