

Education Task Force Report

August 14, 2001

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Subject: **Review of the Los Angeles County's Education System for Dependent and Delinquent Children**

Date: August 14, 2001

Background

In response to the growing concern about educational programs offered to dependent and delinquent youth across the nation, and the recognition that educational success is crucial in preventing at-risk children in dependency and delinquency systems from spiraling downward into a life of violent crime, the Board of Supervisors identified the need for a comprehensive review of the quality of education available to at-risk children in Los Angeles County.

To accomplish this review, the Board of Supervisors directed the Superintendent of Schools, the Chief Probation Officer, the Director of Children and Family Services, the Auditor-Controller, and the County Counsel to convene a working group under the direction of the Presiding Judge of the Juvenile Court, and include one representative from both the Probation Commission and the Rand Corporation,¹ to review the educational system for dependent and delinquent youth in Los Angeles County and to respond to a series of specific questions.² The Education Task Force, comprised of representatives from the above agencies and others, met weekly from March 2001 to July

¹ Although the Board of Supervisor's motion directed the working group to include a representative from the Rand Corporation, the Education Task Force determined that another consultant was necessary because the Rand Corporation was involved in a similar review of the Probation Department and its participation in our working group could present a conflict of interest.

² See the Board of Supervisor's motion dated February 27, 2001.

2001 to conduct a comprehensive review of the quality of the educational program provided to these children.

Methodology

The objectives of our Education Task Force (“Task Force”)³ were to conduct a review of the educational system for dependent and delinquent youth in Los Angeles County, to respond to a series of specific questions, and to provide recommendations and a timeline of actions that will lead to the improvement in the quality and continuity of educational services available to these children.

We conducted our evaluation of the educational programs currently provided to these children by gathering information from the agencies responsible for servicing the children, visiting the juvenile halls, the Probation camps and MacLaren Children’s Center, and holding a public hearing.

During the first meeting, it was decided that the general concerns expressed in the Board of Supervisor’s motion, as well as the specific questions presented in the motion, should be organized into general areas of inquiry. This approach promoted coherent information gathering and logical discussion. We grouped the broad topics for review as follows: student demographics, educational programs, staff credentials, transition services, and facilities. Each week we received presentations from the participating agencies on the above-listed topics.

To gain a greater understanding of the educational programs offered at the juvenile halls, Probation camps, and MacLaren Children’s Center, we felt it was necessary to speak with the children receiving the education services and the teachers and administrators responsible for delivering them. During the week of June 4, 2001, the Task Force divided into small groups for site visits. The following facilities were visited: Central Juvenile Hall, Los Padrinos Juvenile Hall, Camp Rockey, Camp Paige, Camp Afflerbaugh, Camp Holton, Camp Gonzales, Camp Kilpatrick, Camp Miller, Camp Scott, Camp Scudder, Challenger Memorial Youth Center, and MacLaren Children’s Center. At the sites, we interviewed students, general and special education teachers, and administrators. The protocols we used for the interviews are included as Appendix B.

On June 20, 2001, we held a public hearing to provide individuals who were unable to attend the weekly public meetings an opportunity to address the Task Force. We invited attorney Nancy Shea, Mental Health Advocacy Services; Larry Payne, Riverside County Drug Prevention Officer and former delinquent youth; Ted Price, Assistant Superintendent Orange County Office of Education; Avril Vasquez, Santa Clara County Counsel; Carol Biondi, Children’s Commission; and Nancy Kodama, Los Angeles Unified School District, to speak on a number of topics including innovative and successful programs and teaching tools. Approximately one hundred people, many of them Los Angeles County Office of Education teachers and students, attended the public

³ A list of the persons to whom this motion was directed and the people they chose to represent their agencies in the working group is attached as Appendix A.

hearing. Members of the public also spoke on a variety of topics including the quality of the educational program provided to dependent and delinquent children in Los Angeles County, the quality of the teaching staff, and the unique challenges of serving at-risk children.

This report attempts to highlight several of the challenges faced by the Los Angeles County Office of Education in delivering services to children in the dependency and delinquency systems. Given the Board's desire for a rapid response, of necessity we limited our inquiry to areas in which we could provide reasonable recommendations for immediate improvement. Several other areas require additional investigation by education professionals.

For practical purposes this report is divided into two parts. Part I of the report presents our general findings regarding student demographics, educational programs, staff credentials, transition services, and facilities and the sub-topics that fall under these headings. Specific recommendations for improvement in each of these areas follow our findings. Part II of the report addresses the specific questions set forth in the Board of Supervisor's motion and provides some additional information and recommendations. Many, if not all, of the Board of Supervisor's specific questions are addressed in Part I. However, for ease of reading, Part II provides brief answers to the Board of Supervisor's specific questions with cross references to a more detailed treatment of the topic in Part I.

Summary of Findings

In general, we recognize that the Los Angeles County Office of Education ("LACOE") must overcome significant challenges such as security concerns, population changes, stringent legal mandates, facility problems and financial constraints in order to provide quality educational programs to dependent and delinquent youth. However, our review of the educational services currently offered to children in the juvenile halls, in the Probation camps and at MacLaren Children's Center, revealed several areas in need of substantial improvement.

The main areas we identified as requiring improvement are assessment procedures for children entering the dependency and delinquency systems, special education services, and transition services (both between facilities and back to the community). Consequently, the majority of our recommendations address our findings in these areas.

Below is a brief summary of our most significant findings and recommendations for improvement in the main areas identified above; there are many additional recommendations in the report. A more thorough treatment of student demographics, educational programs, staff credentials, transition services, and facilities and the many sub-topics that fall under these headings may be found in Part I of the report. Answers to the specific questions posed in the Board of Supervisor's motion may be found in Part II of the report.

Assessment Procedures

Generally, we found that although LACOE attempts to learn about a student's *educational* background, information about potential barriers to the child's learning process such as physical health problems, mental health disorders, substance abuse, and troubled familial history is not available to LACOE staff. If this information were available to LACOE, teachers could positively impact student learning by implementing teaching techniques designed to meet and overcome these potential barriers to learning.

As noted in our discussion about student demographics, many of the at-risk children in the delinquency and dependency systems experience one or a combination of the barriers listed above. Tailored instructional support to overcome these barriers can be provided *only if* they are disclosed to instructional staff upon the child's entry into the delinquency or dependency system. Moreover, a comprehensive assessment is critical for determining a child's specific educational needs so that a truly individualized learning plan can be developed for each student.

For these reasons, we strongly recommend the following:

- LACOE, with the help of other agencies, should participate with a team of professionals in conducting a comprehensive assessment when a student enters the delinquency system. A comprehensive assessment must include physical health, mental health, familial history and educational components.
- Consistent with current practice, except where there are serious security, medical, or mental health reasons or contrary court orders, a student should not be moved from the juvenile hall while the assessment is being conducted until the assessment is complete. As juvenile halls serve as the doorway for children entering the juvenile justice system, it is a perfect location to assess the child so that subsequent placement decisions can be made based on the information revealed by the assessment.
- For dependent children, the Department of Children and Family Services should ensure implementation of the Health and Educational passport (or its equivalent) required by Welfare and Institutions Code section 16010.

Special Education

Generally, we found that LACOE fell short of providing students with appropriate and adequate supplemental services as required by law. Because it seems that LACOE is short staffed and under-funded for special education services, we found that the intensity of services provided was based primarily on the service provider's availability, not on a student's actual needs. When developing or updating Individual Education Plans

(“IEPs”),⁴ it appears that LACOE staff often request less frequent services than students may need because LACOE does not have the staff or funding to meet the students’ true needs.

Moreover, for children who *may* be eligible for special education services, services may be delayed or not provided at all. This is attributable to the challenges LACOE faces when staff attempts to locate the student’s prior school record (which contains the previous IEP necessary for interim services); obtain parental consent for a new IEP; get a surrogate volunteer to act on the child’s behalf if appropriate; and obtain funding for special education services in a community placement where no district of residence can be established.

We emphasize that special education services are crucial to this population of at-risk students. LACOE reports that 18% of Juvenile Court and Community School (“JCCS”) students have *active* IEPs. However, LACOE estimates that the percentage of delinquent students *actually* eligible for special education services ranges from 25% to 35% and up to 70% for children at MacLaren Children’s Center.

To improve the delivery of special education services, we recommend:

- Legislation establishing a new funding model for special education services in court school systems. If LACOE is legally required to provide special education services to 25% to 35% (with up to 70% at MacLaren) of its students, it needs additional funding.
- LACOE must increase the number of service providers so that students are receiving services based upon their needs and not based upon limited staffing.
- Additional clerical staff must be added to the juvenile hall schools to search for student records and IEPs from a student’s previous school. As mentioned in Part I, tracking down student records takes significant time and LACOE must have adequate staff in place for this job.

Transition Services

Generally, we found that there are several types of transitions that interfere with the continuity of education for children in the dependency and delinquency systems. These transitions occur when (i) delinquent children move among the halls and the camps; (ii) when dependent children cross over into the delinquency system;⁵ (iii) when delinquent or dependent youth transition or “reintegrate” back into the community; and (iv) when dependent youth transfer from a foster placement to MacLaren or when dependent or

⁴ An IEP or Individual Education Plan includes relevant information about the child, the child’s disability, goals and objectives, and any services or supports the child needs to accomplish his or her goals and objectives.

⁵ Probation estimates that 20% of the children in their system are formerly dependent children.

delinquent youth transfer between a psychiatric hospital and MacLaren or a Probation facility. These transitions negatively impact a student's education.

To minimize the impact of these frequent transitions, we recommend the following:

- LACOE should implement uniform lesson plans at all LACOE schools in all or certain basic subject areas. Uniform written lesson plans for each day or each week will ensure that children transitioning from site to site will have continuity in learning because the next day's lesson will pick up where the student left off the day before.
- LACOE should ensure that the comprehensive assessment called for above travels with the child to all subsequent placements so that the student can be placed in an appropriate classroom immediately upon arrival at a new school. In addition, LACOE should send student files directly to the student's next school instead of first to the Student File Center, as is the current procedure. This will enable teachers to incorporate information from the assessment and from the school records into the Individual Learning Plans ("ILPs") developed for each student.
- For dependent children, the Department of Children and Family Services should provide LACOE staff with information about the child's educational needs as soon as the child enrolls in a LACOE school. This information should be readily available in the Health and Education Passport (or its equivalent). If LACOE had this information immediately, especially the child's current IEP, LACOE could implement services without having to wait for receipt of records from the child's previous school.
- The Department of Children and Family Services should explore the feasibility of arranging for children who come to MacLaren, but are expected to be placed with a relative or foster family shortly, to remain in their community school. Enrolling the student in the MacLaren School needlessly interrupts the student's learning if the student will be returning to the community school shortly and is already receiving services there.
- LACOE and Probation should hire staff to accompany children when they re-enroll in their district school. Students need someone who can interpret and explain LACOE transcripts and grades. A specially trained staff person who knows the student's abilities can ensure that the student is placed in an appropriate class and will have access to the support services and tutoring necessary to succeed in the new school. At a minimum, LACOE needs to ensure that a narrative accompanies a student's transcript when the student transfers to new school.⁶

⁶ This recommendation addresses students' fear that they will be unprepared when they return to their district schools because the work there is too hard for them. Since approximately 40% of JCCS students read below a fourth grade level, teachers must focus primarily on teaching basic reading skills. At the same time, LACOE continues to give students credits for high school

Part I

I. Introduction and Overview of the Educational Programs at the Different Facilities Reviewed by the Task Force

The Los Angeles County Office of Education (“LACOE”) operates Juvenile Court and Community Schools (“JCCSs”) for approximately 40,000 students annually. JCCS sites are located throughout the County in juvenile halls, camps, children’s centers, and community education centers (“CECs”).⁷ Due to time constraints, we focused primarily on the educational programs offered by LACOE in the juvenile halls, the Probation camps and at MacLaren Children’s Center.

