



## **Education Dialogue with School District Superintendents**

**June 18, 2008**

**10:00 a.m.**

Los Angeles County Office of Education Headquarters  
9300 Imperial Highway, Downey, CA

Present:

- Diane Bladen, El Monte Union High School District
- Zeff Dena, Rowland Unified School District
- Amy Enomoto-Perez, Rosemead School District
- Jewell Forbes, Compton Unified School District
- Karen Frison, Compton Unified School District
- Robert Henke, Montebello Unified School District
- Bill Hindley, ABC Unified School District
- Jennifer Hottenroth, Department of Children and Family Services
- Jan Keating, Walnut Valley Unified School District
- Patricia Levinson, LACOE
- David Mallchok, Hawthorne School District
- Carlos Manrique, Compton Unified School District
- Richard Martinez, Pomona Unified School District
- Carrie Miller, ECC
- Hon. Michael Nash, Presiding Judge, Juvenile Court
- Cecilia Ornelas, Bassett Unified School District
- Lisa Parrish, Department of Children and Family Services
- Ginny Peterson, Garvey School District
- Beverly Pye, Inglewood Unified School District
- Ron Randolph, LACOE
- Barbara Richardson, Rosemead School District
- Darline Robles, LACOE
- Mary Sieu, ABC Unified School District
- Norma Sturgis, Los Angeles Unified School District
- Robert Taylor, Chief Probation Officer
- Rick Tebbano, Long Beach Unified School District
- Rebecca Turrentine, Probation Department
- Edward Velasquez, Montebello Unified School District
- Sharon G. Watson, ECC

Los Angeles County Office of Education Superintendent Darline Robles welcomed attendees and thanked everyone for attending this fourth dialogue between school district leadership and county departments, sponsored by the Education Coordinating Council, to discuss issues per-

taining to students under the supervision of the county. She introduced Judge Michael Nash, presiding judge of the juvenile court.

### **Juvenile Court Actions on Issues Raised at Previous Superintendents' Meetings**

Judge Nash reported strides in addressing many of the issues raised at last November's superintendents' dialogue, and he continues to encourage processes that help judicial officers and others at the courts ensure that children's educational needs are met. "I keep throwing protocols and checklists into the system," he said. "Over time, they'll get more absorbed into daily practice."

**Court Visit** Nash asked LACOE's Pat Levinson to report on an April 22 visit to the dependency court by a group of 36 district education liaisons, teachers, and others, part of a program created by Levinson and the Los Angeles Unified School District's Norma Sturgis. After an introductory briefing by Nash, visitors each observed at least two courtroom sessions, seeing more interaction between judges and parents than they had expected and coming away impressed with court personnel's warmth and understanding. Later, an eight-member panel—including court-appointed special advocates (CASAs), the court pediatrician, children's attorneys, and representatives from the Department of Children and Family Services—answered questions and facilitated a discussion. Organizers are considering making this an annual event (possibly visiting the Antelope Valley court as well), and would also like liaisons to visit the juvenile halls and probation camps—including the on-site schools—to get an idea of daily life for the young people there.

As Nash put it, "Everyone in court has been to school, but not everyone in the schools has been to court." He hopes these visits will demystify the process, especially since the law dictates the confidentiality of juvenile court proceedings and the general public is not invited, as they are in other courts. "If it were up to me, I'd open the courts," he said, "but I can exercise my discretion to allow people with a legitimate interest to come see what we're up to. We have a dedicated group of lawyers, social workers, probation officers, and judicial officers, all trying to do the right thing." He encouraged anyone wishing to be part of a visiting group to make arrangements through Levinson, Darline Robles, or himself.

**Holders of Education Rights** "Not knowing the identity of a child's holder of education rights seems to be a continuing problem for you and for us," Nash told district representatives. "I've tried to emphasize the importance of making that inquiry at every court hearing, but it still doesn't happen consistently. The best solution, I've concluded, is to require that the holder of education rights be listed on every minute order the courts issue, so it's there in black and white along with all the other parties. It's never been on those documents before." He has asked the court's information technology section to add a screen to the computerized case management system so court clerks are prompted to fill in that name at every court hearing, reminding the judge if it is not already in the file. "While the IT folks are working on that," Nash continued, "I've prepared a memo requiring clerks to input the information manually. Now our only concern is naming the right person. Normally, it should be the parents, but if they're not able to do it, we need to think about that at every hearing."

