



Education Dialogue with School District Superintendents

March 5, 2012

10:00 a.m.

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

Present:

- Philip Browning, Department of Children and Family Services
- Tim Catlin, ABC Unified School District
- Michael Cobarrubias, Montebello Unified School District
- Arturo Delgado, LACOE
- Karen E. Frison, Compton Unified School District
- Marsha Gilbert, Alhambra Unified School District
- Martin Galindo, Bassett Unified School District
- Terry Gendreau, Bellflower Unified School District
- Paul Gothold, Lynwood Unified School District
- Sharon Harada, Probation Department
- Patti Jaffe, Culver City Unified School District
- Richard Martinez, Pomona Unified School District
- Eric Marts, Department of Children and Family Services
- Bryan Mershon, Department of Mental Health
- Carrie Miller, ECC/Chief Executive Office
- James Monico, Paramount Unified School District
- Henry Mothner, LACOE
- Hon. Michael Nash, Presiding Judge, Juvenile Court
- Fred Navarro, Los Angeles Unified School District
- Cecilia Ornelas, Bassett Unified School District
- Christopher Ortiz, Los Angeles Unified School District
- Trish Ploehn, ECC/Chief Executive Office
- Dolores Preciado, Garvey Unified School District
- Edward Velasquez, Lynwood Unified School District
- Janieta Villagrana, Rosemead Unified School District
- Virginia Ward-Roberts, Compton Unified School District
- Sharon G. Watson, ECC
- Loretta Whitson, Monrovia Union High School District
- Joseph Ybarra, LACOE

Los Angeles County Superintendent of Schools Arturo Delgado greeted attendees and asked everyone to introduce themselves. He offered a special welcome to members of his own staff who have recently accepted new positions: Joe Ybarra, formerly assistant superintendent of human

resource services, now deputy superintendent; and Henry Mothner, a new cabinet-level staff person in charge of student programs, replacing the retired Gerry Riley.

Update from Superintendent Arturo Delgado

- Over recent months, Delgado has made two visits to Houston's **Excel Academy Schools**, public charter schools for juvenile offenders functioning through a partnership between that area's probation department and the state of Texas. (Under state law, the chief of probation in Houston is also the superintendent of all court schools, with an executive director serving as their administrative head.) Although this system has only 400 students, unlike Los Angeles County's population of many thousands of probation youth, Delgado saw the smooth communication possible within a single department as an element to be pursued here. At most of the Houston school sites—he visited four—no dedicated instructional space is available, and classes are held in the common areas outside the incarceration cells, with teachers having to bring their equipment to each session. "Los Angeles definitely has the advantage in terms of facilities and services," he said.

Houston uses the Achieve3000 reading program, which allows students to progress in their lessons' complexity of vocabulary and material depending on comprehension, and LACOE plans to implement that program at four probation camps, beginning with Challenger Memorial. The Excel Academy schools also use a Response to Intervention (RTI) model, which Delgado feels would not be feasible for LACOE to adopt at this time, although it continues to work on special education and other interventions for individuals.

An attempt was made in Houston—ultimately unsuccessful—to classify incarcerated youth as a special category of learner because of the many hurdles they tend to face in their backgrounds and educational achievement, and Delgado would like to explore that possibility with legislators in California. Henry Mothner pointed out that Texas is a right-to-work state, which raises issues there that do not exist here.

Delgado expressed himself open to the Board of Supervisors' interest in converting schools for incarcerated Los Angeles County youth to charters. "Anything's possible," he said. "We just need to make sure we put the interest of the students first—how people within our programs address our kids and how we care for them." Edward Velasquez requested a meeting with superintendents and the Probation Department dedicated to the charter issue, particularly addressing safety challenges.

- The state of California's **Fiscal Crisis Management Assistance Team (FCMAT)** typically reviews school districts in trouble, and its staff teams are usually not a welcome sight at district offices. "They're not there to pat you on the back," Delgado said. In a reversal of usual practice, however, the board of education for Los Angeles County schools invited FCMAT to assess LACOE's programs prior to Delgado's being hired. "It was a transition between superintendents," he explained, "and it was a good time to do it. I was thrilled to hear it was happening, since the review provides a blueprint of areas requiring change."