The following are brief descriptions of the three types of facilities we reviewed. These descriptions are included to highlight the distinctions between the purposes of each facility and the different populations they serve. This background information provides a context for evaluating the educational programs offered in each facility, and illustrates the wide range of students LACOE must educate.

A. Juvenile Halls

In its three juvenile halls, the Probation Department (“Probation”) receives youth who have been arrested by law enforcement, youth who have been detained for violations of probation conditions, and youth awaiting adjudication and disposition of their cases. Approximately 1,900 children are in the halls on a given day. Juveniles remain in the halls an average of 21 days.

It is in the juvenile halls where the educational abilities of children entering the delinquency system are first assessed by LACOE.⁸ Probation, the Department of Health Services, and the Department of Mental Health assess the child’s medical and other needs. Once a student’s educational level is assessed, the student is placed in one of 105 classrooms according to age, grade level and reading ability.⁹ Currently, there are 8 overflow classrooms on average in the three halls because of over capacity in the halls.

Classrooms at the halls are characterized by significant movement as students are removed from class for a variety of reasons including court appearances, medical and mental health appointments, and dispositional placements. Probation reports that students at the halls are significantly more anxious than students at the camps because they are worried about the resolution of their cases, may be going through alcohol or drug withdrawal, and are adjusting to incarceration.

classes. Students fear that their LACOE transcripts do not accurately reflect the remedial nature of the work they did in the LACOE school.

⁷ When students return to their communities, many enroll in Community Education Centers (“CECs”) as a transition step before returning to their regular school district or entering college. CECs are discussed only insofar as they relate to a student’s transition back to the community. Additional time and resources are necessary for a thorough evaluation of the CECs.

⁸ A detailed discussion of LACOE’s current assessment procedures is located on page 14.

⁹ A detailed discussion of classroom composition is located on page 45.

Since students spend such a short time in juvenile hall, the primary educational focus is on immediate academic assessment and preparation for matriculation into another LACOE school. The school program includes an academic assessment in reading and math and an attempt to determine if the student is eligible for special education services or English Language Learner services.¹⁰

Once assessed, students in the halls are placed in classrooms and given instruction in science, social studies, language arts, mathematics and other courses required for high school graduation or for the General Education Development program. Juvenile hall schools also initiate the Individual Learning Plan (“ILP”), which will follow the student when he or she moves to another LACOE school.¹¹

B. Probation Camps

In its nineteen camps,¹² Probation receives youth who are ordered by the court to participate in a camp program as an alternative to supervision in the community or detention in a California Youth Authority facility. The objective of the camp program is to prepare a child for successful reintegration back to the community through a regimen designed to address the juvenile’s behaviors that contributed to his or her delinquent acts. Approximately 2,200 court wards currently reside in camp placements. On average, students remain in Probation camps for 163 days (23.7 weeks).

Because a juvenile’s stay at camp is longer than in the halls, there is increased opportunity for teachers to make progress with students. Teachers in the camps have a more captive audience than those in the halls because much of a student’s concern and anxiety about the resolution of his or her court case is reduced by the time he or she comes to camp. In addition, there is significantly less movement of children once they are placed in a camp program, so classrooms are more cohesive in this setting. However, like at the halls, practical security concerns impact the educational program offered at the camps.¹³

C. MacLaren Children’s Center

¹⁰ “English Language Learner” is the term used by the federal and State government to describe a student that is lacking skills in the English language. See page 30 for a detailed discussion about students with language barriers.

¹¹ See page 19 for a detailed discussion about LACOE’s use of Individual Learning Plans.

¹² Probation also serves students placed at the Dorothy Kirby Center and at Camp Louis Routh (five camps); these placements are not included in this report.

¹³ For example, large camps such as Challenger face barriers to providing students with 240 minutes of education as required by State law as there may be up to a forty-minute interruption in the morning session of school to move the children back to the dorms for a bathroom break. This break is unavoidable in light of the security problems that could arise if children were permitted to move from the classrooms to the dorms unsupervised. The Board of Supervisors and the Board of Education have issued a directive mandating 300 minutes of education daily.

MacLaren Children’s Center (“MacLaren”) is a temporary shelter for abused and neglected children residing in Los Angeles County. The mission of MacLaren is to provide safe, supportive, temporary care while providing multi-disciplinary assessment, diagnosis, and treatment services for abused and neglected dependent children of the Juvenile Court. Although MacLaren is operated on a day-to-day basis by the MacLaren Administrator, MacLaren’s overall operation is managed by the Los Angeles County Interagency Children's Services Consortium (“ICSC”). The ICSC consists of the Los Angeles County Office of Education, the Department of Mental Health, the Department of Children and Family Services, the Department of Health Services, and the Probation Department. The ICSC reports to the Chief Administrative Officer.

On average, children are enrolled in the MacLaren School for 38 days.¹⁴ The MacLaren Children’s Center School presents different educational challenges than schools for Probation children.

Table 1 shows the average number of consecutive calendar days a student is enrolled in school at each facility.¹⁵

Table 1

	Halls	Camps	MacLaren
Average Calendar days enrolled	21	163	38

Table 2 represents the average number of students attending each school and the estimated number of students each school served during the school year.¹⁶

¹⁴ This number accounts for the number of days a student is enrolled in the MacLaren School. Each time a child leaves MacLaren for a stay, no matter how brief, in a psychiatric hospital, juvenile hall, or a foster placement, all common occurrences, the child is re-enrolled upon his or her return to MacLaren. Thus, this number does not reflect the average number of days children reside per year at MacLaren.

¹⁵ The numbers in Table 1 do not reflect actual days spent in school. School absences for court appearances, medical appointments, and disciplinary transfers are included, as are weekend days. For example, a student in juvenile hall will average 15 days in school during a 21-day stay in juvenile hall. The remaining days are weekend days.

¹⁶ These numbers reflect student enrollment in the last month of the 2000-2001 school year and the number of children served overall during the 2000-2001 school year.

Table 2

Site	Average Enrolled per Day	Est. Annual Enrollment
HALLS		
Barry J. Nidorf	598	12,000
Central	541	10,000
Los Padrinos	468	8,000
CAMPS		
Afflerbaugh/Paige	215	430
Challenger (6 camp complex)	687	1,374
Gonzales	119	238
Holton	126	252
Kilpatrick	107	214
Mendenhall	104	208
Miller	115	230
Munz	108	216
Rockey	118	236
Scott	98	196
Scudder	103	206
MacLaren Children's Center	138	1,380
TOTALS	3,645	34,180

II. Student Demographics

In order to better understand the student population and to identify their particular needs, we gathered some background information about all the children in the halls, in the camps and at MacLaren. We then categorized the information by type of facility.

A. Background Demographics for the Halls, Camps and MacLaren

Of the total student population in JCCS schools, 52% are Hispanic/Latino, 33% are African-American; and 15% are white, Asian, and Pacific Islander.

Approximately 86% of students are male. Female juvenile arrests in Los Angeles County increased 37%, more than twice the 15% increase in total juvenile arrests in the county, between 1995 and 1999.

Approximately 18% of the population has been identified as special education students with active IEPs.¹⁷ LACOE estimates that 25% to 35% of students in the delinquency

¹⁷ Students eligible for special education services need an active IEP, which includes, among other things, a statement of the child's present levels of educational performance, a statement of measurable annual goals, and a statement of the special education, related services and supplementary aids to be provided to the child. The number of children believed to be "eligible" for special education services is much higher than those actually "identified" for and receiving special education services.

system and 50% to 70% of children at MacLaren may be eligible for special education services. Table 3 is a snapshot on May 15, 2001 of the number of students identified and entitled to special education services.

Table 3

Site	Total Number of Students Enrolled by Facility	Special Education Students*
CAMPS		
Los Padrinos	729	198
Barry J. Nidorf	634	254
Central	559	182
HALLS		
Afflerbaugh-Paige	235	71
Challenger	678	199
Gonzales	130	32
Holton	137	41
Kilpatrick	119	24
Mendenhall	118	30
Miller	110	32
Munz	107	20
Rockey	119	35
Scott	102	11
Scudder	119	22
MacLaren	140	82
Total	4,036	1,233
30.5% Students in Sp. Ed.		

*Includes both students with active IEPs and those whose IEPs are in the process of being located, revised or initiated.

Approximately 36% of the children in the schools at the halls, camps and MacLaren need specially designed instruction in English to assist them in language learning as well as content.

Two-thirds of the population read at a minimum of two grade levels below their current grade.

i. Juvenile Halls

Table 4 depicts the average ages and races of children in the juvenile halls.¹⁸

¹⁸ Averages taken from January 1, 2001 to July 3, 2001.

Table 4

	Black	White	Hispanic	Asian	Pacific Islander	Other	Total
14 & under	124	19	159	7	0	3	312
15	109	23	200	6	1	3	342
16	175	41	323	9	4	2	554
17	175	44	324	16	0	13	572
18	33	1	64	5	1	2	106
Over 18	6	3	6	0	0	1	16
Total	622	131	1,076	43	6	24	1,902

Although 84% of students in the juvenile halls are 15 years old or older, the average reading ability is at grade level 5.2 and the average math ability is at grade level 5.4.¹⁹ Approximately 78% of students are three years or more below grade level for reading; 82% of students are three years or more below grade level for math.

Approximately 84% of the students in the halls are male. In 1999, one Probation official noted, “females are currently waiting 7-14 days longer than males in detention while awaiting camp transfer.”²⁰ However, Probation claims that presently girls in the halls are not waiting longer than boys for a camp placement.

Approximately 24% of children in the halls have an active IEP on a given day. In October 2000, a Juvenile Justice Mental Health Screening pilot project found that 24% of youth in the juvenile halls may be eligible for special education services and 34% need mental health services.

Approximately 36% of all students entering the three juvenile halls will indicate that a language other than English is spoken in their homes. One out of every five of the students requiring an English Language Development (“ELD”) assessment are Non-English Speaking (“NES”).

ii. Probation Camps

Tables 5 and Table 6 depict the average ages and races of children in the Probation camps.²¹

¹⁹ In general, the average 15 year old should be at a 10th grade level.

²⁰ Probation Department memorandum dated August 26, 1999 to Dr. Betty Rosenstein from Virginia Snapp.

²¹ Snapshot taken on October 10, 2000.

Table 5
Ethnicity of Youth in the Camps

	African American	White	Hispanic	Asian/Pacific Islander	Other	Total
Camp Youth	626	158	1,241	56	44	2,125

Table 6
Age of Youth in the Camps

	11	12	13	14	15	16	17	18	Over 18	Total
Camp Youth	1	3	31	149	344	530	655	359	53	2,125

About 91% of youth at the camps are 15 years old or older. However, the average grade level equivalency for reading in the camps is 5.5; for math it is 5.7. At least 85% of students are three or more years behind grade level for reading; 87% of students are three or more years behind grade level for math.

