

# LOCKED OUT: Improving Educational and Vocational Outcomes for Incarcerated Youth

## INTRODUCTION

**P**olicymakers across the political spectrum agree: all young people should have access to a high-quality public education. Within the past two decades, particular emphasis has been placed on ensuring that students receive instruction that prepares them for college and careers, and that schools are held accountable for realizing these goals.<sup>1</sup>

There is perhaps no subset of young people whose need for a quality education is more acute—and whose situation makes them especially challenging to serve—than incarcerated youth. Of the more than 60,000 youth who are incarcerated on any given day in the United States, nearly 36,000 are committed to state custody,<sup>\*</sup> two-thirds of whom are youth of color. The majority of these youth are over-age and under-credited,<sup>†</sup> several grade levels behind their peers, more likely to have a disability than their peers,<sup>2</sup> and have been suspended multiple times and/or expelled from their local schools.<sup>3</sup>

In 1997, the majority of incarcerated youth were housed in state-run facilities; as of 2013, almost two-thirds of incarcerated youth were held in privately or locally run facilities. [See Figure 1] In most states, an array of state and local agencies and nonprofit and private organizations are responsible for overseeing and delivering educational and vocational services to incarcerated youth. As the proportion of youth incarcerated in privately or locally run facilities has grown, this has evolved into an increasingly complicated patchwork of government and nongovernment agencies. This shift means that any combination of state, local, nonprofit, and private entities now manage educational and vocational services for incarcerated youth. [See Figure 2]

### Who are Incarcerated Youth?

Of the more than 60,000 youth incarcerated on a given day:

- Approximately 36,000 youth are committed to the custody of the state juvenile correctional agency as part of a court disposition<sup>‡</sup> and are typically incarcerated for 3 to 12 months. These youth can be placed in a facility run by the state, a range of nonprofit and for-profit organizations, or a local juvenile justice agency. These facilities include secure facilities as well as a range of non-secure facilities, such as residential treatment centers or group homes.
- Approximately 18,000 youth are incarcerated in primarily locally run detention facilities,<sup>§</sup> typically for fewer than 60 days, and most often because they are awaiting a court disposition.
- Nearly 6,000 youth are incarcerated in adult prisons and jails.<sup>4</sup>

### Education Data on Incarcerated Youth

National educational data on incarcerated youth is limited. Studies that have been conducted show:<sup>5</sup>

- At least one in three incarcerated youth is identified as needing or already receiving special education services—a rate nearly four times higher than youth attending school in the community.
- More than half of incarcerated youth have reading and math skills significantly below their grade level and approximately 60 percent have repeated a grade.
- The majority of incarcerated youth were suspended and/or expelled from school, and many had dropped out of school all together before being incarcerated.<sup>6</sup>

\* See “Easy Access to the Census of Juveniles in Residential Placement,” <http://www.ojdp.gov/ojstatbb/ezacjrp/>.

† An “over-age and under-credited” student is defined as one who is over the traditional school age for his or her grade level and lacks adequate credit hours for his or her grade level.

‡ Disposition is a phase of a delinquency proceeding similar to the “sentencing” phase of an adult trial.

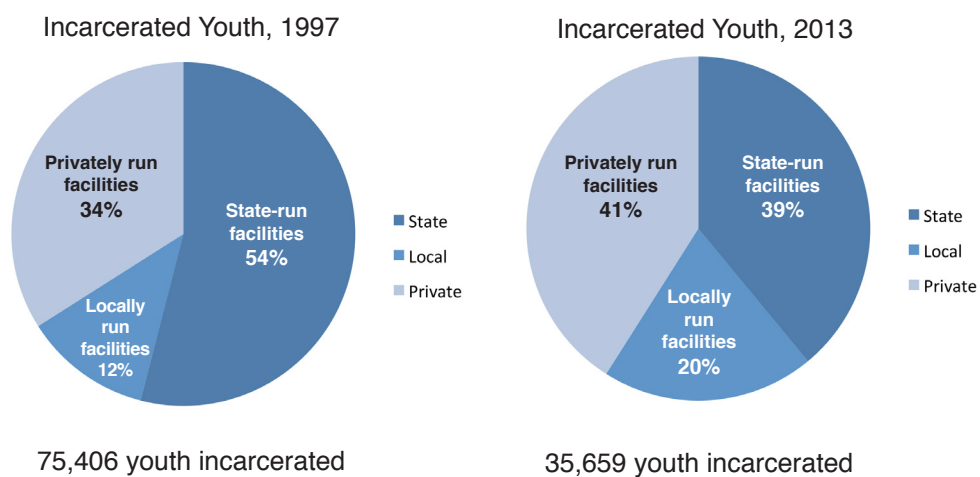
§ Detention facilities provide short-term, temporary care in a physically restrictive environment for youth who are in custody pending court disposition, as well as for youth who have been adjudicated delinquent and await placement elsewhere or transfer to another jurisdiction.

In partnership with the Council of Juvenile Correctional Administrators (CJCA), The Council of State Governments (CSG) Justice Center surveyed state juvenile correctional agencies in all 50 states,\* seeking answers to the following questions:

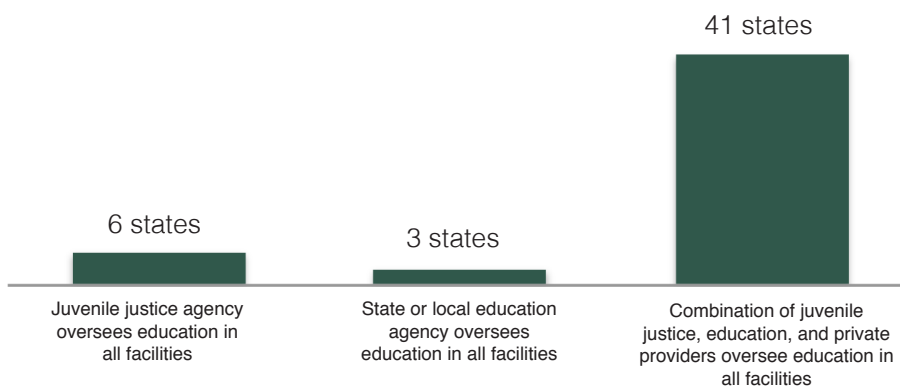
- What educational and vocational services are provided to incarcerated youth?
- What student outcome data are collected, analyzed, and reported?
- What is done to ensure that youth receive educational and vocational services after release from incarceration?

