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## Reentry Programs for Students with Disabilities in the Juvenile Justice System: Four State Approaches

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Evidence strongly supports the notion that juvenile offenders, both with and without disabilities, are significantly more likely to experience successful reentry into their home schools and communities if appropriate programs and supports are in place. In spite of this, comprehensive state-level reentry programs for youth are few and far between. The first section of this document defines *reentry*, describes recent federal efforts to support successful reentry for youth, discusses the prevalence of youth with disabilities in the juvenile justice system, explains why reentry programming matters and summarizes recommended strategies for successful reentry. The second section describes four states' efforts to support the successful reentry of juvenile offenders into their home schools and communities. Project Forum at the National Association of State Directors of Special Education (NASDSE) completed this document as part of its cooperative agreement with the U.S. Department of Education's Office of Special Education Programs (OSEP).

### OVERVIEW AND BACKGROUND

#### What is Reentry?

According to the U.S. Department of Justice's Office of Justice Programs' (OJP) website:

"Reentry involves the use of programs targeted at promoting the effective reintegration of offenders back to communities upon release from prison and jail. Reentry programming, which often involves a comprehensive case management approach, is intended to assist offenders in acquiring the life skills needed to succeed in the community and become law-abiding citizens. A variety of programs are used to assist offenders in the reentry process, including prerelease programs, drug rehabilitation and vocational training, and work programs."<sup>1</sup>

#### Federal Efforts to Support Successful Reentry

The Prisoner Reentry Initiative represents a collaborative effort by OJP and the U.S. Departments of Education, Health and Human Services, Housing and Urban Development and Labor to support successful reentry for both juvenile and adult populations of "high-risk"

<sup>1</sup> For more information on reentry from the OJP, go to <http://www.ojp.usdoj.gov/reentry/learn.html>.

offenders. The Initiative funds the development, implementation and evaluation of model reentry programs and focuses on three phases of reentry programming:

- **Phase 1: Protect and Prepare:** These facility-based programs help prepare offenders for reentry by providing services that may include education, mental health, substance abuse treatment, job training and mentoring.
- **Phase 2: Control and Restore:** These community-based transition programs work with offenders prior to, and immediately following, their release.
- **Phase 3: Sustain and Support:** These community-based, long-term support programs help individuals who have exited the justice system connect with community-based organizations and social service agencies that provide ongoing services.<sup>2</sup>

### **Prevalence of Students with Disabilities in the Juvenile Justice System**

According to data collected in 2007 by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), just over 87,000 youth were held in juvenile correctional facilities throughout the United States.<sup>3</sup> An additional 3,650 youth were in state prisons during the same time, according to the Bureau of Justice Statistics (West & Sabol, 2009).

Reports indicate that youth with disabilities are significantly overrepresented in the juvenile justice system (Burrell & Warboys, 2000; Quinn, Rutherford, Leone, Osher & Poirer, 2005; Stenhjm, 2005). For example, one study found that at least 37% of incarcerated youth were eligible for services under the Individuals with Disabilities Education Act (IDEA) as compared to only 9% of children and youth in the general population (Quinn, Rutherford, Leone, Osher & Poirer, 2005). Other reports suggest that between 65% and 90% of youth in correctional facilities meet the diagnostic criteria for at least one mental health disorder (Otto, 1992; Unruh, Waintrup, Canter, & Smith, 2010).

Although research is extremely limited as to the types of disabilities most commonly found among youth in correctional facilities, a study by Rutherford et al. (2002) estimated that 10% have specific learning disabilities, 50% have emotional disturbance, 12% have intellectual disabilities and as many as 50% have attention deficit/hyperactivity disorder (AD/HD).

### **Why Reentry Programming Matters**

According to a 2006 study, the overall youth recidivism rate within 12 months of release from a correctional facility is approximately 55% (Snyder & Sickmund, 2006). Significantly, reentry outcomes for youth with disabilities are even worse than for those without disabilities (Bullis, Yovanoff, & Havel, 2004). Unruh and colleagues (2010) note that reentry is particularly challenging for youth, because so many are shifting from child-centered social service agencies to adult-oriented agencies at the time of release, making it more likely that they will fall between the cracks.