At the camps, 93% of students are male. The majority of the wards residing in the camps were arrested for burglary, robbery and assault; 70% of wards residing in the camps have indicated gang affiliations.

iii. MacLaren Children's Center

Table 7 represents the ethnicities and ages of youth enrolled in the MacLaren Children's Center School for the year 2000.

Table 7:

Age	American Indian	Black	Hispanic	White	Asian/PI	Other	Total	%
6	0	5	1	3	0	0	9	1%
7	1	1	4	2	0	0	8	1%
8	0	5	3	2	1	0	11	1.4%
9	0	2	2	2	2	0	8	1%
10	0	7	8	4	0	0	19	2.4%
11	0	10	12	9	1	0	32	4.1%
12	0	12	13	7	0	1	33	4.2%
13	0	21	13	13	1	1	49	6.2%
14	1	27	27	15	1	0	71	9%
15	0	51	36	29	0	0	116	14.7%
16	3	67	40	34	1	0	145	18.4%
17	0	63	36	39	0	0	138	17.5%
18	0	40	66	39	2	1	148	18.8%
Total	5	311	261	198	9	3	787	99.7%

During the year 2000, the Department of Children and Family Services (“DCFS”) reports that 1,747 children entered MacLaren Children’s Center.²² Of the 1,747 admissions to MacLaren, 1,074 children received services only once during the year 2000; 673 children were admitted to MacLaren multiple times during the year 2000.²³

Even though the majority of students (78.4%) are in the 8th grade or above, male students have an average reading level of grade 4.8 and an average math level of grade 4.6. Female students have an average reading level of grade 5.3 and an average math level of grade 4.5. At least 65% of students are three years or more below grade level in reading; 71% of students are three years or more below grade level in math.

At MacLaren Children’s Center, 58% of the youth are male.

B. Educational Information about Students in the Halls, Camps and MacLaren Children’s Center

i. Current Educational Assessment Procedures

When a new student enters the dependency or delinquency system, LACOE often has little or no educational information about the child. For dependent children, LACOE should be provided with the child’s Health and Education Passport. California law requires a child’s case plan to include critical information about the child’s educational

²² Although 1747 youth were admitted to MacLaren, only 787 students were enrolled in school by LACOE. This discrepancy is due to many factors, including children arriving on a Friday night and leaving during the weekend.

²³ In fact, 39% (549 children) entered MacLaren Children’s Center two or more times during the year 2000.

background.²⁴ However, currently DCFS does not consistently maintain such a passport for dependent children. Thus, for both dependent and delinquent children, LACOE personnel attempt to gather educational information about the student using four different methods.

First, LACOE personnel orally interview the student in an effort to determine the student's previous school, the student's primary language, and whether the student previously received special education services.

Second, LACOE personnel enter the data from the oral interview into an internal database called Studata. If the student was previously enrolled in a JCCS school, LACOE will have information regarding the student's previous enrollment, including enrollment dates, attendance records, grades, Star Advantage Test scores,²⁵ special education needs, and English Language Learner status.

Third, LACOE personnel administer the Star Advantage assessment test. The Star Advantage test is a computer-based exam that adapts to the student's responses by adjusting the difficulty of the questions based upon the student's response time and accuracy. The Star Advantage test calculates a scaled score between 1 and 1,600, a grade-level equivalent, a percentile rank score, and other valuable statistical data.

Fourth, LACOE personnel attempt to obtain records from the student's previous school, which should indicate the student's current grade level, previous course work, whether the student has previously received special education services, and whether the student has an active IEP.

Obtaining records from a student's previous school is the biggest challenge LACOE faces in attempting to learn about a student's educational background. More often than not, LACOE's efforts to get these records are not successful. LACOE's low success rate may be attributed to a variety of factors, which include the previous school's failure to respond timely or at all to LACOE's requests and difficulties in identifying the last school that the student attended. Many times when student records arrive, they are incomplete or indicate "no credits earned" or "did not attend." Even where the records can be obtained, delays can be as long as several months. In addition, we found that the process of requesting data from a student's previous school requires significant time from LACOE clerical staff, educational counselors and other professionals, as they often must submit several requests to the school district.²⁶

²⁴ California Welfare and Institutions Code section 16010 requires county welfare agencies to compile this information within 30 days of the initial placement in foster care, and provide it to the caretaker in each subsequent placement within 48 hours.

²⁵ LACOE uses this test to assess a student's reading and math ability.

²⁶ Upon enrollment of all students, LACOE requests the student's "record" from the student's prior school. Generally, a student's record contains a transcript, courses of study, disciplinary record, attendance record, IEP if any, and other documents required by State law. LACOE does not have any data about the number of records requested and actually received. However, there is data available about "transcript" requests, which yield considerably better results than record requests. "Transcripts," which are generally a list of the student's credits to-date, are requested

Providing special education services as required by law to students with an active IEP is greatly impacted by the difficulty in gathering student records from previous schools. California Education Code section 56325 requires that special education records, including the student's current IEP, be transferred by educational agencies within five days of the request. Record requests, even by telephone, take an average of 7 days. During the summer or when school districts are off session, the records may not be received until the school reopens. Some student records are not received because the student never attended the indicated school, requiring a "new" referral for special education services to be initiated.

As a result of LACOE's difficulty in obtaining special education records, many students do not receive the services they are entitled to by law until the records, including an active IEP, are received. Waiting for records to be received is a loss of valuable time. This problem causes delays in the provision of services, and creates duplicate work because LACOE must conduct another IEP when one may already exist in a district school.

ii. Adequacy of Current Assessment

Currently, when a child enters one of the juvenile halls, a nurse from Health Services "screens" the child and asks the child questions regarding his or her mental health and current medications. Within 72 hours of entry, a doctor gives the child a full physical examination. Information from this examination is shared with Probation and other agencies only if there is a reason for another agency to have the information.

Generally, we found that although LACOE attempts to learn about a student's *educational* background, information about potential barriers to the child's learning process such as physical health problems, mental health disorders, substance abuse, and troubled familial history is not available to LACOE staff. If this information were available to LACOE, teachers could positively impact student learning by implementing teaching techniques designed to meet and overcome these barriers to learning.

Because many of the at-risk children in the delinquency and dependency systems have one or a combination of the barriers listed above, they likely need additional support from teachers or service providers in the form of curriculum modification or alternative teaching techniques. Such tailored instructional support can be provided *only if* these barriers are disclosed to instructional staff upon the child's entry into the delinquency or dependency system.

so that LACOE can process diplomas and GED referrals. During the 1999-2000 school year, approximately 11,823 transcripts were requested from the students' former schools; only 4,824 transcripts were received. LACOE-JCCS School Site Generated Transcript Information, April 19, 2001.

For these reasons, we are making the following recommendations with respect to assessment procedures:

- 1. LACOE, with the help of other agencies, should participate with a team of professionals in conducting a comprehensive assessment when a student enters the delinquency system. A comprehensive assessment must include physical, mental health, familial history and educational components.²⁷**
- 2. Consistent with current practice, except where there are serious security, medical, or mental health reasons or contrary court orders, a student should not be moved from the juvenile hall while the assessment is being conducted until the assessment is complete. As juvenile halls serve as the doorway for children entering the juvenile justice system, it is a perfect location to assess the child so that subsequent placement decisions can be made based on the information revealed by the assessment.**
- 3. For dependent children, the Department of Children and Family Services should implement the Health and Education passport (or its equivalent) required by Welfare and Institutions Code section 16010.**
- 4. Additional clerical staff must be in place at the juvenile hall schools to search for student records and IEPs from a student's previous school. Tracking down student records takes significant time and LACOE must have adequate staff in place for this job.**
- 5. The Education Code should be amended to require schools to transfer all student records to requesting school districts within a specified time period, with penalties for schools that fail to comply. A set timeframe for all records will ensure the consistent and timely transfer of records, which will allow LACOE to incorporate this information into the comprehensive assessment and to provide special education services to eligible children as required by law.**

III. Educational Programs

A. Basic Educational Program

²⁷ A comprehensive assessment is critical for determining a child's specific educational needs so that a truly individualized learning plan can be developed for each student. In addition, a comprehensive assessment is crucial to facilitate continuity in learning when students transition from one type of facility to another or when students reintegrate back into the community. The comprehensive assessment can travel with the student as he or she makes various transitions and will alert subsequent educators about the student's needs.

LACOE's educational program is aligned with California's Content Standards and Curriculum Framework. The courses of study offered by LACOE have been approved by the County Board of Education and all LACOE schools have been fully accredited by the Western Association of Schools and Colleges. Since LACOE schools are fully accredited, students can accumulate regular high school credits and can graduate from a LACOE high school. Also, high achieving students can matriculate in colleges and universities including the California State University and University of California systems.

However, despite LACOE's efforts to provide the same courses of study offered in a regular district school, LACOE teachers have much remedial work to do. Most students enrolled in LACOE schools are *at least* two or more grade levels below expectancy. Approximately 40% of JCCS students read below a fourth grade level. This requires teachers to focus primarily on teaching basic reading skills. At the same time, LACOE continues to give credits that will transfer to district schools when most students are still trying to catch up to the appropriate grade level. As a result, students fear that they will be unprepared when they return to their district schools because the work there will be too hard for them. However, if students do not take the credits offered by LACOE or enroll in a CEC with other similarly situated students, they will fall further behind when they return to their district school and may never accumulate enough credits to graduate.

- 6. LACOE and Probation should hire staff to accompany children when they re-enroll in their district school. Students need someone who can interpret and explain LACOE transcripts and grades. A specially trained staff person who knows the student's abilities can ensure that the student is placed in an appropriate class and will have access to the support services and tutoring necessary to succeed in the new school. At a minimum, LACOE needs to ensure that a narrative accompanies a student's transcript when the student transfers to a new school.**

B. Lesson Plans

As discussed above, LACOE teachers are responsible for teaching material that conforms to the educational standards adopted by the State of California and courses of study by the County Board of Education. To accomplish this, LACOE Policy requires all teaching staff to "develop semester lesson plans for each subject area taught based on the JCCS courses of study." The lesson plans should include "goals, objectives and instructional activities for each unit of instruction."²⁸

While LACOE does have a policy requiring teachers to prepare lesson plans, we found that some teachers did not prepare them, or did not adhere to them even if they were prepared. Moreover, LACOE's policy requires only *semester* lesson plans, not daily or weekly plans.

²⁸ LACOE Handout: Curriculum, Instruction & Assessment, page 3.

The absence of daily or weekly lesson plans limits administrative oversight and greatly impacts the continuity of learning when a substitute teacher is used in a classroom. Although LACOE policy requires teachers to develop substitute lesson plans for at least twenty consecutive days, and to update them regularly, we found that most substitute folders contained generic assignments that did not correspond to the material the class was learning that particular week.

Continuity of learning may be further impacted by the absence of lesson plans when students move among LACOE schools. Because teachers are only required to develop semester lesson plans regarding the material they plan to cover, teachers at all sites make their own schedules for when they will cover a given topic. This means that students may repeat topics when they move to a different LACOE school because they must follow the new teacher's schedule. As a result, students who already learned the material must repeat it in the new classroom and that student's learning is limited.²⁹

- 7. LACOE should implement uniform lesson plans for each day or each week at all LACOE schools. Uniform written lesson plans for various student levels will make it easier for substitutes to continue where the regular teacher left off and also will ensure continuity in learning for children transitioning from site to site because the next day's lesson will continue where the student left off the previous day.**

C. Individual Learning Plans ("ILPs")

LACOE policy requires teachers to complete an ILP for each student by the student's second week at juvenile halls, and within 30 days of the student's stay at the camps and at MacLaren. An ILP is a document designed to contain educationally relevant information about each student, including student goals and objectives.