Because Los Angeles has the largest county office of education in the country, the FCMAT five-member team brought in several retired superintendents and others to help with comparing LACOE's programs to others in the state. "The problem is," Delgado said, "that no

other program is of a similar size or complexity. The next-largest county office in the state has something like 400,000 students in its county overall, whereas we have two million. It was very difficult for them to ‘scale’ what LACOE should look like.”

After a nine-month process, the FCMAT review presented 200 unique recommendations for change within LACOE, and staff are working on fleshing out and implementing those recommendations over the next three years. “We want to become more service-oriented and efficient,” Delgado told attendees, “and use money in ways that increase our revenue limits without our having to ask anything of the state. We want to provide services that can be of greater value to your school districts.”

- LACOE’s partnership with the Probation Department with regard to **education reform in the probation camps** is going well, and Chief Probation Officer Jerry Powers is in communication with Delgado’s office frequently. Two members of Powers’ staff are housed in LACOE buildings to make quick connections between education and needed supports.

Besides the Achieve3000 reading program mentioned above, the camps are also instituting a career technical vocational program to expose students to alternative careers. In addition, the AdvancePath credit recovery program will aid in student transitions back to comprehensive schools on their release from custody, more accurately reflecting the academic credits they have gained in care. “Supervisor Gloria Molina has a special heart for foster kids and kids transitioning out of probation,” Delgado said, “and we’re continuing to address that. We want to give incarcerated youth a fair shake when they come out so they’ll have the best shot possible at being successful.”

Update from Judge Michael Nash

Judge Nash, presiding judge of the juvenile court, summarized the background of the Education Coordinating Council, which was created by the Board of Supervisors to bring together representatives from education, the courts, and the child welfare and juvenile justice systems to improve educational outcomes for foster and probation youth. The juvenile courts see more than 150,000 young people every year, with about 25,000—the majority of whom are of school age—currently being under the jurisdiction of the dependency court, and another 20,000—all of school age—being on probation, under the jurisdiction of the delinquency court. Another 100,000-plus youth are seen every year by the informal juvenile and traffic courts for a variety of citations, many of which involve school attendance. The ECC-sponsored twice-yearly dialogues with school superintendents give district officials a chance to hear and be heard by representatives from the courts, the Department of Children and Family Services, the Probation Department, and the Department of Mental Health.

A focus of Nash’s for many years has been children in the system who are in need of **psychotropic medication**, and the protocols developed under his leadership for court approval of such medication in Los Angeles County have become a model for the state. However, monitoring the ongoing effect and maintenance of those medications has never systematically been done anywhere, and protocols and procedures for doing so are now being developed.

“As we looked at that issue, though,” Nash went on, “we found that no **formal discharge process** was in place *at all* to ensure that youth going home from juvenile hall leave with the appro-

priate meds or prescriptions, their own personal property, accurate records of their medical care or mental health treatment while incarcerated, or—and this has the most impact on school systems—records and transcripts of the credits they earned in the halls, so they can immediately enroll in their home districts. With cooperation from Probation, Mental Health, Health Services, and LACOE, that discharge process fell into place sooner than we expected, and we very much appreciate the efforts of LACOE to make certain that kids have their education records when they leave juvenile hall.”

Nash’s next project was to be maintaining the continuity of psychotropic medication for youth who change placements, but that process likewise transformed into something larger. “One of the banes of our existence in the child welfare and juvenile justice systems is that kids move around too much,” he said, “from foster homes to group homes to relatives and so on. We are currently working on a **reporting process** so that every time a youth moves, certain questions that judges need answered are clear. Where are they moving? Why are they moving? Who is the caregiver? Are medications going with them? Have the meds been explained to the caregiver? Is another doctor’s appointment scheduled for evaluation and follow-up? Is the kids’ personal property going with them? In a suitcase or a trash bag? Is the youth changing schools? Why? Could he or she stay in the school of origin? Is an IEP [Individualized Education Plan] in place? Are special services needed? Are those available at the new school? The courts will be monitoring those kinds of things much more carefully now than we have in the past.”