Studies suggest that when youth with disabilities are adequately supported throughout the reentry process, positive outcomes are much more likely. For example, Bullis and colleagues

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<sup>2</sup> For more information on the Prisoner Reentry Initiative, go to: <http://www.ojp.usdoj.gov/reentry/learn.html>.

<sup>3</sup> These data represent the total number of incarcerated youth at a single point in time, not a cumulative total for the entire year. These and other statistics can be found at the following OJJDP website: <http://www.ojjdp.gov/ojstatbb/corrections>.

found that youth with disabilities who had jobs or attended school during the first six months following release were 3.2 times less likely to experience recidivism and 2.5 times more likely to remain employed and/or enrolled in school one year after exiting correctional facilities (Bullis et al., 2002).

### **Recommended Reentry Strategies**

Experts in the field recommend a comprehensive approach to reentry that combines the following types of evidence-based strategies for supporting the successful reentry of youth, both with and without disabilities, into their communities:

- individualized transition plans accompanied by progress monitoring (Larson & Turner, 2002);
- direct academic instruction (Larson & Turner, 2002; Palmer, 1996);
- vocational and life skills training (Larson & Turner, 2002; Palmer, 1996);
- social skills training (Larson & Turner, 2002; Gendreau, 1996);
- implementation of behavior management systems (Larson & Turner, 2002); and
- cognitive therapy to change attitudes and expectations (Larson, 1998; Larson & Turner, 2002; Palmer, 1996).

For youth with disabilities, the timely transfer of educational records from the correctional facility to the student's home school also plays a critical role in the reentry process, ensuring that these youth receive appropriate special education services and supports (National Council on Disability, 2003).

Experts further recommend that transition planning be multidisciplinary and interagency, linking youth and their families to the appropriate service providers in their home communities and ensuring that agencies are working together to provide a seamless system of care, also referred to as "wrap around" (Larson & Turner, 2002; Leone, Quinn, & Osher, 2002; National Council on Disability, 2003).

## **EXAMPLES OF STATE APPROACHES**

### **Data Collection**

Based on input from OSEP, Project Forum contacted several university faculty with expertise in the field of juvenile justice and students with disabilities and gathered input on states employing best practices for supporting the reentry of students with disabilities in the juvenile justice system into their home schools and communities. Four states were selected for inclusion in Project Forums' study: Arizona, Georgia, Hawaii and Oregon. Representatives from each state were interviewed and program-related documents were reviewed between June and September 2011. Findings are reported in the following section of this document.

### **Program Descriptions**

The primary goal of these four state programs is to reduce recidivism by supporting the smooth transition of youth with disabilities from correctional facilities to community-based schools, jobs and support services. Although not all programs serve youth with disabilities exclusively, all report that youth with disabilities make up a significant portion of the total youth served.

## Arizona

In the mid-1990s, the Arizona Department of Education's (ADE) Division of Exceptional Children Services began making a concerted effort to improve outcomes for students with disabilities in the state's juvenile and adult justice systems. For example, ADE created two positions that focused specifically on secure care education and also convened the Arizona Secure Care Education Consortium, made up of representatives from the county juvenile detention facilities and jails, the Arizona Supreme Court, the Arizona Department of Juvenile Corrections (ADJC) and the Arizona Department of Corrections (ADC). One of the Consortium's first tasks was the development of a transition curriculum, *Merging 2 Worlds*, for special education students residing in correctional facilities.<sup>4</sup> In 2004, ADE also applied for, and received, a grant from OSEP to support reentry programming for youth with disabilities exiting correctional facilities. Currently, the grant provides Arizona detention facilities, jails and juvenile and adult corrections agencies a portion of the grant based on total numbers of special education students served.