While we feel that the concept of an ILP is an excellent one, the ILPs currently developed by LACOE are essentially generic documents that are not tailored to a student's individual needs and do not afford adequate feedback to students regarding their progress.

- 8. LACOE teachers should consistently develop ILPs for each student that reflect that student's needs and academic goals. All ILPs should set forth specific measurable goals for the student so that teachers can easily assess a student's progress. In addition, students should be involved in developing their ILPs. The ILP should be reviewed by the teacher and the student at set intervals. These student-teacher conferences will provide students with feedback about their progress meeting ILP goals, a sense of accomplishment if ILP goals are met, and motivation and encouragement to try harder or seek additional help to meet ILP goals. Included in this conference must be a discussion of the student's status with respect to class credits and the student's progress towards graduation if applicable. LACOE also must**

ensure that students receive feedback in the form of report cards on a regular basis.

D. Special Education

The Individuals with Disabilities Education Act requires that students with disabilities receive a free and appropriate public education in the least restrictive environment.³⁰ While federal and State laws indicate a preference for inclusion in the general education classroom if possible, the responsible educational agency, such as LACOE, must provide adequate supplementary aids and services appropriate for each student. Additionally, age-appropriate classroom placement is a requirement for all special education students.³¹

If LACOE discovers that a student has an active IEP from another school district, LACOE must provide that student with interim services until a new IEP meeting takes place. State law requires the revised IEP meeting to take place within 30 days of the start of interim services.

i. JCCS's Special Education Population

As noted previously, approximately 18% of JCCS students have active IEPs. However, LACOE estimates that the percentage of delinquent students *actually* eligible for special education services ranges from 25% to 35% and up to 70% for dependent children at MacLaren.

From July 1, 2000 to March 30, 2001, 18.5% of children entering the halls and camps (4,740 students out of approximately 25,635 students) were *identified* as eligible for special education services.³²

Table 8 shows the percentage of students at all JCCS schools by primary disabling condition.

Table 8

³⁰ The Individuals with Disabilities Education Act states:

- (1) That to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled; and
- (2) That special classes, separate schooling or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of the child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

See 20 U.S. C. 1412(a)(5); 34 C.F.R. 300.550(b)(1)-(2).

³¹ Although there is no one definition of "age-appropriate," the standard adopted by many school districts in California and elsewhere is a range of no more than five years total (e.g., 13 to 17 year olds in the same class).

³² LACOE Baseline Information on Special Education, page 17.

HANDICAPPING CONDITION ³³	Percentage of Students	
	Delinquent	Dependent
Specific Learning Disability	70%	3%
Emotionally Disturbed	21.44%	61%
Speech & Language Impaired	7%	3%
Mentally Retarded	1%	17%
Other Health Impaired	1%	5%
Deaf	0.34%	4%
Hard of Hearing	0.11%	3%
Multiple Handicapped	0.11%	0
Visually Impaired	0	0
Orthopedically Impaired	0	0
Deaf Blind	0	0
Autistic	0	1%
Traumatic Brain Injury	0	2%

ii. Current Special Education Services at Each Facility

LACOE provides special education services to eligible students in the halls, in the camps and at MacLaren Children's Center.

Table 9 shows a snapshot on May 15, 2001 of the number of children receiving special education services by facility.

³³ State reporting requirements limit documentation of disabling conditions to only one, primary condition. Therefore, the number of students with several disabling conditions is not reflected in this table. The table also reflects the specific terminology for disabling conditions used by the State.

Table 9³⁴

Site	Active
HALLS	
Central	72
Los Padrinos	76
Barry J. Nidorf	55
CAMPS	
Afflerbaugh-Paige	31
Challenger (6 camps)	56
Gonzales	42
Holton	25
Kilpatrick	27
Mendenhall	15
Miller	20
Munz	11
Rockey	26
Scott	9
Scudder	16
MacLaren	49
Total	530

a. Juvenile Halls

As indicated above, 203 students had active IEPs in the juvenile halls on May 15, 2001. At the schools within the halls, Resource Specialists offer services that may include pull out, collaborative instruction or consultation. While each juvenile hall is supposed to have two Resource Specialists, both Los Padrinos and Central Juvenile Hall have one of the positions vacant. All Resource Specialists are assigned a Para-educator to assist with the delivery of services to each student.³⁵ The Para-educator provides additional instruction to students under the supervision of the Resource Specialist. Itinerant Language & Speech Specialists provide speech therapy and School Psychologists provide educational counseling. If other services are required to meet the needs of the student, such as interpreters for the deaf, these services can be provided through contracts or an inter-SELPA permit.³⁶

³⁴ The number of students on any given day with active IEPs varies significantly. For example, a snapshot on December 20, 2000 revealed that there were 868 students in the halls, the camps and at MacLaren with active IEPs.

³⁵ Para-educators assist teachers by instructing pupils individually or in groups in accordance with prescribed learning objectives. Para-educators work under the guidance of the classroom teacher. They are required to be high school graduates with 30 college semester units, including course work related to the job.

³⁶ A SELPA ("Special Education Local Planning Area") is an administrative unit utilized to provide special education services to students. The LACOE JCCS/DAE SELPA is only authorized to

Central Juvenile Hall School currently has one Special Day Class (“SDC”) to serve a small number of students (12 to 14 students as opposed to 17) who have intensive special education needs. The SDC teacher is specially trained and credentialed to work with students who are having behavior and/or hearing problems. A Para-educator works closely with the teacher in the classroom. Because SDCs are a more restrictive placement and federal law requires children to be placed in the least restrictive placement appropriate for the student, the determination of whether a SDC placement is appropriate for an individual student must be made through the IEP process. Currently there are no special day classes at the Los Padrinos and Barry J. Nidorf juvenile hall schools. SDCs are scheduled to open in both of these halls at some point in 2001.

As for other special education pull out services, there is one part-time School Psychologist who provides services to students at Los Padrinos. Two full time School Psychologists provide services to students at Barry J. Nidorf; there is one School Psychologist at Central Juvenile Hall. Each hall has a Language/Speech specialist assigned.

b. Probation Camps

As indicated above, a snapshot on May 15, 2001 revealed that 278 students in the Probation camps had active IEPs. On that date, there also were 200 to 250 outstanding record requests from other district schools, many of which will indicate that a student is eligible for special education services.

In the camp setting, LACOE provides special education services through the use of pull out, collaborative instruction or consultation from a Resource Specialist, itinerant Language & Speech Specialist and/or a School Psychologist. There are 20 Resource Specialists assigned to provide services at 17 camps; 8 camps have School Psychologists assigned to them; and 7 camps have Language & Speech Specialists assigned to them. If other services are required, such as interpreters for the deaf, to meet the needs of the student, these services can also be provided through contracts, or with a permit for another district outside of LACOE. Currently, all students at camp schools are included in regular education classes.³⁷

Sixteen to eighteen-year-old special education students at Probation camps have an opportunity to be involved with the Transition Partnership Program and Workability program. This program helps students prepare for after school and weekend jobs while attending high school as well as with transitioning from school to a full-time career after high school. The program served over 200 students in the following locations for the 2000-2001 fiscal year: Camp Holton—50, Phoenix Academy—55, MacLaren—35, Challenger—35, Afflerbaugh-Paige—10, Camp Miller—20 and Camp Gonzales—5.

serve students in LACOE operated programs. Therefore, a school district of residence referral and/or an inter-SELPA permit is required for services outside of the JCCS/DAE SELPA.

³⁷ One unanswered question is why the same children are placed in a Special Day Class at Central Juvenile Hall, but are placed in a regular classroom at camp.

c. MacLaren Children's Center

As indicated above, a snapshot on May 15, 2001 revealed that 49 students at MacLaren had active IEPs. However, LACOE estimates that MacLaren Children's Center has a population in which 70% of the children may be eligible for special education services. At MacLaren, special education students receive services in both general education classrooms and in four special day classes. In the four special day classes, there are combinations of students with a wide array of disabilities (e.g. emotionally disabled, deaf/hard of hearing and developmentally delayed). These disabilities may require multiple and different teaching approaches. Autistic students are referred to Lincoln School, a specialized school serving severely disabled children, through an inter-SELPA permit.

MacLaren Children's Center offers additional services to students with disabilities through Resource Specialists, Para-educators, Language & Speech Specialists, Education Counselors, and/or psychologists for the deaf. Additionally, an adaptive physical education teacher and a deaf/hard of hearing teacher are available as needed. Inter-SELPA permits may be used to place children with exceptional needs in off grounds programs to meet their individual needs. Like the camps, special education students sixteen to eighteen years old at MacLaren are involved with the Transition Partnership Program and Workability program described above.

iii. Funding Difficulties

The State of California gives school districts the funds to provide special education services. In 1997, the State changed the manner in which it provided funding to school districts.³⁸ Now, funding is provided to school districts at approximately 10% of their total average daily attendance. This formula is based upon the assumption that approximately 10% of the general population is eligible for special education services. While 10% may be an accurate percentage when looking at the population as a whole, studies indicate that approximately 30% of the incarcerated youth in California have identified special needs; nationwide the percentage for this unique population is about 27%.³⁹ LACOE estimates that as many as 25% to 35% (with up to 70% at MacLaren) of their students are eligible for special education services. Assuming that LACOE could

³⁸ Prior to 1997, school districts received funds based upon the number of instructional personnel units. This funding model was faulty because school districts received more money when students were placed in more restrictive settings, thereby providing somewhat of an incentive to place students in more restrictive environments with lower student to teacher ratios, contrary to the Least Restrictive Environment mandates of the federal law.

³⁹ *Correction Education Bulletin*, "Alternative," 6 LRP Publications, June 2001. See also Collaborate to Educate: Special Education in Juvenile Correction Facilities, Meisel, Henderson, Cohen and Leone (2001) (noting that incidence of special education in juvenile delinquent populations is three to five times the public school district average); *Improving Education Services for Students in Detention and Confinement Facilities*, Leone and Meisel, Children's Legal Rights Journal, 1997, v. 17 91), (pp. 1-12) (noting that rates of special education among students in juvenile detention facilities is significantly higher than the national average of 8.6 to 10 percent).

develop active IEPs for all of their students, LACOE is not funded adequately to provide services to all of these children.

9. Legislation is needed to develop a new funding model for special education services in court school systems. If LACOE is legally required to provide special education services to 25% to 35% (with up to 70% at MacLaren) of its students, it needs additional funding.

iv. Adequacy of Services Provided

Generally, we found that LACOE fell short of providing students with appropriate and adequate supplemental services as required by law. As reported during the site interviews, the amount of related services (or Designated Instructional Services) students receive is limited by the amount of time the related service provider is scheduled to be on the campus. This finding is consistent with the findings in the *Weintraub Report* (December 15, 2000) insofar as it applies to the delivery of special education services at MacLaren. The report states: “All students with remedial language/speech received one hour of speech a week. Interviews with staff found that a number of students needed additional time, but that limited time available from the speech/language pathologist restricted what could be provided in the IEP.”⁴⁰ Our interviews with special education teachers and with site administrators revealed that LACOE staff often request less frequent services than students need because there is not enough staff to serve the needs of all the students. This reality is attributable mainly to inadequate funding for the staff necessary to provide students with the intensity level of the services they need.