This issue brief highlights key findings from this survey. The brief also provides recommendations that local and state policymakers, along with advocates, can use to improve college and career readiness for youth involved in the juvenile justice system.† The brief also provides examples of how select states have translated these recommendations into policy and practice.

**Figure 1. Incarcerated Youth Committed to State Custody by Facility Type<sup>7</sup>**



**Figure 2. Entity Responsible for Delivery of Education in All Facilities**



\* Throughout this brief, we use the term “states” to refer to the survey responses provided by state juvenile correctional agencies. State education agencies also collect educational outcome data for incarcerated youth served under Title I Part D of the Elementary and Secondary Education Act, which may not be shared with the state juvenile correctional agency. For more information on Title I Part D, visit <http://www.neglected-delinquent.org/>.

† The recommendations provided in this brief draw heavily from the *School Discipline Consensus Report*. Those recommendations were developed through a consensus-driven process that involved hundreds of stakeholders from various fields. Read more at <https://csgjusticecenter.org/youth/school-discipline-consensus-report.org/>.

## ABOUT THE SURVEY FINDINGS

In the spring of 2015, CJCA sent an electronic survey to all state juvenile correctional agencies. Agency administrators in all 50 states completed the survey, either by filling it out directly or assigning a designee to respond, such as a deputy administrator or director of education. The CSG Justice Center then provided each agency with a copy of its completed survey to verify responses and ensure accuracy.

The survey asked questions about the delivery of educational services and the collection of student outcome data for the nearly 36,000 incarcerated youth who are committed to state custody as part of a court disposition. These youth may be in a facility operated by the state, a local juvenile justice agency, or a nonprofit or for-profit organization. [See Box: Who Are Incarcerated Youth?]

The survey did not ask state agency administrators about the 18,000 youth who are not committed to the custody of the state but are incarcerated in detention facilities, which are typically administered by local juvenile justice agencies. Similarly, the survey did not inquire about the nearly 6,000 youth who are incarcerated in adult prisons and jails. Educational services are provided, however, to youth in both local detention facilities and adult prisons and jails. Findings and recommendations in this report, while not addressing youth in local detention facilities or adult prisons and jails, are applicable to youth in those settings.

### U.S. Departments of Education and Justice's Correctional Education Guidance Package

In December 2014, the U.S. Departments of Education and Justice released [guiding principles](#) for providing high-quality education for youth incarcerated in secure facilities.<sup>8</sup> While this survey was not organized around those guiding principles, it can be useful for states and the field to assess their status in adopting these principles, and also shed light on the challenges states are facing in doing so.

## KEY FINDINGS AND RECOMMENDATIONS

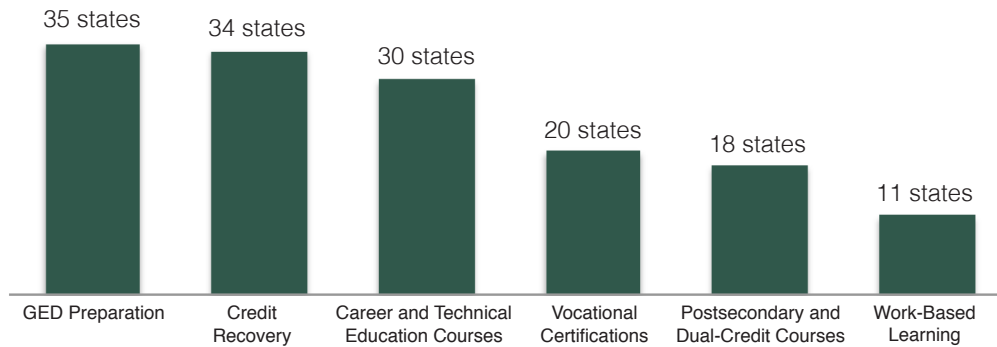
### Educational and Vocational Services Provided to Incarcerated Youth

**FINDING 1. Most incarcerated youth do not have access to the same educational and vocational services as their peers in the community, and they do not attend schools that have the same rigorous curriculum and student performance standards as traditional public schools.**

In the community, youth have access to a variety of educational and vocational services to meet their diverse learning needs and goals, including traditional high schools and vocational schools, GED preparation programs, community colleges, and other postsecondary institutions. However, only 8 states (16 percent) report providing incarcerated youth with access to the same educational and vocational services that are available to youth in the community.