Nash has also met with DCFS to see if the holder of education rights can routinely appear on court reports, which already list other relevant people and their addresses, and he plans to ask the

same of the Probation Department. “If it’s required by everybody,” he said, “everyone will be thinking about it, which means we’re more likely to get it right over time. It’ll also be a huge help for us [at the courts]. We have lots of protocols dealing with education and for every one, we have to deal with the holder of education rights. If we don’t know who that is, it delays things. The next time we meet, I hope this will have become a non-issue.”

**Education Records for Probation Youth** Nash is working with Probation to revise the court protocols for youth being sent to probation camps, looking particularly at the new assessments and more specific case plans required by the camp redesign, and at eliminating the shorter camp stints that cause educational havoc for many youth. “The Probation folks have been terrific,” Nash said. “If they train everyone and live up to expectations, these issues will be helped significantly.” The new protocols will also address requirements for school records and arrangements for youth being released from camp to attend community schools.

**Consulting with Schools at Placement Changes** Foster or probation youth may be doing well in a particular school when a sudden decision is made to change their placement, often to return home. At present, conversations seldom take place with the child’s social worker or probation officer about the impact of that move and its timing on the child’s course credits or educational activities. Some courts are diligent about inquiring as to those issues, but many placement changes occur between regular court hearings—when a child moves from one foster home or one relative to another, for instance—and social workers may or may not communicate with the schools involved. Nash has met with DCFS and plans a protocol to improve communication about the overall educational needs of youth transitioning between placements and put some guidelines in place so that school are consulted in the process.

**Probation’s Education Reform Package** Chief Probation Officer Robert Taylor announced that his department’s education reform package will go to the Board of Supervisors for approval on July 29. One of its 35 recommendations—developed over the past year in collaboration with 10 different governmental bodies, along with the ECC and the Children’s Planning Council—is for a report card on the progress of both Probation and LACOE in providing educational services. On average, youth are in the juvenile halls for 19 days (aside from those awaiting trial as adults for serious offenses, who are often there much longer) and in the probation camps for 19 or 20 weeks. Provisions in the camp redesign will extend the time youth are in camps to two full school semesters, which will align both with their educational needs and the behavioral changes to be inculcated that will follow them back into their home communities. “The transition piece and the continuum into the community are critical,” Taylor said, “and school districts can help.”

The four educational pathways required by the education reform package are:

- ✓ Traditional comprehensive high school (existing now) through which students earn their high school diplomas
- ✓ General Educational Development certificates (GEDs)
- ✓ College or junior college (bypassing high school)
- ✓ Vocational education and career training

According to a recent UCLA study, between 17 and 20 percent of youth want a job when they're released from camp, but most lack the skills and experience to prepare them for the workforce. Probation has recently begun coordinating with various Workforce Investment Boards to offer training and apprenticeships so that jobs will be lined up for these youth on their release.

Taylor thanked everyone involved in the "yeoman's effort" of developing the Probation reform package, a product that he believes serves the best interests of youth in the system. "We want to make them better," he said. "They're coming back to our communities, and we want that to be a positive experience for everyone."

### **Further Issues**

**Crossover Youth and Dual Supervision** In response to a question from Darline Robles, Judge Nash explained the concept behind so-called "crossover kids"—youth under the jurisdiction of the dependency court, in the child welfare system because of abuse and neglect, who commit a crime and 'cross over' into the delinquency system. "It's a common scenario," Nash said. "These kids are at risk of many things—emotional, psychological, and health problems, drug and alcohol use, continuing their families' cycle of abuse, and eventually coming into contact with the juvenile justice system." In California, the law prevents a youngster from being supervised by both DCFS and the Probation Department. Instead, those departments perform a joint assessment and recommend the jurisdiction appropriate to the specific individual, and the court assigns the case to either the dependency or delinquency side.

