



## EDUCATION OF INCARCERATED JUVENILES: HOW ARE WE MEETING THE CHALLENGE?

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### ISSUE

Is the San Mateo County Office of Education adequately educating its incarcerated youth?

### SUMMARY

The San Mateo County Office of Education (COE) is responsible for educating juveniles who are detained in County facilities for criminal offenses.<sup>1</sup> The Court Schools Program operates three schools in partnership with the San Mateo County Probation Department, providing education programs for students from 8 to 18 years of age. The three year-round programs include the Youth Services Center in San Mateo, Margaret J. Kemp Girls Camp, also at San Mateo Youth Services Center, and Camp Glenwood Boys Ranch in La Honda.

Providing an education to incarcerated juveniles is challenging because the youths typically are incarcerated for different lengths of time, have different English language skills, may not be at grade level in any given course, may have anger or gang issues, and may have special physical, mental health, and educational needs.

The San Mateo County Civil Grand Jury has concluded that the COE has a well-managed Juvenile Court Schools Program operated by experienced and sincere teachers and administrators. However, there are several areas of potential weakness that should be addressed, specifically:

- The San Mateo County Probation Department (Probation) and Behavioral Health and Recovery Services (BHRS) should ensure that the boys incarcerated at Camp Glenwood<sup>2</sup> are receiving proper mental health care.
- Computers, including online instruction, should be used more extensively to educate the incarcerated juveniles.
- The COE should develop procedures to ensure that all academic credits earned while juveniles are incarcerated are quickly and accurately transferred to the correct course and school when the juveniles are released from detention.

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<sup>1</sup> California Education Code § 48645-48645.6. [http://www.legaltips.org/california/california\\_education\\_code/48645-48645.6.aspx](http://www.legaltips.org/california/california_education_code/48645-48645.6.aspx).

<sup>2</sup> According to a Probation Department Official, at the time of this report, the Camp Glenwood programs were in “a period of evaluation,” and the boys are scheduled to be moved to the Youth Services Center in San Mateo for approximately 90 days.

- A more effective system should be developed to ensure contact by the COE and Probation with students' families and schools prior to the time that juveniles are released from detention.

## GLOSSARY

**BHRS** Behavioral Health and Recovery Services, or BHRS, is a division of the San Mateo County Health System. It provides mental health and substance abuse treatment to County residents who qualify for public insurance such as Medi-Cal or the Health Plan of San Mateo.

**CASA** Court Appointed Special Advocates, or CASA, is a local child advocate program, consisting of lay volunteers appointed by the juvenile court to mentor and help identify services needed by the children in juvenile detention facilities and wardship proceedings.

**CFS** Children & Family Services, or CFS, is the child welfare system, made up of multiple County agencies, all of which share the goals of providing for the safety, stability, and well being of children and their families.

**IEP** An Individualized Education Program, or IEP, is a plan outlining a student's special education program and related services tailored to meet the unique needs of the student. These services are provided at no cost to parents. To get an IEP, the child must have one or more of 13 specific disabilities that affect the student's ability to access the general education curriculum. The IEP is reviewed at least once annually, and the student must be reevaluated every three years to determine whether services are still needed.

**NMT** Neurosequential Model of Therapeutics, or NMT, is a way to map the neurological development of maltreated children. Formal therapy is combined with rich relationships with trustworthy peers, teachers, and caregivers, as well as a range of somatosensory activities and interventions.

## BACKGROUND

Following a suggestion that the COE was not providing all required educational support to incarcerated juveniles, especially those with physical and mental health challenges who are housed at Camp Glenwood, the Grand Jury decided to undertake this investigation.

## METHODOLOGY

The Grand Jury interviewed representatives of the COE, the County Probation Department (Probation), Behavioral Health and Recovery Services (BHRS), the Private Defender Program, and the Juvenile Court. The Grand Jury conducted research and reviewed documents from the COE, Probation, and BHRS and also toured the Youth Services Center (YSC), Camp Kemp, and Camp Glenwood.

## DISCUSSION

Several entities are involved in caring for and educating juveniles from the time they are arrested until their release from detention.

### The Incarceration/Assessment Process

When juveniles (anyone under 18 years of age) are arrested,<sup>3</sup> they are brought to the Youth Services Center (YSC) in San Mateo for processing.<sup>4</sup> At YSC, a team is assembled within 24 hours to assess the detainee's physical and mental health status and make a recommendation to a juvenile court judge regarding disposition of the juvenile.