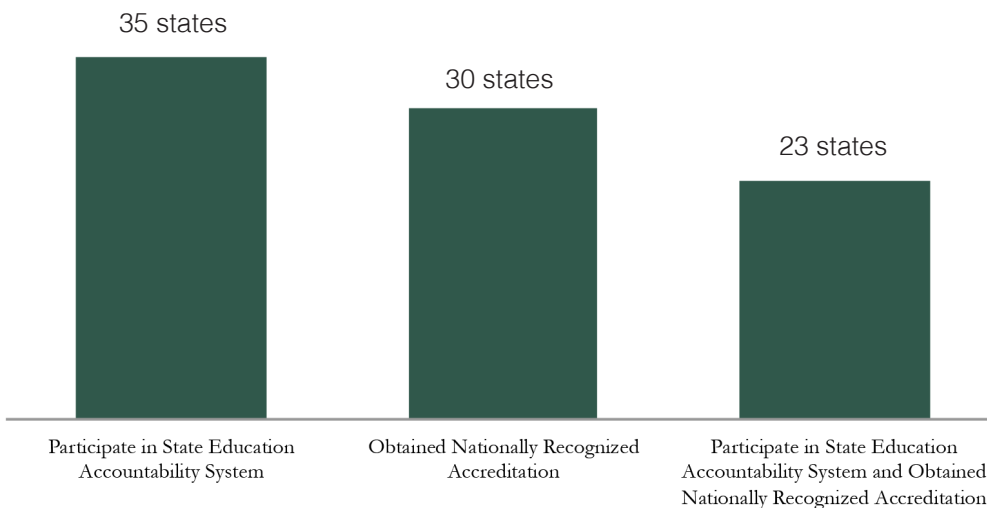
- 13 states (26 percent) provide incarcerated youth with access to the same types of educational services available to youth in the community, including credit recovery programs, GED preparation, and postsecondary courses.
- 9 states (18 percent) provide incarcerated youth with access to the same types of vocational services available to youth in the community, including work-based learning opportunities, career and technical education courses, and the opportunity to earn vocational certifications.

**Figure 3. Educational and Vocational Services Available to All Incarcerated Youth**



Additionally, while many states report including all facility schools in their state's education accountability system, a number of states are not holding facility schools and educators accountable for ensuring that the services provided to incarcerated youth adhere to state curricular standards and that students make academic progress and gain the skills necessary to enter the workforce. [See Figure 4]

**Figure 4. Participation of All Facility Schools in Accountability and Accreditation Systems**



More importantly, in states in which facility schools do participate in the state education accountability system, state leaders are not providing the oversight and support necessary to ensure that this participation actually results in improved student performance. Further, states are not ensuring that facility schools are meeting national education accreditation standards.

- 35 states (70 percent) require facility schools to participate in their state education accountability system.\*
- In 20 states (39 percent), all facility schools do not meet national education accreditation standards.†

\* State education accountability systems evaluate school performance based on student achievement metrics required under the federal No Child Left Behind Act or the state flexibility waivers granted to states by the U.S. Department of Education. (For more information on these waivers, see <http://www2.ed.gov/policy/elsec/guid/esea-flexibility/index.html>.) Accountability systems also provide a structure for supporting school and district improvement efforts. For more information, see [Education Commission of the States Accountability "Report Card" Database](#).

† Education accreditation agencies recognize schools that meet an acceptable set of quality standards. Adhering to national accreditation standards ensures consistency in the quality of educational and vocational services that are provided to all incarcerated youth.

## Recommendations

### ***1.1 Require all facility schools to provide incarcerated youth with access to the same educational and vocational services that are available in the community.***

Educational and vocational services available to incarcerated youth should be similar to the services available to youth in the community, and based on students' individual needs. Further, all incarcerated youth should have access to the same educational and vocational services, regardless of the facility in which they are placed.

Within the same state, for example, youth placed in a facility run by a nonprofit organization and attending a school run by that organization should have the same opportunities to make academic progress and gain workforce development skills as youth placed in a state-run facility attending a school run by the state education agency. At a minimum, the following services should be available to all incarcerated youth:

- Credit recovery programs to accelerate progress for youth with few high school credits\*
- Middle/high school coursework and the opportunity to earn a high school diploma
- GED preparation programs and the opportunity to earn a GED
- Career and technical education courses
- Work-based learning experiences and the ability to earn a vocational certification or licensure, ideally in areas aligned with state/local employment needs
- Opportunity to pursue postsecondary coursework and earn a postsecondary degree

All facility schools must also comply with federal laws to ensure that students with disabilities have an Individualized Education Program (IEP),<sup>†</sup> that these IEPs are regularly reviewed, and that these students are provided with the supports to which they are entitled to help meet their academic and behavioral goals.<sup>‡</sup>

This standardization of services will ensure that the delivery of education is equitable and increase the likelihood that all incarcerated youth make progress toward college and career readiness upon release. While providing access to all of these services can be challenging given limited resources, particularly for smaller facilities, juvenile justice agencies can partner with local school districts, colleges, community-based service providers, and area businesses, as well as creatively utilize technology, to expand the breadth and depth of services.

### ***1.2 Hold all facility schools accountable for student performance and meeting college- and career-readiness standards that are aligned with state requirements for traditional public schools.***

Similar to traditional public schools, all facility schools should be held accountable for providing educational and vocational services aligned with rigorous curricular standards and for ensuring that students make academic progress.<sup>‡</sup> First, facility schools should provide youth with access to a rigorous curriculum aligned with state college- and career-readiness standards. The majority of states have adopted the Common Core State Standards,<sup>§</sup> and those states that have not are revising their curricular standards to ensure that all students are college and career ready. States should require facility schools to adopt the state's academic standards to ensure that

---

\* Credit recovery programs support students who are behind in school and need to earn additional credits to graduate from high school in a shorter period of time.

These programs are offered to students online, to provide flexibility in scheduling and support youth who are at varying levels.

† Individualized Education Programs (IEPs) are legal documents that outline the learning needs of an individual student with disabilities and the services that the school will provide to meet those needs.

‡ Academic progress refers to gains students make on academic assessments and other academic indicators, as well as progress in gaining vocational and workforce skills.

§ The Common Core State Standards are educational learning standards for grades K–12 in English language arts/literacy and mathematics, developed by state education chiefs and governors. For more information, see <http://www.corestandards.org/>. As of this publication date, 42 states have adopted the Common Core State Standards.

incarcerated youth are prepared to enter the workforce or continue their education upon release, and that credits transfer seamlessly if they transition back to their home school or another public school in the community.

Second, given incarcerated youths' varying lengths of stay in facilities and diverse educational levels, using the same performance measures to assess student progress as those used for traditional public schools may be impractical. Therefore, state policymakers should work with education and juvenile justice agencies to design an accountability system that is aligned with the state education accountability system for traditional public schools, while customized to incorporate realistic progress measures for incarcerated youth. As an example, since most incarcerated youth are released within a year, shorter-term pre- and post-tests should be used to evaluate academic progress for accountability purposes rather than the state's annual standardized assessments. Incarcerated youth, however, should still take part in state assessments, as many of these youth will return to public schools upon release.