Another issue Nash wants to address is youth moving from less restrictive placements into **group homes**, especially since he believes that some youth currently in group homes don’t need to be there. “In general, we see three outcomes for kids placed in group homes,” he said. “Some go back to family or to less restrictive placements, but a disproportionate number end up in juvenile justice *and* a disproportionate number end up aging out of the system without achieving permanency. Some do okay, in other words, but most outcomes are not good. We want to know what the plan is for kids going into group homes, why they’re going there instead of to another foster home or a relative, and what kind of education they’ll get. I’m also concerned about the disproportionate representation of minorities in the system, particularly of African-American youth in group homes. These group-home protocols are in a draft stage—we’re definitely attempting to pay more attention to these kids, and we need information about how they’re doing in school and what happens with their education when they move.”

Issues and Concerns of Participants

- Ed Velasquez mentioned difficulties his school district has in getting transcripts for young people returning from group homes and making sure they are taking the right courses once they re-enroll. “We had one kid on probation who had six months of poor attendance,” he said, “but when we asked why the group home hadn’t let us know that, we were told the information was confidential.” Another issue is finding out which school district specific group homes are affiliated with; Boys Republic is with Chino Unified, for example, while Optimist Homes uses the Los Angeles Unified School Districts alternative education division. “Every district has different graduation requirements,” Velasquez noted, “and it’s very hard to coordinate. We at Lynwood Unified are happy to open our SIS [student data management] system so transferring districts can look at what’s needed for us. We’ll take any kid on probation unless it isn’t possible for him or her to graduate on time, and then we’ll do an

IEP.” Nash acknowledged that these are good issues for the ECC as a whole to consider, saying that communication amongst various players continues to be a concern.

- Cecilia Ornelas brought up problems her district has with youth incarcerated in county facilities under the sheriff’s jurisdiction, and Nash explained that young people in county jail are not under the aegis of the juvenile court because they are either over age 18 or being charged as adults for the crimes committed. School districts need to work directly with the Sheriff’s Department, and a sergeant at Central oversees that process.
- Ornelas also asked about getting a list of students on probation in her district. Nash said that notices should be going to schools when the court does a disposition of a youth’s case. “If the district isn’t receiving those notices, I need to know that,” Nash said. “That’s a court issue.”

School Attendance Task Force Report Recommendations Pertaining to School Districts

Although the ECC has a long list of issues to address in many areas, Judge Nash said, school attendance is a hugely important one, as many of the 150,000-plus children the juvenile courts see every year have educational problems related to poor school attendance, and the courts want to work with school districts to find approaches to improve attendance in all schools.

The School Attendance Task Force—formerly the Truancy Task Force—has met regularly for nearly a year and a half with the staffing help of Sharon Watson, whom Judge Nash calls “the glue holding the group together.” (With the help of Trish Ploehn and others, Nash announced, the ECC will soon receive a grant to continue funding Watson’s contracting services, among other things, through June 2013.) Task force members include representatives from six school districts, the courts, law enforcement—including the District Attorney’s office, school police, the Los Angeles City Attorney, and the Los Angeles Police Department—the public defender, children’s attorneys, community programs, activists, and others. In January it released *A Comprehensive Approach to Improving Student Attendance in Los Angeles County* to summarize its findings and make recommendations for the future. The report’s executive summary was distributed to attendees, and the full report is available at http://educationcoordinatingcouncil.org/ECC_TTF.html under “School Attendance Task Force Reports.”

The task force’s focus in 2011 was on Los Angeles County’s 12 informal juvenile and traffic courts, created years ago to hear cases of juveniles with traffic tickets. Their scope has grown to cover status offenses—behavior considered an offense when it is committed by someone under age 18—including citations for daytime curfew violations, loitering, truancy, and similar nomenclature for young people not being in school when they are supposed to be.

“Last year, the number of citations was the lowest I remember seeing,” Nash said, “at 80,000. In other years, it’s been between 150,000 and 200,000, so that’s a significant drop. Truancy citations were between 10,000 and 12,000 in 2011, down from 20,000 to 30,000.”