10. LACOE must increase the number of service providers so that students receive services based upon their needs and not based upon limited staffing.

v. Assessing Students Who May Be Eligible for Special Education Services and Conducting IEP meetings

LACOE is not only legally required to provide special education services to children with IEPs, but also is required to search for and serve children who *may be* eligible for special education services.⁴¹ In attempting to carry out these mandates, LACOE is faced with several challenges such as obtaining parental consent to assess a child, getting parents to participate in IEP meetings, and administering a surrogate parent program for situations where parental consent cannot be obtained.

a. Parental Consent to Assess

⁴⁰ Findings from an Evaluation of the MacLaren Children’s Center’s Compliance with State and Federal Policy Regarding the Delivery of Special Education Services. Frederick Weintraub, December 15, 2000, page 9.

⁴¹ See California Education Code §56320. As noted previously, LACOE estimates that the percentage of students *actually* eligible for special education services may be as high as 35% of the children in the delinquency system and 70% of the dependent children at MacLaren. If these estimates are correct, LACOE *should be* providing services to a substantially larger population of students than the 18.5% of children currently *identified* as eligible for special education services.

The first challenge for LACOE is obtaining parental consent to assess a child suspected of having a disability. Prior to assessing a child, LACOE must obtain written consent from the child's parent.⁴² In the event that the child is a dependent or ward of the court or the parent cannot be identified or located after reasonable efforts, the district may appoint a surrogate parent to act as the parent.⁴³ Per a 1999 directive from the California Department of Education, LACOE must make three attempts to contact a student's parent(s), with at least one attempt in writing, prior to appointing a surrogate parent for special education purposes. Although this process preserves the federal and State legal mandates for ensuring parent involvement, it may result in long delays in service. However, service is considered unauthorized without the consent of a parent, guardian or duly appointed surrogate.

b. Parent Attendance at IEP Meetings

Once a special education assessment is completed for a child, LACOE must hold an IEP meeting to review the assessment results. If a student transfers to a LACOE school with an active IEP, LACOE must make an immediate interim placement and then hold an IEP meeting within 30 days of the placement to assess the appropriateness of the interim placement.⁴⁴ Parents must be invited to attend all IEP meetings and in the event the parent cannot attend, LACOE must maintain records of what happened in the meeting. If a surrogate parent was assigned to the child prior to assessment, the surrogate parent will act as the parent during the IEP meeting.

c. Surrogate Parents

As discussed above, surrogate parents may be appointed by the school to act as the parent for educational purposes when the child is a ward or dependent of the court or the parents or guardian cannot be identified or located. LACOE has a program to train surrogate parents on their roles and responsibilities; the relevant provisions in the Individuals with Disabilities Education Act; the IEP process; and general information about the various handicaps of students within the system. However, one challenge for LACOE is keeping an adequate number of surrogate parents in the program. Generally, recruitment is conducted at the local school site in order to draw from the local community. One limitation on recruitment is that LACOE does not use one potentially fertile source of volunteers, retired LACOE teachers, as surrogates because of concerns about conflicts of interest or mixed loyalties. In addition, most volunteers do not stay on long-term, which means that recruitment and training are on-going issues. The surrogates that LACOE does have are inundated with requests for their services and do not have time to attend all the meetings.

⁴² See California Education Code §56321(c).

⁴³ See California Education Code §7579.5(b).

⁴⁴ See California Education Code §56325.

11. To ensure an ongoing pool of available surrogate parents, LACOE and other agency partners should collaborate in locating appropriate volunteers, including retired LACOE teachers, to serve as surrogate parents.

12. To ensure new volunteers have the skills needed for surrogate parenting, LACOE should schedule regular sessions as necessary to train these volunteers.

E. After-School Programming and Educational Support Services

i. Homework

In the past, there has been conflict as to how to implement the homework policy between LACOE and Probation. However, during the course of the Task Force meetings, LACOE and Probation agreed to collaborate by reinforcing their respective homework policies.

Recently, Probation adopted a policy for its camps and halls giving students a 60-minute period every school day for homework and reading. Probation is now providing pencils and dictionaries for students to use. Similarly, the LACOE Board of Education recently adopted a policy requiring each JCCS site to adopt its own written homework policy. The regulations pertaining to the Board of Education's policy specify that each site will develop and implement written homework guidelines for all instructional programs and provide students with a copy of the site policy upon enrollment at the facility.⁴⁵

Currently, both agencies' homework policy is still in the process of being fully implemented at all sites. Some teachers are assigning homework. However, some Task Force interviews with teachers and students revealed that to date, homework may not be done because the students lack the materials necessary to complete it, they do not have adult guidance if they have questions, or they feel that there is little or no consequence if they do not do it.

With respect to providing students with help on their homework, there are still unresolved issues between LACOE and Probation. LACOE administrators believe that their teachers can assign the homework, but they must rely on Probation to provide students with adequate time in their schedules after school, an adequate environment in which to do the homework, the writing tools, and the staff necessary to monitor its accomplishment and provide assistance if necessary.

Probation administrators, on the other hand, believe that there would be serious security concerns if their existing staff were expected to provide students with assistance in doing their homework. For example, the daytime staffing in the juvenile halls is ten juveniles for every one Detention Services Officer; in the camps the daytime staffing ratio is fifteen juveniles for every one staff. Although these ratios seem to suggest that Probation staff could help students with their homework, this would distract the attention of staff away from the overall supervision function. The configuration of juvenile halls, with separate

⁴⁵ LACOE Handout: Curriculum, Instruction & Assessment, page 3.

rooms off long corridors, is not conducive to officers providing significant help with homework for a large number of wards. Likewise, the range of a camp Deputy Probation Officer's ("DPO") duties, which include escorting minors to medical or counseling appointments, monitoring family visits, supervising chores around the camp, conducting special programs, and performing casework, mean that there may be only two DPOs present in the dormitory supervising 115 juveniles at a time. Incidents in the close quarters of the juvenile hall and camp dormitories develop very quickly, and the effectiveness of Probation's supervision will be significantly reduced if staff is distracted.

13. Within 3 months, LACOE and Probation are to develop a plan to have appropriate personnel available at all of the facilities to support students in completing homework. The two agencies should present the plan to the Board of Supervisors with information regarding the funding required to implement the plan. The agencies should consider the Operation Read model.

14. LACOE teachers should make homework mandatory and LACOE and Probation should devise an incentive and consequence based plan for students regarding homework. The homework should be engaging and should reinforce lessons learned during the school day.

ii. Libraries and Computers

During school hours, students have access to libraries at two juvenile halls, at three camps, and at MacLaren Children's Center. At the remaining facilities, students have access to book carts. At all facilities, access to the libraries and book carts is limited to the school day; students do not have access during the evening hours, except at MacLaren. This is important to note because students, except for those at MacLaren and at a few camps, do not have access to the library on weekends or during their homework period.

As for computers, LACOE has computers with Internet access available in every classroom. The average ratio for student access to computers is five to one and improving.⁴⁶

Table 10 shows library, book cart and computer availability by location.

Table 10

HALLS	LIBRARY	BOOK CART	COMPUTERS
CENTRAL	X		98

⁴⁶ It should be noted that the Education Code and LACOE Board policy 7250 require that students sign an Acceptable Use of Technology Agreement prior to using any computers in school. In addition, LACOE provides Internet filtering to help ensure that inappropriate websites are not accessible. If computer access were increased beyond the school day, these provisions, as well as the requirements of the 1998 Children's Online Privacy Protection Act, would need to be considered.

LOS PADRINOS		X	47
BARRY J. NIDORF	X		77
CAMPS			
AFFLERBAUGH/PAIGE	X		18
CHALLENGER		X	375
GONZALES, DAVID		X	14
HOLTON		X	39
KILPATRICK	X		27
MENDENHALL			9
MILLER		X	7
MUNZ		X	31
ROCKEY		X	40
SCOTT		X	39
SCUDDER	X		34
CHIDREN'S CENTER			
MACLAREN	X		68

15. LACOE and Probation should create libraries at all sites and update them with current, age appropriate materials.

16. For delinquent children, Probation should consider adding bonus visits to the library or supervised computer access to the list of privileges available for children to earn as part of the Camp Merit System. All children should always be allowed library use, including book checkout, and supervised computer access in their free time. Steps should be taken to ensure that student use of computers in school is limited to educational purposes.

F. Innovative Educational Programs

Generally, we found that LACOE has attempted to initiate several innovative programs. At all sites, LACOE has implemented the LANGUAGE! program, which is designed to teach students the essential skills of reading, language comprehension, and composition with a systematic, cumulative, and sequential curriculum. The strength of this program is its comprehensive and integrated treatment of language, pointed directly at the skills poor readers typically lack.⁴⁷

Although the LANGUAGE! program is offered at all LACOE schools, many other innovative programs are offered only at select facilities. For example, the General Education Development (“GED”) program is available as an alternative for students to completing high school. Students with adequate skills, but inadequate units to complete high school, can take an exam and receive a GED. This program is available to all students; however, testing centers are located only at the three halls, at four camps, and at

⁴⁷ LACOE reports that students participating in the Reading 100 program (100 minutes of direct reading instruction each day using LANGUAGE!) have achieved more than two years of growth in reading in fewer than six months.

MacLaren Children’s Center. The Transition Partnership Program for special education students is only available at camps Holton and Miller and at MacLaren. The LA County Youth At-Risk program,⁴⁸ which provides technical training to youth and a two-month paid internship at a private high tech company, is only available at Camp Scott and Camp Scudder. While each camp has some innovative educational programs, not all programs are operated at every school site.

17. LACOE should continue to implement innovative pilot programs with professional methods in place to verify their success. Once a program has demonstrated its success, funds should be reallocated or sought to expand the program to all appropriate sites so that all students are exposed to the same learning opportunities.

IV. Staff Credentials

A. General Education Teachers

LACOE reports that 83% percent of its teachers hold full teaching credentials.⁴⁹ JCCS teachers have an average of 16.1 years of teaching experience.⁵⁰ Currently, there are eight vacant teaching positions in the halls and camps.

B. Special Education Teachers

LACOE has a special education teaching staff that includes: 26 Full Time Equivalent (“FTE”) Resource Specialists; 7 FTE Special Day Class teachers;⁵¹ 10 FTE Speech & Language Specialists, and 12.4 School Psychologists at 13 sites.⁵² As discussed on page 15, many of these special education professionals are over-burdened by the clerical work involved in obtaining student records and active IEPs and therefore cannot devote full-time, or in some instances even substantial time, to working directly with students.

C. Teachers for English Language Learners

English Language Learner (“ELL”) is the term used by the State of California to define a student whose primary language is not English. Upon enrollment in a LACOE school, all students are required to complete a home language survey. The home language survey requests information about the primary language spoken at the child’s home.

Approximately 36% of all students entering the three juvenile halls will indicate that a language other than English is spoken in their homes. Those students with primary home

⁴⁸ The LA County Youth At-Risk program was implemented with collaboration from Probation and the City of Los Angeles.

⁴⁹ Approximately 75% of teachers in other Los Angeles County school districts are fully credentialed.

⁵⁰ The average experience for other Los Angeles County teachers is 12.1 years.

⁵¹ There are four SDCs at MacLaren and one at Central Juvenile Hall. The other two are located at two of the CECs.