Third, and perhaps most importantly, states must ensure that facility schools that fail to meet state performance targets face appropriate consequences. Similar to traditional public schools, the state should exert the authority to make changes to the structure and oversight of facility schools that fail to consistently meet student performance targets. The state should also legally empower the state education agency or another entity to direct the necessary supports to failing facility schools or implement corrective measures. These consequences and supports could include, for example, school reconstitution (the replacement of the education provider and all education staff), a change in school leadership, or providing additional professional development to educators.

### ***1.3 Require all facility schools to receive nationally recognized accreditation for their education programs.***

While many juvenile correctional facilities undergo an overall accreditation through organizations such as the American Correctional Association, this process does not include a detailed evaluation and certification of their educational services. State policymakers should require all facility schools to receive accreditation from one of the four regional, nationally recognized education accrediting commissions, which employ a comprehensive set of standards to evaluate a school's structure, curriculum and programming, staff qualifications, and management practices.<sup>10</sup> Policymakers and agency leaders can have confidence that facility schools that meet these standards are best positioned to improve college and career readiness for incarcerated youth.

## **Oregon: Providing a Range of Educational and Vocational Services to Incarcerated Youth**

The Oregon Youth Authority (OYA) and Oregon Department of Education (ODE) provide incarcerated youth with a range of educational and vocational services through in-person instruction and a variety of technological resources. Oversight of educational and vocational services in juvenile facilities is codified in an intergovernmental agreement. The ODE oversees educational services for youth up to age 21 who have not earned a GED or high school diploma, while the OYA provides educational and vocational services for any youth who has a GED or high school diploma. All schools within OYA facilities meet state educational standards for accreditation, and all educators meet the federal standards for being highly qualified.

Upon entry to a facility, youth are assessed to determine their educational level, and assessment results are used to develop individualized educational plans. Based on these plans, ODE contracts with local school or education service districts to provide a range of educational and vocational services, including:

- Online tutorial programming for youth to earn needed high school credits
- Dual-credit courses,\* online college courses, and access to massive open online courses (MOOCs)

\* Dual-credit coursework provides students with the ability to earn high school and college credits simultaneously.

- Work-based experience and vocational education courses as well as the opportunity for youth to earn professional certifications in a specific trade

The OYA and ODE also worked together to develop the Education Assessment and Monitoring Tool to evaluate the accessibility and quality of educational services and alignment with the principles outlined in the U.S. Departments of Education and Justice's correctional education guidance package.

## Student Outcome Data Collected and Reported for Incarcerated Youth

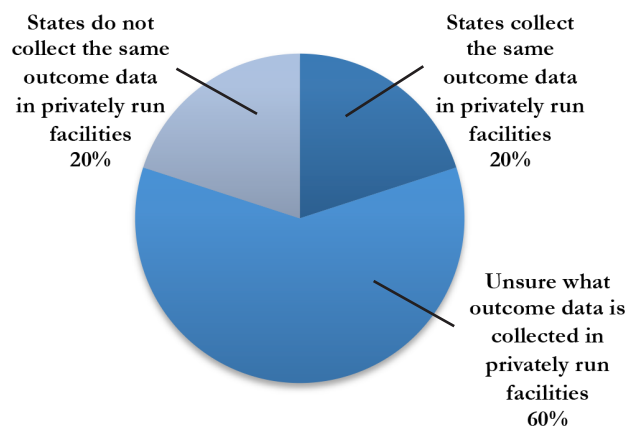
### FINDING 2. Most states do not collect, track, and report student outcome data for incarcerated youth in all facility schools.

While state and federal policymakers have made the improved tracking of student outcomes and increased school and educator accountability a top education reform priority over the last few decades, this emphasis has not extended to schools that serve incarcerated youth. In most states, agencies track at least some student outcome data for youth in schools in state-run facilities:

- Almost all states collect data on high school credits (47 states) and high school diplomas earned (46 states) for youth in school in state-run facilities.
- The majority of states (40 states) collect data on improvements in reading and math assessments for these youth.
- Slightly more than half of states (33 states) collect data on job training or vocational certificates earned by youth in these facility schools.
- Around half of states collect data on postsecondary credits (27 states) and postsecondary degrees earned (18 states) for these youth.

Less than a quarter of all states, however, collect the same data for youth in privately run facilities, a population that now comprises more than 40 percent of all incarcerated youth. Sixty percent of states (30) report not even knowing what, if any, outcomes are tracked for youth who are incarcerated in privately run facilities, further demonstrating the challenges and inconsistencies that states face with multiple entities overseeing and delivering educational and vocational services to this population. [See Figure 5]

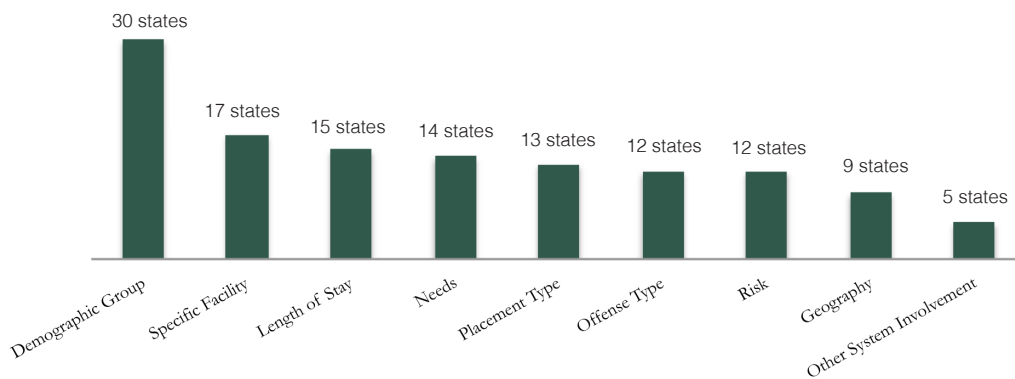
**Figure 5. State Collection of Student Outcome Data for Incarcerated Youth in Privately Run Facilities Compared to State-Run Facilities**



