Background

Every child deserves an excellent education to pave the way for a lifetime of learning and a bright future of economic opportunity. But Connecticut has long struggled to educate young people in our juvenile and criminal justice systems.

Children are most likely to thrive when they are kept in their own homes and educated in their own communities, not in custody. And, while we still have a long way to go, Connecticut has made real progress in keeping justice-involved children in their own homes, communities, and schools.

But when we do remove children from their homes, it is critically important to provide them with high-quality educational supports and services. Educational achievement is a key protection against recidivism, and strengthening education is one of the surest ways of increasing community safety and improving life outcomes for vulnerable youth.

So we cannot afford to delay in reforming education for the relatively small number of youth who are still committed to justice system custody. Continued delay will have a profound and negative effect on the lives of our most vulnerable children and the safety of our communities.

Recognizing the need to reform, the Connecticut legislature in 2016 directed key state stakeholders to collaborate in developing a plan to better meet the educational needs of justice-involved youth. The ensuing conversation, convened by a workgroup of the state’s Juvenile Justice Policy and Oversight Committee, offers a way towards meaningful structural and policy fixes. This Issue Brief summarizes that conversation, discussing the importance of reform and laying out a path forward.

Who Are the Youth in the Deep End of the Justice System, and Who Is Educating Them?

Detention

- Detained youth are physically held in state custody prior to trial and sentencing.
- The Court Support Services Division (CSSD) of the Judicial Branch operates the state’s two detention centers, in Hartford and in Bridgeport.
- 1,329 youth were admitted to detention from July 1, 2016 through June 30, 2017.
- The average daily population of youth in detention has fallen below 30 as of the end of 2017, with an average length of stay of 8 days.
- Detained youth are educated by the local school district in which the detention center is located, with funding provided by the district where the child previously attended school.

Secure Custody

- Youth in secure custody are held in a locked facility after conviction and sentencing in juvenile court.
- The Department of Children and Families (DCF) operates the Connecticut Juvenile Training School (CJTS), the state’s only secure juvenile facility for boys, in Middletown. DCF contracts with a nonprofit provider for girls’ secure custody. By July 1, 2018, CSSD will assume responsibility for youth placed in post-conviction custody, and CJTS will be replaced by smaller, contract facilities.
- 113 boys were admitted to CJTS from July 1, 2016 through June 30, 2017. The average daily population had fallen below 50 by late 2017.
- Youth at CJTS are educated by DCF, with funding provided directly by the state of Connecticut.
The Challenge of Educating Youth in the Deep End of the Justice System

Factors intrinsic to custody often make it harder to educate out-of-home youth. Education in detention centers, for instance, is confounded by structural problems that include short lengths of stay; the disruptions necessitated by court appearances; and the mobility of youth who enter and leave the school for reasons unrelated to their education.5

Other challenges arise from the educational deficits and unmet needs that are already present in the lives of youth who fall into the deep end of the justice system.

Too frequently, youth in the justice system have already become disconnected from school.7 In Connecticut, only half of the youth entering detention centers were previously enrolled in traditional high-school settings.8 A survey found that 57.5% of youth entering the school in Hartford’s detention center have diagnosed special education needs.9 The overwhelming majority of youth in detention are behind in school, usually by at least two or three grades.10 And, if their experience is consistent with their peers across the country, a majority have a history of suspensions and expulsions.11

At the deeper end of the system, the data suggest even greater challenges. The Department of Children and Families, which operates the school in Connecticut’s secure custody facility for boys, reports that 80% of youth have identified special education needs at intake, and the average combined reading and math grade level of entering youth is 5.4.12

The Importance of Educating Youth in Custody

Too often, children do not experience educational turn-arounds in custody. Instead, the problems often get worse. National data compiled by the Southern Education Foundation show that fewer “than half of high-school-aged students earned any high school credits while in custody; only nine percent earned a GED certificate or high school diploma; and only two percent were accepted and enrolled at a two- or four-year college.”13

Youth in custody fail to progress, and their experience of frustration and disconnection only makes them less likely to continue in school when they return to the community. One analysis found that “[w]ithin a year of re-enrolling in school after spending time in juvenile detention, up to 75% of formerly incarcerated youth end up dropping out of school, and less than 15% will finish their high-school education within four years.”14 This dropout has significant lifelong consequences for youth who lose access to a world of educational and economic opportunity.15

By contrast, effectively educating youth in custody can make an enormous positive difference. Youth who gain educational ground in custody are more likely to stay in school when they come home and less likely to reoffend. One study found that youth with above-average achievement in custody were 69% more likely to return to school after release. Meanwhile, “youth with higher school attendance had a 26.4% lower likelihood of being rearrested at 12 months and were 15.3% less likely to be rearrested at 24 months.”17 Even those youth who attended school and were rearrested were picked up on less-serious allegations.18
Connecticut Struggles to Meet the Educational Needs of Youth in Justice System Custody

Justice systems across the country struggle to educate youth in custody. U.S. Department of Education data show that most students enrolled in a juvenile justice school for 90 days or more “failed to make any significant improvement in learning and academic achievement” over that time.19

Like many states, Connecticut publishes little data on educational outcomes for youth in the deep end of the justice system. The State Department of Education’s school profiles for educational institutions in custodial facilities, for instance, are missing most of the key accountability data that is provided for community-based schools. But the data that we have are troubling, and reflect some of the most disturbing national trends. In 2015, for instance, 91% of youth in the custody of the Department of Children and Families (DCF) – which holds both justice system involved youth and youth in the abuse and neglect system – did not reach the state’s math achievement benchmark, and 80% did not measure up in reading.20 And DCF’s Fostering Responsibility, Education and Employment (FREE) reentry program – which contracts with nonprofits to provide case management for paroled youth – reports that “of the discharged youth who are enrolled in secondary or post-secondary education, the level of engagement remains low.” FREE’s Hartford contractor quantifies that disengagement: Of paroled youth served in the Hartford region in FY 2017, only 14% had a school attendance rate of 80% or more within six months after release.21