⁵² These numbers reflect the staff for all LACOE schools, including the CECs.

languages other than English will be tested using the Idea Test Proficient (“ITP”) to determine the student’s proficiency with English.⁵³ One in five of these students is not proficient in English.

Because a large number of students do not pass the written portion of the ITP, a large percentage of teachers have special teaching credentials to work with these students. Teachers may hold the following credentials to be qualified to teach English Language Learners: Specially Designed Academic Instruction in English (“SDAIE”); Cross Cultural Language and Academic Development (“CLAD”); or Bilingual Cross Cultural Language and Academic Development (“BCLAD”).

The SDAIE credential is designed to prepare veteran teachers to teach non-English speaking students in a multi-lingual, multi-cultural setting. The SDAIE training builds on the developed skills and experience of seasoned teachers so that they are able to teach non-English speaking students. The CLAD credential is similar to the SDAIE credential, but it is for new teachers or current teacher trainees. The BCLAD certification is for a teacher who has abilities in a language other than English and allows that teacher to teach in the primary language.

Currently, 34% of JCCS teachers are certified to teach ELLs. All ELL students are assigned to a class taught by a specially trained teacher. Each hall has an English Language Development class.⁵⁴

On May 15, 2001, the Los Angeles County Board of Education adopted a Master Plan for ELLs. The plan calls for training principals, teachers and support staff on instructional methods for teaching limited English speakers and working with students. LACOE hopes that implementation of the Master Plan will result in an increased number of teachers who can provide English Language Development instruction.

18. LACOE should implement the Master Plan for English Language Learners to ensure the availability of trained teachers for students who are learning English.

D. Teacher Training

In past years, JCCS teachers received at least three days of staff development annually. Some of the teachers interviewed by the Task Force members expressed concern that training opportunities had been reduced over the past year due to changes in the law.⁵⁵

⁵³ The ITP is an assessment to determine a student’s written and oral fluency in English.

⁵⁴ Since the passage of Proposition 227, there are strict limitations on providing bilingual instruction, or instruction in the native language of the student. Instead, English language instruction in English is the norm. Therefore, students whose primary language is not English may be placed in English-only classrooms with teachers authorized in State-approved English Language Development techniques.

⁵⁵ SB 1882 and SB 1193 reduced the funding available for staff development days.

19. LACOE should consider increasing its funding allocation for teacher trainings and providing teachers with training opportunities at each facility during after school hours or lunch so that substitute teachers are not needed to cover for teachers who are at a training session.

E. Use of Substitute Teachers

In every school district, substitute teachers are needed to teach class when the permanent teacher is absent. A permanent teacher may be absent for a number of reasons, including illness, teacher training, personal business, jury duty, and for a school district with a twelve-month calendar, vacation.⁵⁶

All of the substitute teachers used in LACOE schools either are fully credentialed or possess a California Teaching Permit. In addition, all substitutes receive three days of training on professional expectations, on the subject area the substitute will teach, and on the special needs of the JCCS population.⁵⁷

LACOE reports the following:

Total Days Requiring a Teacher ⁵⁸	85,030
Total Days a Substitute was Present	18,628
Percentage of Time Substitute Used	21.9%

Table 11 provides details regarding the reported use of substitute teachers.

⁵⁶ LACOE schools operate on a twelve-month calendar. This translates to 244 school days; a traditional ten-month calendar consists of 183 school days. JCCS twelve-month instructional staff is entitled to 24 vacation days per year, accrued at a rate of two days per month and bankable for up to 48 days. Staff is also permitted to take twelve sick days per year.

⁵⁷ LACOE Model for Halls, Camps, Community and MacLaren.

⁵⁸ Total Days Requiring a Teacher was calculated by multiplying the total number of classrooms by the number of instructional days. This data could not be disaggregated. The data includes the CECs, which the Task Force did not review.

Table 11

Substitute due to:	Total Days:	Percentage compared to Total Teacher days:	Percentage compared to Total Substitute days
Non-illness (Personal business, vacation)	5,926.5	7%	31.8%
Illness	4,302	5.1%	23.1%
Vacant Teacher positions	4,012	4.7%	21.5%
School business (Training, etc)	3,061	3.6%	16.5%
Over-flow (Class size exceeded 17 student maximum)	1,327	1.6%	7.1%

20. The Auditor-Controller should conduct a full review of LACOE’s use of substitute teachers and submit a report to the Board of Supervisors including, at a minimum, data on the frequency substitutes are used, the duration of their assignments, whether they are credentialed, the reasons they are needed, and non-school attendance due to substitute unavailability. The report should include a review for the juvenile halls, the camps and MacLaren Children’s Center.⁵⁹

V. Transition Services

Generally, there are several types of transitions that interfere with the continuity of education for children in the dependency and delinquency systems. These transitions occur when (i) delinquent children move among the halls and the camps; (ii) when dependent children cross-over into the delinquency system;⁶⁰ (iii) when delinquent or dependent youth transition or “reintegrate” back into the community; and (iv) when dependent youth transfer from a foster placement to MacLaren or when dependent or delinquent youth transfer from a psychiatric hospital to MacLaren or a Probation facility.

i. Transitions within the Probation System

One of the greatest challenges in providing continuity in education for youth detained in the Probation facilities is the number of times these students transition within the system. Currently, 45% of students move at least one time during a 20-day period, primarily between halls. The average student will move 6.5 times in a six-month period. Each

⁵⁹ Due to time constraints, the Task Force did not have adequate time to review this in the depth required to make comprehensive recommendations.

⁶⁰ Probation estimates that 20% of the children in its system are formerly dependent children.

time the student moves, there is loss of valuable class time and the continuity of instruction is broken. Based on LACOE's enrollment data, the average youth moves once while in a camp placement.

Generally, we found that transitions between Probation placements greatly impact continuity of learning for a number of reasons. First, students must spend time "enrolling" in the school at each new Probation facility. When students return to the same facility from a medical appointment or court appearance requiring a juvenile hall overnight stay, the student will be "re-enrolled." During the re-enrollment process, the assessment center teacher checks the child's records and whether the assessment records are current.⁶¹ As a result of the moves, classroom time is missed.

Second, LACOE's delay in getting comprehensive academic information about the child to the next Probation site delays a precise placement in an appropriate classroom. Moreover, if LACOE is not informed of the child's movements in advance, the child's spot in a given classroom may go to another student. For example, if a child is moved from a camp to a hall for a brief medical visit and then returned to the same camp, LACOE cannot ensure that the child will be replaced in the same classroom unless LACOE has advance notice and reserves the spot.

Third, the child's academic file (which could contain information from the child's district school) is not sent directly with the child to the next school. Instead, it is sent to a centralized Student File Center and may take up to two weeks to get to the next site.⁶² Where LACOE is notified of the next site, LACOE can fax the information directly to the new school. However, absent this information, teachers and administrators at the subsequent site do not have all the information available on that child and cannot incorporate it into an ILP until it is received.

Fourth, as discussed on page 19, student progress is interrupted if a child is moved to another site and placed in a classroom where he or she already has learned the material being covered by that teacher. While in that class, the student may not be able to build on the knowledge learned in the previous school and momentum may be lost.

21. Probation should regularly forward to LACOE a "master calendar," which includes projected release or transfer dates for each child so that LACOE can plan for the student's move in advance.

⁶¹ Although subsequent sites can check LACOE's central database for general information about a student (i.e. reading level and special education status if available), this information may not be recent or reliable. This is especially true when the assessment is done immediately after the child first comes to juvenile hall because the child may have been too nervous about his court case or under the influence of alcohol or drugs to give an accurate performance.

⁶² If LACOE did attempt to send the file with the child to the next Probation site, there could be at most a day or so of lag time before the file arrived. This might occur because despite Probation's policy of notifying LACOE administration at least 24-hours prior to a student's departure, administrators report that they are not always so informed.

22. When a child transfers from one Probation facility to another, LACOE should send the child's academic file directly and immediately to the subsequent LACOE school instead of to the Student File Center. Probation must include LACOE in the camp placement order information as well as notify LACOE two weeks prior to a student's camp exit, or immediately after the court order is made if less than two weeks prior to the exit date.

ii. Transitions from Dependency to Delinquency

When a student enrolled at the MacLaren School is transferred to a LACOE school in a Probation facility, many of the same problems exist as files from MacLaren also go to the Student File Center before going to the child's subsequent school.

Dependent children transitioning into the delinquency system should come with a current and complete Health and Education Passport. This passport should inform LACOE staff about the student's needs so that appropriate services can begin immediately. Few dependent children have current and complete passports.

iii. Transitions Back into the Community

When leaving one of the Probation facilities or MacLaren, children often need assistance transferring school credits and enrolling in a new school, enrolling in college, locating a job, or enlisting in the military. To help students make this transition, LACOE provides a number of services, which include the Workforce Investment Act and CalWORKS program designed to assist students with job preparedness and placement, as well as other after school programs to help students plan for higher education.

Last year, however, LACOE reduced the number of education counselors whose primary job was to help students transition back to the community. We found that the education counselors had provided students with assistance planning for their stay at the facility and for their departure from it. For example, education counselors helped students determine how many credits they needed to graduate, which courses they needed to take, what grades they needed to receive, and whether taking the GED examination was a better option for them. Educational counselors also helped students to transfer back to a district school or CEC and to execute any long-term career plans. On July 1, 2001, LACOE hired many new educational counselors. Currently, each educational counselor covers approximately twenty classrooms; there are 12 educational counselors for all LACOE schools, including CECs.

For delinquent children, Probation offers programs designed to help children succeed when they are released back to the community. These programs include school linkages, direction to community-based services, employment referrals, after-school programs, and referral to individualized therapy to address individual needs.⁶³

⁶³ Probation has several educational and vocational programs designed to help prepare children for re-entering the community. For example, Camp Paige, in collaboration with Citrus Community College, provides a career training and job skills program to prepare students to find and retain

Once in the JCCS system, students often have difficulty re-enrolling in a school district. Problems exist because district schools sometimes refuse to take partial LACOE credits, a student's previous school refuses to re-admit the student because of the probation status/criminal offense, or the student exited the program mid-year.

As noted above, one major problem LACOE has is providing transition services to special education students whose parents' or guardian's educational rights are removed by the Juvenile Court. This problem arises because it is the school district of residence for the child's parent or guardian that has the responsibility to pay for special education services. If the court terminates parental rights or removes the parent or guardian's educational rights, the school district is no longer responsible for that child. Thus, if a child is in an emergency shelter such as MacLaren because the child was not successful in a group home, foster home, or licensed children's institution and parental rights have been terminated (which is the situation for many children), no school district will pay for the special education services. As a result, that child must remain in a LACOE school to receive special education services because LACOE is only authorized to provide services within the four walls of its own institutions.

- 23. LACOE should have each student meet with an educational counselor upon enrollment in a LACOE school. The educational counselor should provide students with an educational planner for students to input information regarding credits earned, credits needed, and other goals for obtaining a high school diploma.**
- 24. As recommended on page 18, LACOE and Probation should hire staff to accompany children when they re-enroll in their district school to ensure that this transition goes smoothly. Students need someone who can interpret and explain LACOE transcripts and grades to personnel at the district school and will make sure that the student is placed in an appropriate classroom and will have access to the support services and tutoring necessary to succeed in the new school.**
- 25. The State Legislature should enact legislation creating a funding mechanism for children who are left without a district of residence. This legislation should require the Juvenile Court to make orders that establish a district of residence for the child so that the child can be placed in a community school and receive proper special education services.**

iv. Transitions between a Psychiatric Hospital and MacLaren or a Probation Facility

employment. Graduates of the program have received full scholarships to the college. Camp Afflerbaugh has the "Sprockets" program, which trains students to become computer repair technicians. Camp Afflerbaugh also transports minors to an off-site certificated welding program that includes job placement assistance. Camp Holton collaborates with the Los Angeles Trade Technical College and East Los Angeles College to deliver academic and vocational curriculum to camp wards. Challenger Memorial Youth Center has an Internet-based instructional program for minors through Foothill College that qualifies for dual high school and college credits.

