# What ESSA Means for Youth in the Juvenile Justice System

Amendments to Title I, Part D

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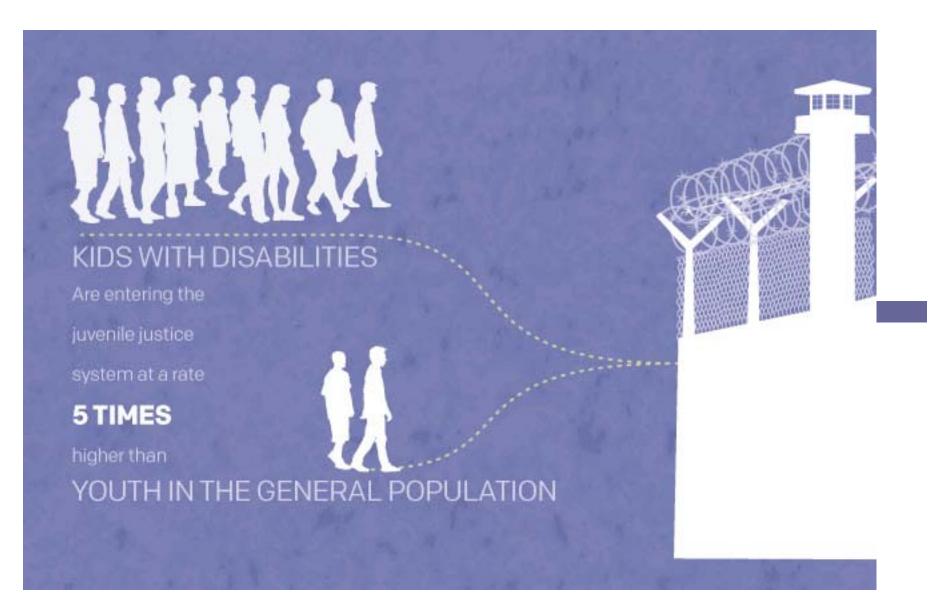
#### **About Us**



#### Juvenile Law Center - www.jlc.org

#### Legal Center for Youth Justice and Education:

National collaboration of Southern Poverty Law Center, Juvenile Law Center, Education Law Center-PA, and the American Bar Association Center on Children and the Law. Our mission is to ensure that all children in the juvenile and criminal justice systems can access their right to a quality education.



http://www.colorlines.com/content/infographic-disability-criminality

# Children in the juvenile justice system are struggling academically

- □ Disproportionate need for special education services (estimates as high as 77.5%)
- □ In juvenile correctional facilities, nearly 4 times as many youth w/ special education as compared to national average of students w/ disabilities.
- Below grade level
  - 2/3 in state institutions below grade level in math & reading
  - 44% in local JJ facilities below grade level in math & reading

#### Reentry Struggles

2/3 of students drop out



- "When I left a juvenile justice facility and returned home, I was only one credit away from graduating...Unfortunately...my public school said that they would not accept my credits and that I would have to go back to 9th grade or take GED classes."
- □ "After I left my placement, I tried to re-enroll in my community school, but was told that I would be denied entry because I had been 'truant."

## Title I, Part D amendments

□ What the Every Student Succeeds Act Means for Youth in the Juvenile Justice System:

http://www.jlc.org/s ites/default/files/ES SAII Factsheet Fina IWebinarVersion Jan 262016.pdf

What the "Every Student Succeeds Act" Means for Youth in and Returning from the Juvenile Justice System

#### What is the Every Student Succeeds Act?

On December 10, 2015, President Obama signed into law the Every Student Succeeds Act (ESSA). The ESSA on because 10, 2010, Freshold Secondary Education Act, the key federal law governing K-12 education. originally signed into law in 1965, and last reauthorized as No Child Left Behind in 2002. The ESSA is the first major overhaul of the federal elementary and secondary education law in over a decade. Among its many new provisions, the law now requires states to ensure certain new protections for students in and returning to the community from the juvenile justice system.

#### Why were provisions regarding youth in the juvenile justice system included in the ESSA?

Young people involved in and returning from the juvenile justice system are some of the country's most educationally disadvantaged students. Research shows they are chronically behind in school, and approximately two out of three young people returning from the juvenile justice system drop out. Important new provisions included in the ESSA will help support and improve access to education inside correctional facilities. Additionally, for young people placed in correctional facilities or institutions for neglected or delinquent children and youth, the new provisions will support their positive reentry into

#### What is Title I, Part D of the ESSA?

Title I, Part D has three broad goals to:

Southern Education Foundation, 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 18 (2014) (Intern citations omitted), http://www.southerneducation.org/getattachment/cf39e156-5992-4050-bd03-January 2016

#### Title I, Part D amendments



http://www.neglected-delinquent.org

Fast Facts Web pages present national and State longitudinal data on funding, program types, and student demographics for children and youth who are neglected, delinquent or at-risk and enrolled in Title I, Part D, Subpart 1 and Subpart 2 programs.

Nationally in 2013-2014:

Subpart 1: 31% students with disabilities

Subpart 2: 24% students with disabilities

#### Title I, Part D

- □ 3 broad goals:
  - Improve educational services in **institutions**
  - Improve youth **transition** between institutionalization to further schooling or employment
  - Prevent **dropout**

#### Educational Assessment

□ State agencies must establish procedures for youth to be assessed to identify educational needs when they enter a juvenile justice facility, "when practicable."

#### Records Transfer

□ Correctional facilities must work w/youth's family & LEA to ensure academic records & plans re: continuation of ed. services for youth are shared and transfer with the youth to the facility.

## Reentry Planning

□ Correctional facilities must work w/ LEA to coordinate educational services so as to minimize disruption to a youth's education when he/she exits facility.

#### Credit Transfer

□ SEAs must ensure timely transfer of credits earned in JJ placements.

# Timely and Appropriate Re-enrollment

- □ SEAs must establish procedures to ensure youth leaving correctional facilities are timely re-enrolled in school or program that best meets student's needs
- □ LEAs must offer programs to facilitate transition for reentering youth

#### Ed. Opportunities at Reentry

- SEAs must provide opportunities for youth to participate in credit-bearing coursework.
- □ As appropriate, local agencies should forge partnerships w/ higher ed or businesses to facilitate post-secondary & workforce success.

#### HS diploma

- SEAs and correctional facilities must assist youth in obtaining a traditional HS diploma.
- □ LEA accountability
- States and local jurisdictions must track # youth who graduate on time.

## Other provisions

- □ Family involvement
- Students in tribal institutions
- Dual-status youth
- □ Definition of "at-risk" youth

#### Resources



http://www.neglected-delinquent.org/resource/ndtac-issue-brief-key-considerations-providing-free-appropriate-public-education-youth

#### **Contact Information**

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