A couple of years ago, the legislature allowed counties to experiment with a dual-status system if the director of child welfare, the chief probation officer, and the presiding judge of the juvenile court all agreed. Los Angeles County is one of only eight out of the state's 58 counties to have chosen this option, and Nash said that its pilot project, at the Pasadena juvenile court, has been very successful. It employs a multidisciplinary team that makes a far more comprehensive assessment than is usually done, looking at the youth's strengths and needs and the risk he or she poses to the community, and an education advocate evaluates the youngster's educational status and makes specific recommendations. Once the court develops a case plan, the team remains involved with the two systems to put it into action. "We can order what we want, coming up with case plans that sound good," Nash commented, "but they need solid mechanisms to implement and coordinate them. That's where the rubber meets the road."

The dual-status pilot ends in December, and an ongoing evaluation by Denise Herz at California State University Los Angeles should detail what is needed to gradually expand the resource-heavy project throughout the county. More than 40 cases have been handled since May of last year, and although all were dually managed by both systems, no youngster has slipped back into delinquency. "We don't have it down perfectly," Nash said, "but we're pleased with the effort."

**Systems Integration Work** Nash announced Los Angeles County's participation in a program at Georgetown University's Center for Juvenile Justice Reform that begins next month with individuals and groups from counties around the nation learning more about systems integration. Robert Taylor leads the team, and both Nash and DCFS director Trish Ploehn will also partici-

pate. “We have more systems collaboration that we’ve ever had before in L.A. County,” Nash said, “but we want to see if we can get to true integration.”

**Informal Juvenile and Traffic Court** The juvenile court is composed of three different systems: 20 dependency courts serving about 27,000 children; 28 delinquency courts in 10 locations, serving about 20,000 children and youth; and the lesser-known informal juvenile and traffic court, with 13 courts at 11 different locations. This last system deals with youngsters who are cited for a variety of low-level violations of the law, and it is, Nash said, a very busy place. Last year it handled 176,000 citations—the highest number of youth seen by any court system in the country, and perhaps the world. Between 25 and 30 percent of cases involve infractions that are traffic-related—the court’s original purpose—but the balance are primarily truancy citations (daytime loitering) and curfew violations.

“This system is overburdened,” Nash said. “There are too many cases a day in each court, and it doesn’t serve the public very well. Parents have to take time off work, kids miss school, people end up waiting for longer than we’d like, and judges have little time to spend with each family.” Penalties in this court generally include fines, with the most serious sanction imposed being the loss of a driving license. For minor offenses, such as spitting on the sidewalk, fines start out at \$25 or \$50, but automatic assessments can often raise them to \$450 or more. “What are we accomplishing here?” Nash asked. “Most of these folks can’t afford those fines. We can refer them to community service programs, but that system isn’t as effective as it should be, either. We have to figure out how to fix this.”

Nash would like to see a comprehensive strategy across all three juvenile court systems to deal with truancy and other school-related issues, and he has formed two committees to look at the informal traffic court system. Both LACOE and LAUSD have been invited to participate—in LAUSD’s case, through a request directly to Superintendent David Brewer—but have not yet attended. “We really need the schools to be at the table with these committees,” Nash stressed. “A significant number of these cases come from the schools and school police—thousands every year. Sometimes it seems like they’re issuing citations like there’s no tomorrow.” Nash himself becomes involved when parties request a re-hearing in that court, “and what I see all too frequently is what I consider to be a lot of junk. My perspective is that the schools are abdicating their disciplinary responsibilities and letting the court take care of them. A kid’s an hour late for school and gets a citation for truancy. Now, I went to school here in L.A.—I moved here when I was twelve. Granted, that was hundreds of years ago, but I don’t recall that sort of thing happening then. We got detention or some other punishment.” In one case, a student cussed a teacher out and the school police ticketed her for a public disturbance, ‘using offensive language likely to lead violence.’ The judicial officer sustained the violation, and the student was fined \$450. “Everybody was mad,” said Nash, who ultimately overturned the case.

“We need a dialogue with the schools to understand their needs and their perspective on this,” he continued. “What should they handle? What needs to go to court? We’ll continue to invite the schools to be part of our committees, and I’m meeting with our judicial officers to get them to use discretion and common sense. I’m interested in a consumer-friendly court system that serves kids and families and communities. We have to figure out how to balance our interests in a constructive way—I don’t know that any of us are serving the public as well as we should now.”