The assessment team that initially evaluates the juvenile typically consists of a probation officer, a social worker who is a member of the Children & Family Services (CFS) division of the Human Services Agency, and two representatives from BHRS (a mental health specialist and an alcohol and drug specialist). This team is concerned with the juvenile's emotional and physical state as well as his or her educational needs. Approximately 500 SMC youth go through this process each year.

The information collected at each of these evaluations is presented to a juvenile court judge at the detention hearing. The hearing takes place within three days of the juvenile's being arrested. At this detention hearing, a judge decides whether the youth is released to the family or continues to be held at YSC. At a later time, the juvenile may be sent to Camp Glenwood in La Honda (boys only) or Camp Kemp, which is adjacent to YSC in San Mateo (girls only). Detained youth who are awaiting a hearing or court-ordered placement are kept at YSC. The average time a juvenile is held at YSC is approximately one month, but can vary from a couple of days to two years or more. The average length of stay at Camp Glenwood was 171 days and 138 days at Camp Kemp in 2014.<sup>5</sup> The judge's decision on the location and length of incarceration depends on many factors, including the juvenile's criminal history and need for special attention due to special mental health or physical needs.

Two juvenile court judges follow the students' progress throughout their incarceration, often by evaluating or ruling upon issues that are brought to the judges' attention. The juveniles at the two camps appear before a judge at least once per month for a status hearing. The judges also visit each camp several times each year.

All children who are processed at YSC and who have a petition filed against them, and have not retained a private attorney, are appointed an attorney by the court. The attorneys are designated by the Private Defender Program of the San Mateo County Bar Association. The private defenders have an opportunity to encourage compliance with academic goals.

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<sup>3</sup> A Probation Department Official told the Grand Jury that there is no minimum age for processing at YSC, but that the great majority are high school students and a few middle school students.

<sup>4</sup> *My Child Was Arrested, What Do I Do? Understanding the San Mateo County Juvenile Justice System*, Behavioral Health and Recovery Services, Youth Services Center. <http://smchealth.org/sites/default/files/docs/BHS/YSCBrochure.pdf>.

<sup>5</sup> Officials from Probation and Behavioral Health and Recovery Services: interviews by the Grand Jury.

## The Education Process

The COE provides education to incarcerated juveniles and supervises the teachers and curriculum. Probation operates the physical property in which the juveniles are housed, including the classrooms. Probation's primary goal is to keep the students safe. In addition, because probation officers are in close contact with the juveniles daily, they also have the opportunity to encourage the students to complete their studies and homework assignments.

The day of a juvenile in detention looks very much like that of an average American teenager, i.e., school dominates. School is the focus of their lives outside the living unit that is their home during incarceration. On a typical day, students wake up at 7:00 a.m., have breakfast at 8:00 a.m., and then are in classrooms from 8:30 a.m. to 2:45 p.m. with a one-hour break for lunch. They then participate in physical recreation from 3:00 p.m. until dinner followed by private time in their rooms, evening recreation, and any special programming; they are in their rooms for the night starting at 8:00 p.m. The juveniles at all the facilities are required to attend classes every weekday. Class size is typically 12 to 15 individuals but can be as high as 20.

Almost all of the detainees are high school students. Their daily education while incarcerated is important because, if they are detained for more than a few days, they will miss a significant number of high school classes, which may lead to failure in those courses.

The students in each class often have attained different levels of education and range in age from 13 to 18 years. Therefore, teachers have to teach to diverse learners at different levels. The COE is working with a consultant company to introduce a system to allow online computer education to meet an individual detainee's level of learning and areas of interest. Court school students already have access to an online credit recovery program at Camps Kemp and Glenwood that helps students who do not have enough credits to graduate from high school. If additional online courses were available, students could learn at their own achievement level. The COE expects this expanded online learning to start in the fall of 2015. After first being utilized in credit recovery classes, including YSC, the online education also will be used to teach standard course work such as math. This online education system also will prevent Internet abuse.

Special education students' Individual Education Plans (IEPs) at their home school will be transferred to the juveniles' court school when they are incarcerated.<sup>6</sup> Court school teachers will also develop IEPs if students qualify for special education while in the court school even if they did not qualify for special education at their home school.