In general, the court’s response to a truancy violation has been to fine the youth between \$50 and \$75, which, when combined with state-mandated assessments, becomes a ticket of \$400 to \$450. “That’s a lot of money to come up with,” Nash commented, “and it’s hard on the kid and the kid’s family—especially when the majority are kids of color. We hadn’t been accomplishing a whole lot with this method, other than giving these kids and families a negative perspective on our legal

system. All the court could do was assess fines and send the kid to a program, plus take away their driver's license or their ability to get one—which became a big issue later on down the line, when they're in their early twenties and trying to get a job. Fining kids and making them come to court wasn't doing anything to encourage them to go to school. That approach wasn't working."

At Nash's instruction, the informal traffic and juvenile courts recently adopted a policy of dismissing tickets issued by law enforcement to tardy students and to those who are clearly on their way to school. "Within the letter of the law, those citations may be appropriate," Nash said, "but tickets written when the kid is at the school gate or a block away? Those are not a court issue. We have been dismissing those cases and will continue to do so."

The new court policy not only asks law enforcement to discontinue citing students who are late to school, but also eliminates fines, asking students instead to return to court in 60 days with proof they have been attending school, at which time the cases against them are dismissed. If students have problems accomplishing that, they are instructed to bring a letter from their school showing that they and their parents have met with school personnel to devise a plan to improve attendance. If that requirement is not met, they are assigned community-service hours and given another chance. If they do not return to court, their drivers licenses are taken away. However, if they return at any time with proof that they are going to school or working with their schools to improve their attendance and academic performance, any sanctions previously enforced are rescinded, including fines and community-service assignments.

"This approach is designed to encourage kids to go to school," Nash said, "not to be punitive, as in the past. After a pilot of the new policy in a single court, we presented results to the task force showing that 25 percent of the kids involved had started going to school regularly. Now, I was kind of disappointed with that number, but Ray Vincent from LACOE quickly corrected me. 'We'll take 25 percent any day of the week,' he said. So if we can get those numbers or better, we're ahead of the game."

The new policy also standardizes fines and community service hours, which were "all over the map," as Nash put it. Courts were either not allowing community service at all, or assigning too many hours for students to reasonably complete. Instead, community service may now be performed in lieu of fines for everything, and a new formula keeps the number of assigned hours within limits, so it's easier for students to succeed than to fail. "That's been the task force's significant piece of work this first year," Nash concluded. "Now we're focusing on kids in the delinquency and dependency systems to see how we can enhance school attendance there as well."

Sharon Watson reviewed the executive summary of the task force's formal report, mentioning that members' review of research and programs throughout the county, state, and nation confirmed that criminalizing truancy is not the answer. Discovering the reasons why individual students are not in school is paramount, as is providing resources, supports, and assessments to help, since different solutions are needed depending on the situation, and excused absences as well as unexcused all have a detrimental affect on student learning. Programs in Baltimore and in the Alhambra Unified School District (detailed in the full report) are seeing dramatic increases in school attendance as well as far fewer suspensions and expulsions.

What seems to work best is a three-tiered system:

- **Universal support** for all students, including welcoming schools that care about young people, good teachers, and an environment supportive of learning
- An **immediate response** to those starting to miss school, involving solid, real-time data, early targeting, good intervention strategies with parents, families, and the community, and rewards, supports, and positive methods of motivating attendance
- **Intensive interventions** for those who are chronically absent

Specific recommendations for schools appear on page 6 of the executive summary, and are fleshed out in the full report with six or seven bullet points for each element. They include:

- Creating a strong attendance-data collection and dissemination system that helps target interventions early and often
- Reducing school-initiated exclusions
- Partnering with families early and often
- Creating a communication/media campaign regarding the importance of attendance
- Creating a uniform system at each school site that focuses on prevention and intervention
- Maximizing partnerships to ensure a range of services that address the root causes of truancy
- A focus on high-need populations, schools, grades, and times of year—for example, kindergarten, the school year with the second-highest number of absences (after ninth grade)
- Utilizing rewards and attendance incentives at the individual student, class, grade, and school levels
- Providing training to all school staff
- Addressing transportation and safety barriers so that it is easier, safer, and quicker to get to school
- Increasing the role of the youth voice in schools and learning from youth how to improve attendance
- Integrating the School Attendance Review Board process with the broader attendance initiative and utilize SARB referrals only after documented interventions have not worked, and only in connection with mental health and other resource-based strategies
- Referring truancy issues to law-enforcement agencies only as a last resort, and only if school staff can document multiple failed interventions

Alhambra Unified is chairing a committee of school districts to develop an implementation manual or guide for all the report's recommendations, and Watson asked anyone interested in participating—especially from the smaller districts—to see her after the meeting. Task force members want to do everything possible to be helpful to districts as they implement the recommendations, especially in this time of limited resources. Laurel Bear from Alhambra has offered to share that district's refinements to its subscription data system, for example, which have been several years in development.

Recent amendments to the Los Angeles City municipal code have made its truancy ordinances consistent with recent court policies, which Nash sees as an extremely positive sign; both LAUSD and the LAPD are willing to work together to develop alternatives to sending students to court. "School attendance issues are family, youth, school, and community issues," he said, "not necessarily court issues. The courts need to be the last resort rather than the first. Our new policy is designed to encourage kids rather than punish them, and I'm happy to say that it's gotten play throughout the country. We're definitely on the right track, and I hope that school districts that have not been participating in the task force buy in. You're all welcome to attend task force meetings—the next one is tomorrow at the Children's Court judges' lounge from noon to two o'clock. We'd love for you to be part of the collaboration."

Proposed Senate Bill on Probation Youth in Public Schools

State Senator Curren Price is sponsoring a bill that would prohibit public schools from denying enrollment or readmission to pupils solely on the basis that they have had contact with the juvenile justice system. (A handout was included in meeting packets.) Too often, youth returning from probation camps and juvenile halls experience a dual-track system, not being returned to mainstream high schools but instead being assigned to continuation schools or alternative education programs that may not be helpful, especially to students who have done well in the camps and are committed to their education. Even though community day schools and continuation high schools can provide a comparable education and may be appropriate, such automatic practices tend to uphold poor educational achievement and encourage more drop-outs.

Judge Donna Groman is working with the Los Angeles Unified School District on this issue, which LAUSD admits does happen. "There can be good reasons to delay [comprehensive school admission] sometimes," Judge Nash said, "but we've seen blanket denials to enrolling kids in their old schools. LAUSD isn't the only school district guilty of this, and it's of concern to us."

"Montebello seems to be unique in that we *will* take these kids," Michael Cobarrubias said, "since most districts won't. We would love to discuss the issues and come up with some solutions, since it's just not fair to the kids who can graduate through the comprehensive system." As much information as possible is needed to make school-placement decisions about individual youth, and Nash admitted that the juvenile justice system needs to take more responsibility for ironing out those issues in advance of a youth's release. Some improvements are occurring through the use of multidisciplinary teams involving several agencies, but transitions should ideally be seamless.

"We at LACOE recognize that a big piece is getting the proper records to you so you can make good decisions," Art Delgado told school district representatives, "and we're working on that. LAUSD has had access to our EPIC system [electronic student attendance tracking information] for over a year," as does Long Beach Unified; additional districts are in a roll-out plan. Even

view-only access to data systems would be helpful, especially if pupil profiles include special needs, IEPs, medications, etc., as well as credits, course history, and attendance records (fields for all of which are included in the EPIC system). Without this kind of detailed information, students can be found ineligible to graduate, for example, because adults have mistakenly enrolled them in duplicate courses or neglected to steer them toward needed classes.

Philip Browning, director of the Department of Children and Family Services, also expressed a desire for access to student records. “We have thousands of kids in foster care,” he said, “and not having this information makes decisions about their education much more difficult.”

Closing

Art Delgado thanked everyone for attending, saying that another dialogue will be scheduled within the next six months or so. The meeting was adjourned at 11:45 a.m.