Even in those states where limited data on student outcomes for incarcerated youth is available, states are not analyzing, reporting, and using these data to hold educators, facility schools, and facility administrators accountable, or to inform school improvement planning. For example, states are not tracking how certain populations of youth are performing academically, if student outcomes vary significantly from one facility to the next, or if particular education providers are more successful than others in improving these outcomes. [See Figure 6]

- Only 17 states (34 percent) analyze the student outcome data they have by individual facilities to evaluate the performance of schools, education providers, and educators.
- Less than a third of states analyze outcome data by length of stay to ensure that students who are incarcerated for a significant length of time make progress towards earning an educational and/or vocational credential.\*
- Only one-quarter of states analyze outcome data by student characteristics other than demographics to determine whether youth with specific service needs—such as youth with disabilities or youth involved in the child welfare system—are developing the academic and workforce development skills for a successful transition back to the community.

**Figure 6. Student Outcome Data Analysis by Various Factors**



Additionally, while outcome data for youth in traditional public schools is reported to federal, state, and local policymakers at least annually, the limited student outcome data that many states collect on incarcerated youth are not shared with these stakeholders in the same manner.

- About half of states share some outcome data on incarcerated youth with the state legislature and the governor.
- Two-thirds of states (33 states) share some data with the state education agency, yet only 46 percent (23 states) share some data with local education agencies.
- Only 12 states (24 percent) share some data with the judiciary.
- 18 states (36 percent) share some data with other state agencies that serve youth and the same number share some data with State Advisory Groups.†
- The majority of states share some data with facility treatment staff, but 18 states (36 percent) do not share these data to ensure that facility educators and treatment staff work together to coordinate and improve services for incarcerated youth.

\* Under Title I Part D of the Elementary and Secondary Education Act, state education agencies collect educational outcome data on youth who are in facilities long-term, for those facilities that receive funding from this grant program.

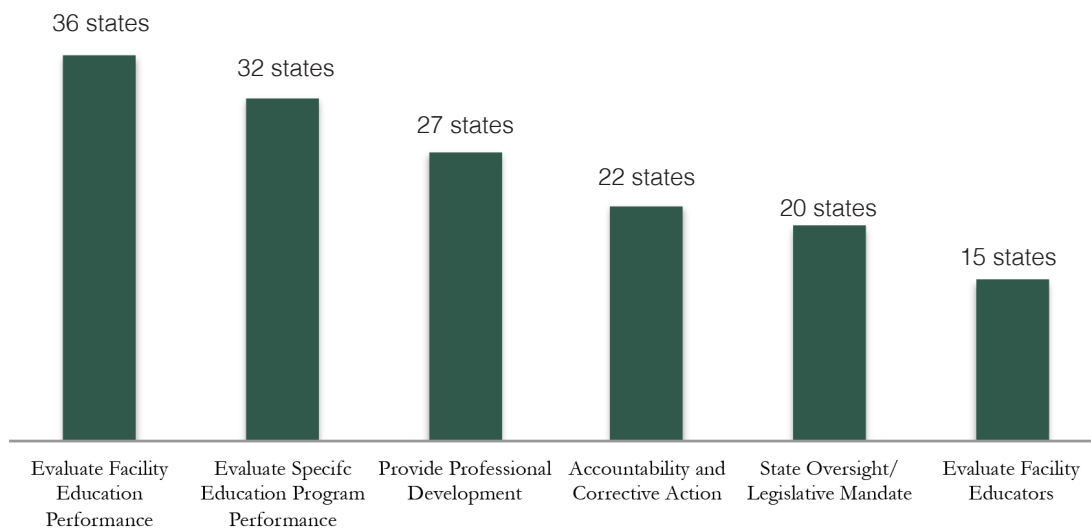
† The Juvenile Justice and Delinquency Prevention Act (JJDP) provides for a State Advisory Group (SAG) that provides input into their state's use of JJDP funds and is responsible for supporting compliance with the core requirements of the JJDP and providing information about the act's requirements to state and local policymakers.



States are also not using the limited student outcome data they collect on incarcerated youth to hold facility schools and educators accountable for student performance or to inform system improvement efforts. [See Figure 7]

- 22 states (44 percent) use the student outcome data they have for incarcerated youth for accountability and corrective action purposes, and even fewer states (20) use these data to ensure that they are complying with state agency or legislative mandates.
- Slightly more than half of states (27) use outcome data to inform facility educators' professional development and only 15 states (30 percent) use these data to evaluate facility educators.

Figure 7. Use of Student Outcome Data



## Recommendations

### ***2.1 Track data on a minimum set of key student outcome indicators for incarcerated youth, and develop the infrastructure needed to collect and analyze these data.***

State policymakers should establish a minimum set of outcomes to be tracked, disaggregated, and reported annually for all incarcerated youth. These outcomes should align with, if not duplicate, federal and state data collection requirements for traditional public schools, and include additional measures specifically relevant to this population. These measures should include:

- High school credit accumulation
- Improvement in math assessment scores and meeting proficiency targets
- Improvement in reading assessment scores and meeting proficiency targets
- Average daily attendance
- School discipline
- Education/vocational credential attainment and high school graduation rates

Most states will need to improve their capacity to electronically capture student outcome data for incarcerated youth in order to comply with these requirements. State juvenile justice agencies must create a unified electronic data system to collect outcome data across all facility schools. This data system should be integrated with the agency's case management system and also linked with the state's electronic education longitudinal data system to the extent possible.