Representatives of the COE, BHRS, and Probation meet regularly to discuss student progress. Should a student appear to struggle academically while enrolled in a court school, staff first holds a Student Study Team meeting. If there is consensus on the need for assessment for special education, the court school staff follows the legal protocol of requesting parent permission for

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<sup>6</sup> Officials from Behavioral Health and Recovery Services, Probation, and San Mateo County Office of Education: interviews with the Grand Jury. An IEP is an individualized written statement for a child with a disability, which describes the educational program that has been designed to meet that child's unique needs. See Part B of the Individuals with Disabilities Education Act (IDEA). Center for Parent Information and Resources, "Part B of IDEA: Services for School-Aged Children," August 2014. <http://www.parentcenterhub.org/repository/partb/>.

assessment. If permission is provided, they assess, hold an IEP team meeting, and work with the IEP team to determine the best course of action.

Representatives from each of the above groups usually attend weekly meetings at YSC to discuss overall and individual status and educational progress. In addition, several community organizations collaborate with Probation and COE to help promote the students' education as well as physical, emotional, psychological, and spiritual well-being. One of the more active organizations is Court Appointed Special Advocates (CASA).

CASA is the local child advocate program, which consists of lay volunteers appointed by the juvenile court to mentor and help identify services needed by the children in juvenile detention facilities and wardship proceedings.<sup>7</sup> These volunteers must undergo 30 hours of initial formal training and a minimum of 12 hours of continuing education per year. In SMC, CASA volunteers expect to serve about 285 children in 2015 with about 45 of those either incarcerated or on probation. The CASA volunteers work with the COE, private defenders, and the juvenile court to monitor the progress and education of the juveniles. All representatives interviewed from each government agency spoke highly of the CASA program.

CASA volunteers supervise computer use by the boys at Camp Glenwood for academic, career, and transition planning, and also serve as tutors, proctors, and instructors as needed. These volunteers do not presently perform those same functions at YSC or Camp Kemp.

The classrooms at YSC, Camp Kemp, and Camp Glenwood were well equipped during the Grand Jury's tours. Camp Glenwood sits in a beautiful wooded setting and has adequate classroom space. The school does have computers available for student use. However, they are not being used to maximum efficiency because of staff concern that students will use them inappropriately, and there may not be enough teachers or teaching assistants to monitor computer use. A CASA official stated that they could easily provide people to monitor and properly control computer use by the juvenile students. There also are various ways to limit unwanted Web access.

There are five full-time general education teachers at YSC and two each at Camp Kemp and Camp Glenwood. There also are two full-time special education teachers at YSC, one full-time at Camp Glenwood plus another who splits time between YSC and Camp Kemp. During the Grand Jury's tours in April 2015, there were 90 youths held at YSC (capacity is 180), 12 girls at Camp Kemp (capacity 30), and 27 boys at Camp Glenwood (capacity 60).

## Mental Health Assessments

A BHRS official explained that when a child is depressed, anxious, or has experienced significant life stressors such as trauma, it is very difficult for them to learn, attend school, or manage disruptive behaviors. Therefore, mental health support is important for these children, including when they are incarcerated.

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<sup>7</sup> "What Is CASA for Children?" Court Appointed Special Advocates.  
<http://www.casaforchildren.org/site/c.mtJSJ7MPIsE/b.5301295/k.BE9A/Home.htm>.

BHRS conducts the initial mental health assessments and provides continuing mental health care; it tracks each child throughout his or her incarceration. The juvenile or staff may request mental health services at any time during the juvenile's detention. BHRS and Probation officials estimate that approximately 33% of all incarcerated youth have a mental illness of some degree, and this number rises to 75% if alcohol and drug abuse is included.<sup>8</sup> According to Probation officials, 15% to 24% of the juveniles at YSC are on psychiatric medications.<sup>9</sup>

BHRS has five clinicians available full-time at YSC and Camp Kemp, but only one clinician is dedicated half-time to Camp Glenwood. The BHRS official interviewed believes that one half-time clinician is not sufficient to provide enough mental health therapy for individual boys incarcerated at Camp Glenwood. BHRS would like to increase the time allotment at Camp Glenwood to at least one full-time clinician, preferably two, to be able to provide more group and family therapy as well as more complete mental health therapy for individual boys.