Students are seldom involved in major offenses without some background in minor infractions, one district representative said, and he recommended that the court have access to comprehensive information about prior tickets and other school disciplinary actions so that judges have some perspective on the youngster's behavior. Montebello Unified's Superintendent Edward Velasquez, who is also the chief of school police for the district, agreed that the court needs evidence of strategies that may have been tried and found ineffective, and said that municipalities as well as schools need to understand the system better. He strongly believes in school-based probation officers and case management on school sites, and praised Chief Taylor's volunteer reserve program. "We can make some changes," Velasquez admitted, "but we're not citing frivolously. Sometimes it takes a citation to get help for the parents. There's a wait for services like psychological counseling—if you're on probation, you can jump the line."

The Long Beach district is happy to participate in the court committees, Rick Tebbano said, since frivolous tickets for truancy and loitering are a real concern there. "Word gets out that nothing happens," he said. "Some kids get five tickets in six months. There are warnings, there are fines, the parents can't pay them. The community service system is overwhelmed and so is our referee. I believe that districts should own the discipline process, but the problem is that it has no teeth."

"There's no question that the delinquency court needs to be involved in significant crimes," Nash said. "That's what it's there for. But we need to reach an understanding about what goes to the informal juvenile and traffic court, and we need to restore people's faith and confidence in the court system and make it more constructive for everyone involved. We have a lot of issues to address—administratively, procedurally, and substantively—and we're working our way through them." Currently, Nash is spotlighting communication among the three arms of the juvenile court so that the traffic court knows if a ticketed youngster is already on probation or is under the jurisdiction of the dependency court and at risk of crossing over to delinquency. Truancy is an important topic all on its own, Nash said, but other issues also affect the court caseloads and what happens in schools.

**New Cell Phone Law** Amy Enomoto-Perez asked about the law against cell phone use while driving that goes into effect July 1, and what schools can do to publicize it. Nash expects to see significant enforcement of the new law, which he views as an important safety ruling. "To the extent that schools can put the word out to kids, that would be helpful," he said. "It's not okay to speed, and it's not okay to talk with the phone against your ear when you're driving."

### **Partial/Full Course Credits Determination Status Report**

Following the last superintendents' meeting, a work group met to discuss course credits. One major set of issues involves students who are moved mid-semester, making the fair assessment of earned credits difficult, and those who arrive close to the end of a grading period. Additional difficulties are encountered in awarding credits to students from juvenile halls or probation camps, since the classes in those facilities may not align with a comprehensive high school curriculum. The transfer of records also remains a significant stumbling block, particularly for students being released from incarceration. (Specific staff at both DCFS and Probation who can help expedite the transfer of educational records have been identified, and school districts that have not received the sheet with that information may request it from the ECC office.)

The ECC is working with the California Department of Education on a mandate for assigning partial credits, and Carrie Miller will share more information on that as it becomes available. Students who spend a full semester in camp earn five credits, and Darline Robles also mentioned that LACOE is responsible for advising Probation and the courts when a student is being assessed for an Individualized Education Plan (IEP) so they can stay in a given facility long enough to complete the assessment or resume it if they return within 30 days.

DCFS and the Probation Department agree that mid-year moves should be minimized, Miller reported, and that pre-planning should be encouraged to help students prepare. “Extending the length of stay at probation camps should also help,” Miller said, “so students don’t come home from camp the day before finals, say.” She is also working with DCFS to ensure the uniform use of 1399 forms—which include names and contact information for social workers and holders of education rights—since they have proved very helpful for the schools that obtain them.

DCFS recognizes that disruptions still exist in getting transcripts to schools, Jennifer Hottenroth said, and that often prevents youngsters from being enrolled in the right educational environment and being awarded proper credits. The department is training the facilitators for its team decision-making conferences—which occur when a child goes into placement—to make sure that basic education questions are answered. Can children stay in their schools of origin? If not, can arrangements be made so they can finish out the year, or at least the semester? In some DCFS offices, education consultants who are credentialed teachers themselves also attend these conferences. “Our managers and facilitators are very receptive,” Hottenroth said. “We get sixteen- or seventeen-year-olds with multiple placements, and they sometimes end up with very few credits even when we go back into the history of their schooling. It can be very frustrating.” The department’s education team has developed a five-hour training for new social workers that focuses on the partial-credit issue and walks them through enrolling a child in school, completing the 1399 form, and disenrolling children when placement changes occur. The education team is planning to roll out additional training for seasoned social workers to review education basics and stress the ramifications to the child of incorrect procedures.