***2.2 Establish formal processes for reviewing student outcome data for incarcerated youth and use these data to evaluate and improve school performance.***

State policymakers should require juvenile justice and education agencies to report annually to the legislature and the governor on student outcomes for incarcerated youth. These data should be presented as part of an annual report from the state juvenile correctional agency on juvenile recidivism rates and other youth outcomes, as well as part of the state education agency's school and district accountability reports. Reports should be available to the public in the same way that school report cards are published online annually by state education agencies for traditional public schools. Data should also be analyzed in these reports by various factors, including student demographics, facility type (state-run, privately run, or locally run), and education provider (juvenile justice agency, state or local education agency, or nonprofit or for-profit organization).

Policymakers should use these reports to evaluate facility schools' progress toward meeting annual student performance targets as part of the state's accountability plan for facility schools. Performance targets should be measurable and realistic based on a youth's length of stay in a facility. Examples of meaningful performance targets could include the percentage of students who are improving at a rate equal to one grade level per year or better in math or reading; the percentage of students who are earning high school credits similar to the rate at which credits are earned if youth were on track; and an average daily attendance for the facility school of 90 percent.

Finally, outcome data should also be shared internally with facility managers, facility treatment staff, and educators in order for facility staff and education providers to work together to develop cohesive school improvement plans. Student outcome data should be incorporated into educators' performance evaluations and inform the provision of ongoing professional development and training for all staff.

### **Florida: Developing Student Outcome Measures for Incarcerated Youth**

Local school districts in Florida are responsible for the delivery of education in state-run juvenile justice facilities located in their counties. School districts directly provide 62 percent of residential juvenile justice programs' educational services, whereas 38 percent are contracted out to both nonprofit and for-profit educational providers. In 2014, Florida passed legislation that requires the Florida Department of Education (FLDOE) to work with the Florida Department of Juvenile Justice (FLDJJ), service providers, and local school districts to develop an accountability system specifically to evaluate all FLDJJ schools.<sup>11</sup> The law includes requirements related to the development of student performance measures; the need to tailor these measures to the unique circumstances of incarcerated youth; and provisions for how this system will be used to evaluate schools and guide improvement efforts. Once the system is implemented, the FLDOE and FLDJJ will be required to report progress annually to the state legislature and governor. Additionally, the law requires the identification of high- and poor-performing schools and the timeframes and resources that will be used for both improvement efforts or to reassign responsibility for service delivery.

## Transitioning Incarcerated Youth to Educational/Vocational Settings Post Release

### FINDING 3. Policies and practices employed in most states make it especially challenging for youth released from incarceration to make an effective transition to community-based educational or vocational settings.

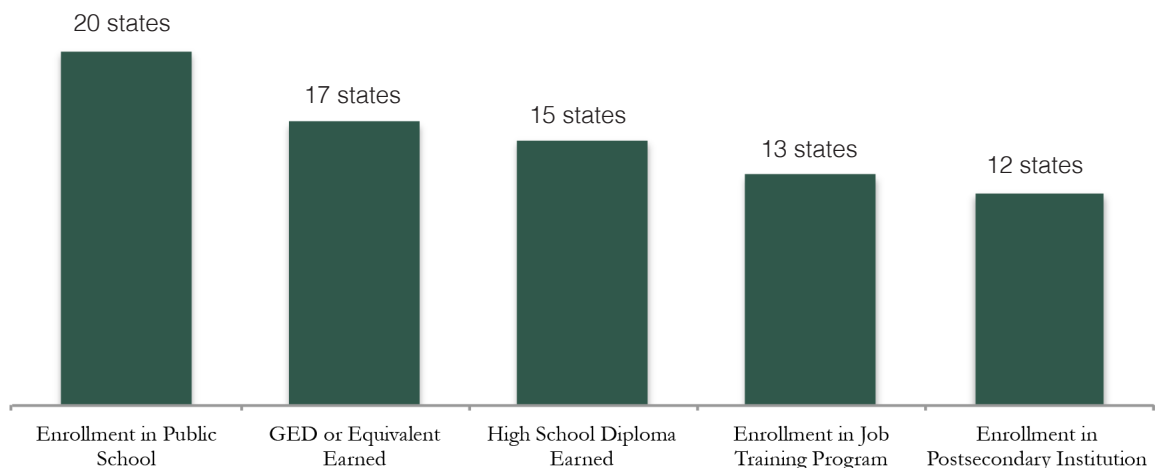
In order to improve the likelihood that incarcerated youth succeed in the community, they need to quickly reengage in an educational or vocational setting or secure gainful employment immediately upon release. States struggle, however, to support youth in making this transition.

- In nearly half of the states, no single government agency is responsible for ensuring that incarcerated youth transition successfully to an educational or vocational setting in the community upon release. Instead, these states leave it up to community-based organizations or parents/guardians to ensure youth are reenrolled. Only 11 states (22 percent) have a dedicated education transition liaison responsible for facilitating these transitions.
- In more than one-third of states, incarcerated youth are automatically reenrolled into an alternative educational setting—which often do not meet state curricular and performance standards and suffer from lower graduation rates than traditional public schools—rather than their home school or another appropriate educational or vocational setting.<sup>12</sup>

Many states also struggle to track student outcome data for youth after they are released from incarceration. [See Figure 8]

- Only 20 states (40 percent) collect data on whether youth are enrolled in a public school upon release and 12 states (24 percent) collect data on postsecondary enrollment.
- Even fewer states (17 states, or 34 percent) collect data on enrollment in GED programs or enrollment in job training programs (13 states, or 26 percent).
- Fewer than one-third of states track whether youth attain an educational or vocational credential within 6–12 months after release from incarceration.