When a student transitions between a psychiatric hospital and MacLaren or a Probation facility, one of the challenges affecting the child's education is whether or not the receiving facility is provided a copy of the child's educational records. Currently, when a child transitions from a hospital to MacLaren or a Probation facility, the hospital may send a discharge summary a week or two after the child has been discharged. The discharge summary will include information regarding the child's health, and may include information regarding the child's educational work while at the hospital. When a child transitions into a hospital, the educational record will be sent from LACOE if it is requested by the hospital. If LACOE mails the student's records to the hospital, there may be a several day delay before the hospital receives the information and implements services. In addition, there may be a long delay before the records are returned to LACOE after the child is released. As with all transitions, this results in services being disrupted for the student.

26. LACOE should work in cooperation with the local psychiatric hospitals to implement a policy whereby information regarding the students' current educational work is transferred with children when they move between psychiatric hospitals and MacLaren and Probation facilities.

VI. Facilities

i. Special Handling Units

We found that the juvenile hall Special Handling Units ("SHUs"), where education takes place for certain children, are not educationally appropriate facilities. SHUs are a housing unit for minors taken out of the regular population because of serious behavioral or mental health concerns. All three of the juvenile halls have SHUs. Each SHU generally houses from five to twenty minors. These youth may remain in the SHU for up to 24 hours, and then must be returned to their unit or referred for a medical and/or psychological evaluation.

In the juvenile hall SHUs, education occurs in day rooms, conference rooms, or gymnasiums. There are no desks, blackboards or other features generally associated with a traditional classroom. These spaces are not exclusive to education. At times other activities take place within sight and sound of students and teachers involved in the learning process, making instruction challenging at best. As with other classrooms in the juvenile halls, academic levels of children in SHUs are diverse, which prevents teachers from giving a lesson appropriate for all students. As a result, children in the SHUs are given worksheets to do while a teacher circulates and helps the students if necessary.

27. Probation and LACOE should develop a joint plan to improve the conditions of the juvenile hall SHUs for educational purposes. This could include,

among other things, adding mobile blackboards and desks for use during school hours.

ii. “Overflow”

Currently, there is a large “overflow” problem in the juvenile halls where as many as 51 students at each site do not have a spot in a regular classroom. Probation and LACOE refer to this problem as “overflow,” but they disagree about the cause of the problem. According to LACOE, overflow children are students who do not have a classroom due to a lack of facilities. LACOE believes that overflow relates to the fact that the juvenile hall and camp facilities are operating at overcapacity and the population often exceeds the capacity of the school classrooms. Thus, out of necessity, students are being taught in their living units. According to LACOE, these students are provided with teachers and receive an education in their living units.

Probation, on the other hand, does not believe that the overflow problem is a facilities issue. Probation defines “overflow” as those children who are not receiving an education on a particular school day due to the lack of a teacher. According to Probation, overflow children are generally returned to the supervision of Probation staff and do not receive an appropriate education for the day.

At MacLaren, there has been at least one overflow classroom in operation at various times over the last two years. As of the date on this report, there has been one overflow classroom operating at MacLaren for five consecutive months.

Although we could not determine the cause of the overflow problem or the impact of it, we strongly recommend further study on this issue.

28. The report to be developed by the Auditor-Controller, as called for in Recommendation 20, should include a thorough review of the issues associated with “overflow,” including a review of the facilities available for educational purposes, the use of substitutes for overflow classrooms, the feasibility of using administrators when substitutes are not available; and the teachers’ collective bargaining agreement provision allowing the addition of 1-2 students in a classroom up to a maximum of 3 days per one month period.

iii. Special Education Facilities

Generally, we found that the physical space at all sites was very limited for special education instruction. Office space is cramped and provides little room for one-on-one services, including confidential sessions with the school psychologist. Moreover, special education teachers often share space with other administrators, making the environment noisy and prone to interruptions.

29. Probation and LACOE should work together to identify and develop appropriate space for special education teachers to conduct one-on-one therapy in an appropriate learning environment. Consideration should be given to using school classroom and library space that otherwise is unoccupied after school hours.

Part II

In addition to conducting a comprehensive review of the educational program provided to dependent and delinquent children in Los Angeles County, the Board of Supervisors instructed the working group to provide recommendations and a timeline of actions in response to the following points raised in its motion. We respond to each of the Board of Supervisors' points in turn.

- a. *An evaluation of LACOE student performance for the last two academic years and a review of the attendance of LACOE-credentialed teachers and the use of substitute teachers.*

- i. Student Performance for the Last Two Years

The Public Schools Accountability Act of 1999 requires all California schools to participate in a statewide testing system for measuring student achievement. For regular public school districts, the current measure is the Stanford 9 Achievement Test. The Stanford 9 Achievement Test measures long-term growth, but may not be the best way to measure student performance for students who move frequently among various schools, as do dependent and delinquent children. Schools like JCCSs, which serve specialized and highly transient populations of students, are developing alternative accountability plans. The JCCS alternative accountability plan (to be adopted in September 2001) will involve three State-approved performance measures in addition to the Stanford 9 Test to gauge student progress and academic achievement.

Student performance in the areas of reading and mathematics is a major priority for LACOE. LACOE reports that students are making substantial progress at an increasing rate. Beginning in February 1999, LACOE has measured student outcomes, using the *Advantage Academic Assessment System* (55).

Currently, approximately 75% of students enrolling in a LACOE-JCCS school read three years or more below grade level. During the 1999-2000 school year, students who read below the 4.0 grade level averaged reading gains of 6 months for every 2.7 months of instruction. In school year 2000-2001, children who read below 4.0 averaged reading gains of 8 months for every 2.7 months of instruction.⁶⁴

Students are experiencing similar gains in math. Students demonstrate an average of 6 months gain for every 3 months of mathematics instruction. LACOE has established Algebra as the base level of math instruction (in line with the State mandate and future High School Exit Exam requirement).

Since LACOE-JCCS is fully accredited by the Western Association of Schools and Colleges (WASC), students may earn their high school diploma from a hall or camp school, as well as from MacLaren Children's Center. In the 1998-1999 school year, 166

⁶⁴ Generally, the expected gain is one month for each month of instruction.

diplomas from the halls, camps and MacLaren were awarded; in 1999-2000, 180 students earned diplomas.

For students who enter the delinquency system and have not attended school, or have insufficient grades to earn a diploma by their 18th birthday, LACOE-JCCS offers the General Education Development (“GED”) program. A GED “diploma” is equivalent to a high school diploma in virtually all circumstances. In the 1998-1999 school year, 348 students in the halls, camps and MacLaren passed the GED test; in 1999-2000, 342 students were successful.

ii. Attendance of LACOE-Credentialed Teachers

A permanent teacher may be absent for a number of reasons, including illness, teacher training, personal business, jury duty, and for a school district with a twelve-month calendar, vacation. JCCS twelve-month instructional staff is entitled to 24 vacation days per year, accrued at a rate of two days per month and bankable up to 48 days, and twelve sick days per year. Vacation time for LACOE teachers is scheduled at each site. Teachers request vacation, which must be approved by a site principal. Factors that influence the decision to grant vacation time may include the availability of an appropriate substitute teacher.

iii. Use of Substitute Teachers

As discussed on page 32, the need for substitute teachers arises because of teacher illnesses, vacation time and personal business. All of the substitute teachers used are either fully credentialed or possess a California Teaching Permit. In addition, all substitutes receive three days of training on professional expectations, the subject area they will teach and the special needs of the JCCS population.⁶⁵

LACOE reports the following:

Total Days Requiring a Teacher ⁶⁶	85,030
Total Days a Substitute was Present	18,628
Percentage of Time Substitute Used	21.9%

⁶⁵ LACOE Model for Halls, Camps, Community and MacLaren.

⁶⁶ Total Days Requiring a Teacher was calculated by multiplying the total number of classrooms by the number of instructional days. This data could not be disaggregated. The data includes the CECs, which the Task Force did not review.

The following table provides details regarding the reported use of substitute teachers.

Substitute due to:	Total Days:	Percentage compared to Total Teacher days:	Percentage compared to Total Substitute days
Non-illness (Personal business, vacation)	5,926.5	7%	31.8%
Illness	4,302	5.1%	23.1%
Vacant Teacher positions	4,012	4.7%	21.5%
School business (Training, etc)	3,061	3.6%	16.5%
Over-flow (Class size exceeded 17 student maximum)	1,327	1.6%	7.1%

A. As indicated in Recommendation 20 of Part 1, the Auditor-Controller should conduct a full review of LACOE’s use of substitute teachers and submit a report to the Board of Supervisors including, at a minimum, data on the frequency substitutes are used, the duration of their assignments, whether they are credentialed, the reasons they are needed, and non-school attendance due to substitute unavailability. The report should include a review for the juvenile halls, the camps and MacLaren Children’s Center.⁶⁷

b. The feasibility of LACOE moving to a nine-month school year and a summer session and feasibility of using the summer session to provide innovative teaching programs, opportunities to bring in teachers from other schools with special talents and experiences for short-term commitments.

i. LACOE Calendar

Currently, LACOE runs on a twelve-month schedule, which means that students are in school 244 days a year. By comparison, there are 183 school days in a traditional or ten-month calendar. Since children are detained (in both the dependency and delinquency systems) and released virtually every day of the year, the twelve-month calendar is utilized in order to ensure the availability of an educational program for students entering and leaving the system at all times during the year. Moreover, because many of the children are already several grade levels behind expectation, the twelve-month school year increases the number of days the children are in school.

ii. Innovative Teaching Programs

⁶⁷ Due to time constraints, the Task Force did not have adequate time to review this in the depth required to make comprehensive recommendations.

Although LACOE has considered using the summer session to provide intensive innovative programming, LACOE administrators felt, and we agreed, that such a plan would not work well for the JCCS student population because students enter the system at various times in the year. For example, if the summer session focused on art, the students enrolled in the summertime may not receive as much direct reading and math instruction as they would if enrolled at other times of the year. A twelve-month calendar ensures that all students have access to the core curriculum as well as the innovative programs that may be available over the course of the year. Moreover, if LACOE offered only innovative, elective programming during a summer session, students might not be able to complete courses from the spring trimester or have an opportunity to earn credits necessary for graduation.