A pilot partnership between the Montebello Unified School District, DCFS, and Probation has out-stationed a social worker at a school site since March 1, and Superintendent Velasquez reported that several participants in this year’s graduation ceremony are foster youth who would not have graduated without the interventions of the past few months. “The project’s already paying dividends,” he said, “and we look forward to a full-bore effort starting July 1.” He expressed thanks to Supervisor Gloria Molina and the program’s other partners, and Miller said that the ECC would be watching the pilot closely as a possible model for other school districts.

### **Information-Sharing Between School Districts and County Departments**

A motion passed in May by the board of the Los Angeles Unified School District adds DCFS, Probation, and the Department of Mental Health to the school directory of bodies that can obtain information on students from the district. (Schools publish this directory at the beginning of each year, and parents have the right to ‘opt out’ so their children’s information does not appear and is not shared.) If other districts are interested in establishing a similar ability to share data with county departments, the ECC is happy to assist. “Allowing for some sharing cuts down on a lot

of problems,” Carrie Miller said, “and this is definitely a step in the right direction.” Ultimately, the ECC would like to develop a formal database of information that may legally be shared between school districts and the county—transcripts, names of social workers and holders of education rights, immunization records, and so on—so that when a student moves between schools or districts, that data is at everyone’s fingertips.

One of the reasons that data-sharing has historically been difficult in Los Angeles County is a different legal interpretation here than in other jurisdictions of the Federal Educational Rights and Privacy Act (FERPA). “FERPA has a lot of grey areas, and lawyers interpret them differently,” Miller explained. “The LAUSD motion was very bare-bones, by-the-book FERPA, with no interpretation needed. No one’s objected. Other states and counties are doing incredible things in terms of data that we in L.A. County can only dream about, and we were very excited when LAUSD jumped out there with this. They have a lot of youth in care, and now we can start trying things out.” The ECC has been working with the Department of Education at the Federal level to see if FERPA language can be clarified, and draft revisions are expected this summer.

The Pomona Unified School District plans to establish a memorandum of understanding between the district and DCFS, and Montebello also wants to be involved in sharing information. “We appreciate your leadership,” Miller told those representatives. “Anyone willing to work with us, please call me. This is a very big issue. If we can do this, everything else will fall into place.”

### **Announcements**

- The ECC will sponsor a countywide resource fair on June 25 for foster and probation youth, their caregivers, and their caseworkers that will include workshops, speakers, and activities and information provided by more than 70 exhibitors. The California Endowment has dedicated its entire facility to the fair, and over 550 participants have confirmed their attendance to date, including group home and departmental staff, relatives, foster parents, and several hundred youth. Exhibitors include city and county departments, schools, nonprofit organizations, and government agencies that will provide Social Security cards, birth certificates, and California identification cards for youth on-site. Sharon Watson encouraged education liaisons and school staff and counselors to attend, saying, “It’s a wonderful opportunity to find numerous resources for system kids all in one place.”
- Carrie Miller announced a potential funding opportunity under Title I for qualifying school districts to use Federal dollars for extra staff or programming to work with group home youth enrolled in their schools. To date, only four districts in Los Angeles County have applied for the \$156 million that is available, with the lowest grant being \$70,000 and the highest \$4 million. Qualifications and application forms are available on a website whose address Miller will supply to those interested. The submission deadline is June 30.
- For the past five years, the ABC Unified School District has been part of a community resource team in Cerritos that has provided early intervention services to over 500 children and families, partnering with DCFS, Probation, and the Department of Mental Health. The project was recognized by Supervisor Don Knabe last year for developing an ideal integrated, collaborative team, and its staff would be happy to share the lessons learned with this model.



Darline Robles thanked everyone for attending today's meeting, saying that the next dialogue would like take place sometime in the fall.

The meeting was adjourned at 12:00 noon.