**Figure 8. States' Collection of Student Outcome Data for Incarcerated Youth Post Release**



## Recommendations

### ***3.1 Designate a single agency to be responsible for ensuring youths' successful transition to a community-based educational or vocational setting after release from incarceration.***

All incarcerated youth should be provided with the necessary guidance and supports from a state agency, or its official designee, to navigate their difficult transition back to the community. To support youth and their families in making these transitions, state policymakers should require the designation of specific state/local transition coordinators to facilitate these transitions. Transition coordinators should:

- Facilitate the quick transfer of educational records between the facility school and the youth's home school (or another educational setting) and ensure that all credits transfer;
- Inform youth and families about the options available for youth to continue their educational and vocational training, or to obtain employment;
- Work with youth and families to determine the most appropriate post-release educational/vocational setting; and
- Serve as a conduit between the juvenile justice and education systems, share information across agencies, and meet with staff in community schools where youth are reenrolling to share transitions plans and identify appropriate placements/services.

Additionally, to improve the transition process, state policymakers should require that juvenile justice and education agencies engage in the following practices:

- Juvenile justice and education agencies work together to develop a written educational transition plan for incarcerated youth at least 30 days prior to release, and establish timelines for how and when credits and student records will be transferred.
- At a minimum, a parent/guardian, classroom teacher, and school counselor are involved in the development of a youth's transition plan.
- Youth are reenrolled in an educational or vocational setting prior to release from a facility, and attend the school or program immediately upon release.
- Youth are reenrolled in their home school, while automatic placement in alternative education programs is restricted. In a limited number of cases, the youth's home school may not be the best option. Policy exceptions could include:
  - Victim and safety concerns in the home school
  - Transportation barriers
  - Family and student concerns about safety
  - Availability of educational and other services to meet students' needs

### ***3.2 Require juvenile justice and education agencies to track and report on a minimum set of student outcomes for youth post release.***

State policymakers should identify key outcome measures for youth after they are released from incarceration and specify what agency has primary responsibility for collecting and tracking these data, for how long, and how these outcomes will be reported and to whom. Key post-release outcomes that states should track include:

- High school credit accumulation
- Improvement in math assessment scores and meeting proficiency targets
- Improvement in reading assessment scores and meeting proficiency targets
- Enrollment in public school, GED program, job training program, or postsecondary institution
- Earning an educational or vocational diploma, certificate, or credential
- Securing and maintaining employment
- Enlistments in military service

State and local juvenile justice and education agencies (with involvement from courts, probation, and other important stakeholders) will need to establish formal collaboration mechanisms, such as information-sharing agreements, to collect these data. An interagency working group, comprising not only of education and juvenile justice agencies, but also the business community, institutions of higher education, and other youth-serving agencies, should meet at least quarterly to identify and address barriers to data collection as well as to review the outcome data that is collected. This working group should use these data to identify ways to collaborate to improve the transition process and related outcomes for incarcerated youth.

#### **Massachusetts: Collaboration between Juvenile Justice and Education Agencies to Support Incarcerated Youth**

The Massachusetts Department of Youth Services (DYS) contracts with nonprofit organizations to design, manage, and implement comprehensive educational and workforce development services for incarcerated youth in facilities and post release. Through a contract with one of these service providers, the Collaborative for Educational Services, DYS employs 11 Education and Career Counselors (ECCs) who are assigned to every post-adjudicated DYS student and help facilitate their successful transition to appropriate educational and vocational settings in the community. Specifically, ECCs perform the following duties:

- Work closely with DYS caseworkers, service provider staff, and district school staff to share information on students' educational strengths and needs;
- Prepare DYS school transcripts for youth and forward transcripts to the appropriate school district for determination of credits and grade placement;
- Coordinate timely record transfers between facility and community schools;
- Attend hearings regarding suspension or expulsion of youth from their local school; and
- Arrange financial support for students to enroll in postsecondary institutions.

Additionally, as part of the partnership between DYS and the Massachusetts Department of Elementary and Secondary Education (ESE), the agencies have access to a shared software system that manages student educational data, which helps the ECCs to individualize student planning and support the transition process.

## CONCLUSION

The survey findings presented in this report demonstrate that many states are struggling to ensure that incarcerated youth are afforded access to the same educational and vocational services as their peers in the community. In most states, it is likely that policymakers and even state agency leaders lack the full picture of what educational and vocational services are available to incarcerated youth; who is responsible for the provision of these services; and what, if any, outcomes students are achieving. Thus, policymakers and juvenile justice and education agency leaders should use the findings and recommendations in this brief to further scrutinize how educational and vocational services are overseen and delivered to incarcerated youth in their state, how youth are supported in making a successful transition back to the community, and how student outcome data for incarcerated youth are collected, analyzed, reported, and used for improvement and accountability purposes.