BHRS also recommends more staff participation in the Neurosequential Model of Therapeutics (NMT),<sup>10</sup> training which deals with early-age complex trauma and how it affects child development and behavior. BHRS is finding NMT to be very helpful in understanding the behavior of incarcerated youth. Currently, 25 clinicians (licensed therapists) have been trained in NMT. These clinicians work for BHRS as well as partner agencies such as StarVista, the Art of Yoga, and Fred Finch.

### Transition Back to the Community

The COE is in the process of getting each of the three court schools officially accredited by the Western Association of Schools and Colleges (WASC). Currently, credits earned in court school are accepted by high schools and community colleges. This accreditation by WASC would help those students who earn credits while in the court schools to enter a four-year college or university if they choose to do so.

In the past, academic credits earned by students while incarcerated did not always transfer to the student's high school, or were applied to an elective course rather than the specific course that was studied. Two attorneys told the Grand Jury that they have seen cases where credits earned while a student was incarcerated did not transfer accurately, or at all, to the released student's high school. Therefore, education in the same courses being taken in high school and the timely transfer of course credits to the proper school have an impact on the student's progress in, and eventual graduation from, high school.

An official of the COE stated that the transition of a juvenile from detention back to the juvenile's home school is important, but can be challenging. Because of these challenges, the COE should monitor the transition process regularly. The COE Court School staff has the responsibility to ensure that student transcripts are accurate and credits specific and understandable to the appropriate person(s) in the receiving school district. Schools within a

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<sup>8</sup> Officials from Probation and Behavioral Health and Recovery Services: interviews by the Grand Jury.

<sup>9</sup> San Mateo County Civil Grand Jury 2013-2014, *San Mateo County Detention Facilities: An Overview*, June 17 2014. [https://www.sanmateocourt.org/documents/grand\\_jury/2013/detention\\_facilities.pdf](https://www.sanmateocourt.org/documents/grand_jury/2013/detention_facilities.pdf).

<sup>10</sup> Neurosequential Model Training, or NMT, is a way to work with at-risk children. Child Trauma Academy, "Neurosequential Model of Therapeutics, <http://childtrauma.org/nmt-model/>.

district may interpret the credits differently. Some schools may put the credits into the same courses the COE has listed, but other schools may put the COE credits toward electives.

All individuals interviewed by the Grand Jury agreed that the transition of released detainees back into their community is critical, that adequate contact with the detainee's family and high school should occur prior to release, and that the correct transfer of educational credits also should be worked out ahead of the release date. Two different interviewees stated that the released child is most vulnerable immediately after release, and should be back in school as soon as possible. The student with nothing to do after release is highly likely to get back in trouble.

If students have received their high school diplomas or GEDs, they can enroll in Project Change, a program administered by the College of San Mateo, which is designed to provide incarcerated youth with access to college instruction inside juvenile facilities.<sup>11</sup> There were 10 students in the pilot program at the College of San Mateo in the 2014-2015 academic school year. With the average stay at Camp Glenwood and Camp Kemp lasting one semester and up to a full academic year, students have time to complete college courses on-site. Project Change is supported by the SMC Community College District and partners with several SMC groups including YSC, Probation, BHRS, the COE, the Superior Court of California, and the San Mateo Union High School District.<sup>12</sup>

## FINDINGS

The Grand Jury was impressed with the apparent degree of collaboration among the COE, Probation, and BHRS to teach the incarcerated adolescents and with the level of experience, care, and concern of the individuals interviewed. However, the Grand Jury did find these areas that need improvement or should be monitored:

- F1. Academic credits earned by students while incarcerated do not always transfer to the student's high school, or are applied to an "elective" classification rather than the specific course that was studied.
- F2. The COE is in the process of trying to get each of the three court schools officially accredited with Western Association of Schools and Colleges.
- F3. The COE is working with a consultant company to introduce a system allowing online computer education to meet each individual detainee's level of learning.
- F4. BHRS has only one staff member assigned half-time to help the boys at Camp Glenwood who may need mental health support.
- F5. Officials from Probation, the COE, BHRS, and CASA stated that once a juvenile is released from detention, the transition back to the community and family life is critical to the adolescent's emotional development and well-being.

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<sup>11</sup> Project Change also serves students who are working toward completing their diplomas or GEDs. Helping students to understand that when they complete high school, college is an option is a "powerful motivating factor."

<sup>12</sup> Project Change, *Bridging the Gap from Incarceration to Education*, College of San Mateo.