What Isn’t Working? Diagnosing the Problems

A work group convened by Connecticut’s Juvenile Justice Policy and Oversight Committee met throughout 2017 and diagnosed four key problem areas that need attention from policymakers:

• We are fragmented and expensive: Connecticut has a welter of uncoordinated state and local agencies and actors providing educational services for youth in justice system facilities, each with its own policies and practices. Fragmentation costs money by defeating economies of scale in an era of shrinking budgets and falling populations of youth in custody. For instance: In 2016, education at the Connecticut Juvenile Training School and in our detention centers cost more than $35,000 per seat in staffing alone. But, because we have no economies of scale, even that was not enough, as the detention center schools slashed expenses to the extent that teachers were not always available in every classroom.

• We lack quality standards, monitoring, and accountability: Connecticut has no quality standards for educating out-of-home youth in the justice system; very little data reporting and external monitoring for educational programs in custodial facilities; and few accountability mechanisms.

• We lack specialization and expertise: Right now some educational services are provided by programs that lack specialized expertise in educating youth in custody. Largely because of resource deficits that come with fragmentation and the absence of economies of scale, some providers are not able to invest in teacher training, curriculum development, or the multiple pathways to success – like rapid credit recovery, vocational education, and post-secondary options – that youth in custody need.

• We let youth slip during transitions: Fragmentation makes seamless transitions among facilities, and between facilities and the community, more difficult. Connecticut struggles with records collection and transfer; identifying youth with special needs; and reentry planning and support.

The Opportunity: A Moment of Structural Change in Connecticut’s Juvenile Justice System

Legislation passed in 2017 works a fundamental structural change in Connecticut’s juvenile justice system, charging the Judicial Branch’s Court Support Services Division with designing and overseeing a single, coherent continuum of supervision for youth from the moment of detention through return to the community.24 At the same time, Connecticut is proceeding with plans to close its remaining secure facility for boys, in the face of mounting evidence that large locked facilities are less effective at reducing recidivism and improving life outcomes than community-based services. The closure of the Connecticut Juvenile Training School and the consolidation of juvenile justice services come at a time when the
Consolidation and Quality

Just next door, there is a promising example of a solution to fragmentation. In Massachusetts, a single nonprofit operates all of the schools in juvenile justice facilities. It reports directly to the state Department of Education, which has exclusive responsibility for oversight over contract compliance and educational quality. Massachusetts’ successful innovation began in 2003. Its first systematic evaluation, in 2008, found structural improvements in areas like the stability and qualifications of education staff. The evaluation also found improvements in outcome measures like the number of youth earning high school diplomas and pass rates on state standardized tests. The juvenile justice education system’s annual reports, which feature extensive data reporting and in-depth discussions of instructional initiatives, show continued outcome improvements over time. Today, Massachusetts is cited by national experts as a model juvenile justice education system.

The Path Forward: Towards A Solution

As the 2018 legislative session approaches, the legislature’s Juvenile Justice Policy and Oversight Committee will be presented with a set of recommendations for legislative and policy change aimed at taking advantage of this moment of opportunity to effect lasting structural change. Among the key recommendations under consideration:

Coordination & Consolidation

- Legislate a planning and implementation process leading to the creation of a consolidated system for educating youth in the deep end of the justice system
- A single state agency should assume ultimate responsibility for ensuring and overseeing the delivery of high-quality educational services and transitional supports

Redeploy Resources

- Resources conserved through consolidation should be redeployed to support increased oversight and stronger supports for teachers and students

Quality Control & Accountability

- Create a comprehensive quality control system with:
  - Clear quality standards
  - Benchmarks for achievement
  - School profiles with relevant quality metrics
  - Evaluation and monitoring
  - Meaningful interventions if achievement falls short of benchmarks

Expert Teachers & Specialized Curricula

- Support a statewide professional development community for teachers of youth in the justice system
- Develop a flexible, high-interest, modular curriculum, aligned with state standards
- Offer vocational and post-secondary learning options, with multiple pathways to graduation and careers

Transitional Supports

- Reinvest resources conserved through consolidation in reentry coordinators
- Mandate continued enrollment in home schools for detained youth
- Incentivize infrastructure for real-time sharing of educational records
- Create pathways from the justice system to the Technical High School system
Footnotes

3. See, e.g., Mark A. Cohen and Alex R. Piquero, “New Evidence on the Monetary Value of Saving a High Risk Youth,” p. 17, 25 Journal of Quantitative Criminology 25-49 (2009) (“When juveniles are educated, they are less likely to recidivate and more employable, which in turn leads to safe and stable communities… Helping young, high-risk youth turn their lives around reduces criminal activity, drug use, and government dependency. The results in savings total, over a lifetime, between $3.2 million and $5.8 million per juvenile.”).
8. Data provided by the Connecticut Judicial Branch, Court Support Services Division, on file with author.
9. Data provided by Lilian Ijomah, principal, CREC School at Hartford Detention Center, on file with author.
12. Data provided by Christopher Leone, former Superintendent of Unified School District #2, on file with author.
15. See, e.g., Thomas G. Blomberg, et. al., “Incarceration, Education and Transition from Delinquency,” p. 357, 39 Journal of Criminal Justice 355–365 (2011) (“Educational success can lead to college, graduate school, and professional careers, while educational failure reduces these same opportunities and the potential employment doors they may open.”).
18. Id.
21. Data provided by Catholic Charities of Hartford; on file with author.