## ENDNOTES

1. One of the main provisions of the No Child Left Behind Act of 2001 (NCLB) ensures that schools are held accountable for student outcomes. As a result of this law and other federal policies that followed (such as the Elementary and Secondary Education Act [ESEA] flexibility waiver requests granted by the U.S. Department of Education), states and schools are required to focus their attention on meeting certain academic performance targets for all students and particular subgroups, and implement policies and practices to support this goal. To read more about the provisions included in NCLB related to accountability, see <http://www2.ed.gov/nclb/landing.jhtml?src=ln>. To read more about accountability as part of the ESEA flexibility waivers, see <http://www2.ed.gov/policy/elsec/guid/esea-flexibility/index.html>.
2. Joseph Gagnon and Brian Barber, "Characteristics of and Services Provided to Youth in Secure Care Facilities," *Behavioral Disorders* 36, no. 1 (2010): 7–19; Peter Leone, Sheri Meisel, and Will Drakeford, "Special Education Programs for Youth with Disabilities in Juvenile Corrections," *Journal of Correctional Education* 53, no. 2 (2002): 46–50; Mindee O’Cummings, Sarah Bardack, and Simon Gonsoulin, "The Importance of Literacy for Youth Involved in the Juvenile Justice System," The National Evaluation and Technical Assistance Center for the Education of Youth Who Are Neglected, Delinquent, or At Risk (2010).
3. Peter Leone and Lois Weinberg, "Addressing the Unmet Educational Needs of Children and Youth in the Juvenile Justice and Child Welfare Systems," Center for Juvenile Justice Reform, Georgetown Public Policy Institute (2012), <http://cjjr.georgetown.edu/pdfs/ed/edpaper.pdf>.
4. The Sentencing Project, "Trends in U.S. Corrections," (Washington, DC: The Sentencing Project, 2015), [http://sentencingproject.org/doc/publications/inc\\_Trends\\_in\\_Corrections\\_Fact\\_sheet.pdf](http://sentencingproject.org/doc/publications/inc_Trends_in_Corrections_Fact_sheet.pdf).
5. Leone and Weinberg, "Addressing the Unmet Educational Needs of Children and Youth in the Juvenile Justice and Child Welfare Systems" (2012); Andrea Sedlack and Karla McPherson, "Survey of Youth in Residential Placement: Youth’s Needs and Services," SYRP report (Rockville, MD: Westat, 2010); Mary Magee Quinn, Robert Rutherford, Peter E. Leone, David M. Osher, and Jeffrey M. Poirier, "Youth with Disabilities in Juvenile Corrections: A National Survey," *Council for Exceptional Children* 71, no. 3 (2005): 339–245.
6. Andrea Sedlack and Karla McPherson, "Survey of Youth in Residential Placement: Youth’s Needs and Services," SYRP report (Rockville, MD: Westat, 2010)
7. Melissa Sickmund, T.J. Sladky, Wei Kang, and Charles Puzanzchera, "Easy Access to the Census of Juveniles in Residential Placement" (2013), <http://www.ojdp.gov/ojstatbb/ezacjrp/>.
8. U.S. Department of Education and U.S. Department of Justice, "Guiding Principles for Providing High-Quality Education in Juvenile Justice Secure Care Settings" (2014), <http://www2.ed.gov/policy/gen/guid/correctional-education/guiding-principles.pdf>.
9. For more information, see the U.S. Department of Education’s letter regarding the Individuals with Disabilities Education Act for students with disabilities in correctional facilities, <http://www2.ed.gov/policy/gen/guid/correctional-education/idea-letter.pdf>.
10. For New England Commission standards, visit [https://cis.neasc.org/sites/cis.neasc.org/files/downloads/Standards\\_and\\_Indicators/Standards\\_only\\_sa.pdf](https://cis.neasc.org/sites/cis.neasc.org/files/downloads/Standards_and_Indicators/Standards_only_sa.pdf). For Middle States Commission standards, visit [http://msa-cess.org/Customized/uploads/Accreditation/Standards%20for%20Accreditation-Schools%202010\\_.pdf](http://msa-cess.org/Customized/uploads/Accreditation/Standards%20for%20Accreditation-Schools%202010_.pdf). For Western Accrediting Commission for Schools, visit [http://acswasc.org/about\\_criteria.htm#wascriteria](http://acswasc.org/about_criteria.htm#wascriteria). For AdvancED standards (a merger of the North Central Association Commission on Accreditation and School Improvement, the Southern Association of Colleges and Schools on Accreditation and School Improvement, and the Northwest Accreditation Commission), visit <http://www.advanc-ed.org/>. Additionally, the Correctional Education Association also has an accreditation service. See <http://www.ceanational.org/index.htm>.
11. Florida Senate Bill 850 is available at <https://www.flsenate.gov/Session/Bill/2014/0850/BillText/er/PDF>.
12. Hanley Chiang and Brian Gill, "Student Characteristics and Outcomes in Alternative and Neighborhood High Schools in Philadelphia," Mathematica Policy Research, Inc. (2010).

Suggested citation: The Council of State Governments Justice Center, “Locked Out: Improving Educational and Vocational Outcomes for Incarcerated Youth” (New York: The Council of State Governments Justice Center, 2015).

The Council of State Governments Justice Center prepared this paper with support from, and in partnership with, the Bureau of Justice Assistance (BJA), U.S. Department of Justice under grant number 2012-CZ-BX-K071. The Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice is also a sponsor of and provided guidance on the content of the paper. The opinions and findings in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Justice, or the members of The Council of State Governments.



The Council of State Governments (CSG) Justice Center is a national nonprofit organization that serves policymakers at the local, state, and federal levels from all branches of government. It provides practical, nonpartisan advice and consensus-driven strategies—informed by available evidence—to increase public safety and strengthen communities. For more about the CSG Justice Center, see [csgjusticecenter.org](http://csgjusticecenter.org).



The Office of Juvenile Justice and Delinquency Prevention (OJJDP), Office of Justice Programs, U.S. Department of Justice, supports states, local communities, and tribal jurisdictions in their efforts to develop and implement effective programs for juveniles. OJJDP strives to strengthen the juvenile justice system’s efforts to protect public safety, hold offenders accountable, and provide services that address the needs of youth and their families. OJJDP sponsors research, program, and training initiatives; develops priorities and goals and sets policies to guide federal juvenile justice issues; disseminates information about juvenile justice issues; and awards funds to states to support local programming. For more information, see [ojjdp.gov](http://ojjdp.gov).



Established by the Second Chance Act, the National Reentry Resource Center (NRRC) provides education, training, and technical assistance to states, tribes, territories, local governments, community-based service providers, nonprofit organizations, and corrections institutions involved with prisoner reentry. The NRRC’s mission is to advance the reentry field by disseminating information to and from policymakers, practitioners, and researchers and by promoting evidence-based principles and best practices. The NRRC is administered by the U.S. Department of Justice’s Bureau of Justice Assistance and is a project of The Council of State Governments Justice Center, in cooperation with the Urban Institute, the National Association of Counties, the Association of State Correctional Administrators, the American Probation and Parole Association, and other key partner organizations. To learn more about the National Reentry Resource Center, please visit [csgjusticecenter.org/nrrc](http://csgjusticecenter.org/nrrc).