## RECOMMENDATIONS

- R1. The COE should create a system to ensure that all academic credits earned while a juvenile is in detention are accurately transferred to that student's correct course and school upon the juvenile's release from detention.
- R2. Probation, BHRS, and the COE should work together to develop a more comprehensive transition plan to ensure necessary contact with a student's family and school *before* the student is released from detention.
- R3. Probation and the COE should collaborate to set up an online computer education system.
- R4. Probation and BHRS should evaluate together the merits of creating a full-time position at Camp Glenwood to ensure that boys with mental health issues are receiving the complete and effective care they require, and that families could more frequently be involved in the child's progress.

## REQUEST FOR RESPONSES

Pursuant to Penal Code Section 933.05, the Grand Jury requests responses as follows:

- San Mateo County Board of Supervisors – R2, R3, and R4
- San Mateo County Office of Education – R1, R2, and R3

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.



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**Response:** Agree.

**F2.** The COE is in the process of trying to get each of the three court schools officially accredited with Western Association of Schools and Colleges.

**Response:** Agree.

**F3.** The COE is working with a consultant company to introduce a system allowing online computer education to meet each individual detainee's level of learning.

**Response:** Agree.

**F4.** BHRS has only one staff member assigned half-time to help the boys at Camp Glenwood who may need mental health support.

**Response:** Agree.

**F5.** Officials from Probation, the COE, BHRS, and CASA stated that once a juvenile is released from detention, the transition back to the community and family life is critical to the adolescent's emotional development and well-being.

**Response:** Agree.

## **RECOMMENDATIONS**

The Grand Jury recommends to the Board of Supervisors to direct the Probation Department to do the following:

**R2.** Probation, BHRS, and the COE should work together to develop a more comprehensive transition plan to ensure necessary contact with a student's family and school *before* the student is released from detention.

**Response:** Probation will work with Behavioral Health and Recovery Services and the County Office of Education to develop a more comprehensive transition plan for youth returning home from the Youth Services Center, Camp Kemp and Camp Glenwood. Furthermore, the Probation Department is collaborating with Behavioral Health and Recovery Services, The San Mateo County Office of Education, the District Attorney's Office, the Private Defender Panel, Juvenile Justice Delinquency Prevention Commission and various community based organizations to re-design the antiquated Camp Glenwood Program. This collaborative effort will focus on developing evidence based curriculum connected to the treatment needs of the youth and their families and identifying a community living system that supports those treatment needs. The committee will develop a thorough re-entry plan focused on supporting the youth's educational, vocational and therapeutic needs as they transition back to their families and their communities. We will use what we learn from this process to inform how we can address these issues at all of our institutions. The Probation Department recently

applied for a Title II grant in cooperation with the County Office of Education and Job Train. If we receive this grant we will use this funding to provide additional staffing for the County Office of Education to assist with transitioning youth back to their home schools, transportation for parents to visit their sons at Camp Glenwood and additional vocational training to prepare the youth to return to their communities.

**R3.** Probation and the COE should collaborate to set up an online computer education system.

**Response:** The Probation Department is working with The San Mateo County Office of Education towards providing more personalized learning models for the youth in the Court and Community Schools. Once technical issues are addressed to secure adequate bandwidth, network infrastructure and devices, we will identify software that will allow probation staff to actively monitor online activity to ensure a safe and secure learning environment.

**R4.** Probation and BHRS should evaluate together the merits of creating a full-time position at Camp Glenwood to ensure that boys with mental health issues are receiving the complete and effective care they require, and that families could more frequently be involved in the child's progress.

**Response:** The Probation Department is collaborating with Behavioral Health and Recovery Services, The San Mateo County Office of Education, the District Attorney's Office, the Private Defender Panel, Juvenile Justice Delinquency Prevention Commission and various community based organizations to re-design the antiquated Camp Glenwood Program. This collaborative effort will focus on developing evidence based curriculum connected to the treatment needs of the youth and their families, and identifying a community living system that supports those treatment needs. The committee will develop a thorough re-entry plan focused on supporting the youth's educational, vocational and therapeutic needs as they transition back to their families and communities. The multi-disciplinary re-design committee will make recommendations regarding the need for further Behavioral Health staff resources at Camp Glenwood and the Probation Department will work with Behavioral Health and Recovery Services to find funding for and implement recommended changes.

**FISCAL IMPACT:**

There is no Net County Cost associated with accepting this report.