- c. *Evaluate and submit recommendations to address how to minimize the negative impact to the continuity and quality of education by frequent transitions (include juvenile halls, camps, placement, MacLaren Children's Center & psychiatric hospitals).*

As discussed more fully on pages 33 to 37, there are several types of transitions that interfere with the continuity of education for children in the dependency and delinquency systems. These transitions occur when (i) delinquent children move among the halls and the camps; (ii) when dependent children cross over into the delinquency system;⁶⁸ (iii) when delinquent or dependent youth transition or “reintegrate” back into the community; and (iv) when dependent youth transfer from a foster placement to MacLaren or when dependent or delinquent youth transfer between a psychiatric hospital and MacLaren or a Probation facility. All of these transitions negatively impact a student’s education. To minimize the impact of these frequent transitions, we recommend the following:

- B. LACOE should ensure that the comprehensive assessment called for in Recommendation 1 in Part I will follow a child to all subsequent placements so that a student can be placed in an appropriate classroom immediately upon arrival at a new school. In addition, LACOE should send student files directly to the student’s next school instead of to the Student File Center first as is the current procedure. This will enable teachers to incorporate information from both the assessment and the school records into the Individual Learning Plans developed for each student.**
- C. LACOE should implement uniform lesson plans at all LACOE schools in all or certain basic subject areas. Uniform written lesson plans for each day or each week at all LACOE schools will ensure that children transitioning from site to site have continuity in learning because the next day’s lesson will continue where the student left off the previous day.**
- D. For dependent children, the Department of Children and Family Services should provide LACOE staff with information about the child’s educational needs as soon as the child enrolls in a LACOE school. This information**

⁶⁸ Probation estimates that 20% of the children in its system were formerly dependent children.

should be readily available in the Health and Education Passport. If LACOE had this information immediately, especially the child's current IEP, LACOE could implement services without having to wait for records from the child's previous school.

E. The Department of Children and Family Services should explore the feasibility of arranging for children who come to MacLaren but are expected to be placed with a relative or foster family shortly to remain in their community school. Enrolling the student in the MacLaren School needlessly interrupts the student's learning if the student will be returning to the community school shortly and is already receiving services there.

d. Evaluate and submit recommendations about how to implement a comprehensive case and student assessment. The assessment should include the range of other issues that can constitute barriers to education such as physical health, mental health, substance abuse, LD and family violence.

As discussed in detail on page 16, we felt that a comprehensive assessment of each child is necessary to ensure that dependent and delinquent children are placed in the appropriate classrooms and residential facilities, and provided with all of the services the child is entitled to receive. A comprehensive assessment will help teachers better understand their students' needs and allow them to incorporate the information into the students' Individual Learning Plans. The following are our recommendations with respect to assessments:

F. As indicated in Recommendation 1 in Part 1, LACOE, with the help of other agencies, should participate with a team of professionals in conducting a comprehensive assessment when a student enters the delinquency system.⁶⁹ A comprehensive assessment must include physical, mental health, familial history and educational components.

G. The information learned from the comprehensive assessment should be input into a central database so that all service providers, including teachers, Probation staff and mental health providers can access the information.⁷⁰ Staff from each of the agencies responsible for providing services to dependent or delinquent children should work with the Board of Supervisors to draft any legislation necessary to remove confidentiality barriers that may restrict information sharing among agencies.

H. Except where there are serious security, medical, mental health, or legal reasons, a student should not be moved from the juvenile hall where the assessment is being conducted until it is complete. As juvenile halls serve as

⁶⁹ The law already requires a comprehensive Health and Education Passport to be developed for dependent children.

⁷⁰ At MacLaren, there is a database with this information ("CWS/CMS"). Probation is supposed to have "read only" access soon.

the doorway for children entering the juvenile justice system, it is a perfect location to assess the child so that subsequent placement decisions can incorporate information revealed by the assessment.

I. For dependent children, the Department of Children and Family Services should dedicate the resources necessary to implement the Health and Education Passport (or its equivalent) required by Welfare and Institutions Code section 16010.

e. The feasibility of creating class compositions in all settings by age and other appropriate developmental factors.

Currently, LACOE classrooms are grouped by age, grade level and reading ability. Generally, we found that many of the classroom groupings are too broad, which results in diverse academic levels in the classroom. As a result, some students are very bored in class because the work is too easy and other students are frustrated because the work is too hard. Moreover, teachers report that the wide range of abilities forces them to over-rely on workbooks and worksheets instead of lessons aimed at the entire class.⁷¹

J. LACOE should place students in classrooms based primarily on academic ability so that all students in the class have an opportunity for academic growth.⁷²

K. LACOE should consider hiring aides for all classrooms so that teachers will have additional support staff. This will enable teachers to utilize a combination of teaching methods, including class lectures and independent deskwork. Aides also will help teachers maintain order in the classroom and will provide one-on-one assistance to students who need it while the teacher continues the lesson for the rest of the class.

f. Evaluate the requirement to provide adequate lesson plans in each classroom that can be monitored for compliance and serve as a guide for a substitute should the regularly assigned teacher be absent.

As discussed on page 19, the absence of daily lesson plans limits administrative oversight of the teachers, impacts the continuity of learning when a substitute teacher is used, and impacts continuity of learning when students transition among LACOE schools. With respect to lesson plans, we recommend the following:

⁷¹ Some teachers report that independent deskwork permits them to have greater control over their classrooms. Other teachers report that it reduces interruptions in learning that occur when a student is removed from the classroom by Probation or DCFS. When students are taken out of class, teachers must stop lecturing to the class in order to fill out paperwork for the student who is leaving. As a result, valuable teaching time is lost.

⁷² For special education classes, the law requires LACOE to make "age appropriate" placements, which has been interpreted by the California Board of Education to mean three and five year age ranges for certain programs. However, there is no such requirement for children in general education classes so students may be grouped based on ability alone.

L. LACOE should consider creating a master curriculum or implementing uniform lesson plans at all LACOE schools in all or certain basic subject areas. Uniform written lesson plans for each day or each week will make it easier for substitutes to continue where the regular teacher left off and will ensure that children transitioning from site to site will have continuity in learning because the next day's lesson will pick up where the student left off the previous day.

M. LACOE should implement a policy directing school administrators to monitor whether teachers are using the uniform lesson plans developed pursuant to the above recommendation.

g. Evaluate the quality of Individual Learning Plans and demonstrate how they relate to improving the progress of student performance.

As discussed in more detail on page 19, Individual Learning Plans (“ILPs”) should reflect a student’s individual needs and goals.

N. LACOE teachers should develop ILPs for each student that reflect that student’s needs and academic goals. The ILP should set forth specific measurable goals for the student so that teachers can easily assess a student’s progress. In addition, students should be involved in developing their ILP. The ILP should be reviewed by the teacher and the student at set intervals. These student-teacher conferences will provide students with feedback about their progress in meeting ILP goals, a sense of accomplishment if ILP goals are met, and the motivation and encouragement to try harder or seek additional help to meet ILP goals.

h. Identify strategies that focus on reintegration into the community including options such as public schools and community colleges, as well as including families in education efforts.

i. Reintegration into the Community

As discussed on page 35, students face many challenges when reintegrating back into a community school.

O. To ensure that delinquent children have direction while they are incarcerated and goals to focus on after they leave the system, LACOE should provide full time educational counselors at every site. The educational counselors can help students evaluate the educational options open to them when they re-enter the community, and plan for their future.

P. LACOE and Probation should increase opportunities for children who have already graduated high school or earned their GED to get college credits.

LACOE should focus on furthering the education of these children, not using them as teacher's aides in the classrooms.

Q. As indicated in Recommendation 6 in Part I, LACOE and Probation should hire staff to accompany children when they re-enroll in their district school to make sure that the transition goes smoothly. Students need someone who can interpret and explain LACOE transcripts and grades and ensure that the student is placed in an appropriate class and will have access to the support services and tutoring necessary to succeed in the new school. At a minimum, LACOE needs to ensure that a narrative accompanies a student's transcript when the student transfers to a new school.

ii. Involving Children's Families

Although studies have demonstrated that parental involvement in their child's education motivates the child to greater achievement, the reality is that the parents and guardians of LACOE's students are not very involved with their children's education. For delinquent children, parental contact is limited to three hours per week on Sunday afternoons.⁷³ At some sites, LACOE reports that teachers have contact with the visiting parents during that time. However, most parents are unable to participate in their child's education because they lack the resources or the time to go to the outlying camps. At MacLaren, many parents have had their parental rights terminated by the court.

R. Probation will ensure that LACOE is advised of the up-coming camp shuttle bus services⁷⁴ so that LACOE can maximize its ability to integrate parents into their children's educational program and keep them informed of their children's progress.

S. LACOE and Probation will explore the possibility of utilizing technology to expand the opportunities for parents to be involved in their child's education.

T. LACOE should hire an "Educational Advocate" for each school or each cluster of schools, whose function would be to serve as the liaison for parents or guardians who would like to be involved in their child's education. The Educational Advocate will offer training to empower parents and guardians to identify unmet educational needs and to advocate for services that meet those needs. LACOE Educational Advocates also should develop a program, much like the Educational Rights Project in Santa Clara County, to recruit a pool of community volunteers and public interest attorneys to act as advocates on cases where the child's parent is not willing, able or available to advocate on the child's behalf or the case requires additional assistance.

⁷³ Unless parents make special requests to visit their children at a different time.

⁷⁴ The shuttle bus services are a component of Probation's AB 1913 (Schiff-Cardenas) Juvenile Crime Prevention Act 2000 plan. The plan was approved by the Board of Supervisors in Fiscal Year 2000-01.

- I. *Develop performance standards, apart from the Stanford 9, with measurable outcomes and goals with an annual evaluation.*

The Education Code requires all schools to report on academic accountability using primarily the Stanford Achievement Test, 9th edition (“SAT-9”). The State Legislature recognizes and acknowledges that the SAT-9 is not an accurate measurement for court school students and enacted a proviso that allows for alternative accountability measures. Acceptable alternative measures were adopted by the State Board of Education in June 2001. Each County Board of Education is allowed to select three measurements to use in addition to the SAT-9. The County Board of Education plans to select the additional measurements LACOE will use by September 30, 2001.

In addition to the SAT-9, beginning in 2003-2004, all students will be required to pass the California High School Exit Examination in order to receive a high school diploma. This test may go beyond the skill levels of many students in the dependency and delinquency systems, but it will be required for all students to graduate.

- U. The Board of Education should work with State to draft legislation for alternative measures for court schools and their abilities to make and measure short-term progress.**

- j. Report on how many students in the LACOE system face language barriers and the specific recommendations on how to address this gap in service.*

As discussed on page 30, 36% of JCCS students will require some support with English language development. LACOE’s thrust has been to train permanent employed teachers in SDAIE and hire new teachers that are CLAD and BCLAD certified.

- V. As suggested in Recommendation 18, LACOE should implement the Master Plan for English Language Learners to ensure the availability of trained teachers for students who are learning English.**

Conclusion

Although this report highlights several significant challenges that LACOE must overcome in order to provide dependent and delinquent youth in Los Angeles County with quality educational services, we believe that much can be done by LACOE and other responsible agencies to improve the services currently provided to these children. We are hopeful that our findings underscore the opportunity and need for change in several key areas, and that our recommendations, especially those related to assessment procedures, special education, and transition services, can be implemented to improve the quality of the educational programs offered to dependent and delinquent children.

The following is a list of the official Task Force members:

NAME	TITLE	AGENCY
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Terry B. Friedman	Juvenile Court Presiding Judge	Juvenile Court
Marilyn Gogolin	Acting Superintendent	LACOE
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Lloyd W. Pellman	County Counsel	County Counsel's Office
Betty Rosenstein, Ed.D	President of the Probation Commission	Probation Commission
Richard Shumsky	Chief Probation Officer	Probation Department

The participants who attended the meetings are listed below.

NAME	TITLE	AGENCY
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