Collaborative partnerships play a key role in Arizona's reentry work. For example, an advisory council for the Secure Care Education Consortium meets quarterly to address topics related to

*Gail Jacobs, AZ: "Ultimately, success for us has been measured by engagement. When released, do they go back to school, get jobs, and reoffend? Not just recidivism."*

detention education. The Consortium is currently working with Arizona State University (ASU) to develop professional learning communities at 14 detention schools with a focus on prerelease strategies that ensure successful transition, as well as the collection of outcomes measures. Other collaborations include the ADJC's work with ASU to

develop a school-to-work learning curriculum using *Merging 2 Worlds* for all students, including those with disabilities. ADJC provides an instructor for the school-to-work courses, and ASU gathers outcomes data for course participants once they have been released. ADE also participates in the Secure Care for Educators Consortium and the Arizona Correctional Educators' (ACE) annual conference for teachers, administrators and staff serving youth in correctional facilities.<sup>5</sup> The Director of Special Education for ADJC sits on the special education advisory panel (SEAP) to Arizona's State Board of Education.

All students in secure care facilities are eligible to participate in the state's transition program, not just those with individualized education programs (IEPs). However, 25-50% of students of the more than 10,000 students served each year in long-term correctional or detention facilities are eligible for special education services.

State wide, each agency and facility takes a somewhat different approach to transition and/or reentry. All have in common administrative support at the site level (and in many cases, at the agency level), and all have in place some type of reentry programming dedicated to improved outcomes for youth both with and without disabilities. For example:

- *ADJC*—Youth served by ADJC are each assigned a transition coordinator who establishes a relationship with them prior to release and continues to provide supplementary support after exiting the facility. Four transition coordinators travel the state, working closely with parole officers, the director of special education and local education agencies (LEAs) to ensure that youth are enrolled in appropriate educational

<sup>4</sup> For more information on the Merging 2 Worlds curriculum, go to: <http://merging2worlds.education.asu.edu/>.

<sup>5</sup> For more information on Arizona Correctional Educators, go to: <http://azcorrectionaleducators.com/>.

programs upon release. Transition coordinators also attend IEP meetings and advocate for the timely transfer of student records. Following release, youth have access to services provided by a day and evening service center (DESC) offering counseling services, substance abuse treatment and online computer courses.

- *Detention Schools*—Youth being schooled in Arizona detention centers are usually held for an average of 15 days. The 14 detention schools each have a designated transition coordinator, but each one has its own transition program. The detention education specialist from the Arizona Supreme Court is currently working with ASU to identify common components of all programs in order to measure reentry outcomes for youth. While in detention, youth work on GED preparation and credit recovery and take online courses. The expectation is that educational progress will continue upon release with support from transition coordinators and probation officers.

Arizona reentry programming is funded by multiple sources, including Title I funds (of which 15-30% must be used for transition services), Title II and American Recovery and Reinvestment Act (ARRA) stimulus funds. Programming has also been supported in past years through a model demonstration grant from OJJDP and a grant from the National Center on Education, Disability and Juvenile Justice (EDJJ).

In terms of staffing, approximately 50% of detention centers have full-time transition coordinators, and the other 50% have part-time transition coordinators. Some LEAs also hire transition coordinators. At different times, grant funds have been available to train facility-based staff (including transition coordinators, probation officers, general educators and special education teachers). ADE also includes a secure care strand as part of its annual transition conference for LEAs, teachers and administrators.

The evaluation team from ASU is helping counties gather outcomes data at the local level. ASU has also gathered data on the *Merging 2 Worlds* curriculum based on youth engagement (i.e., numbers employed and/or enrolled in education programs) following release and data from transition coordinators. Maricopa County currently tracks student outcomes 30, 60 and 90 days following release from detention and ADJC facilities, but no other county conducts such comprehensive follow-up at this time.

## Georgia

The Georgia Department of Juvenile Justice (DJJ) has had a long-standing commitment to improving the employment skills of youth in long-term correctional facilities through a variety of vocational training programs in auto mechanics, culinary arts, computer and key boarding, construction and horticulture and landscaping. In response to continued high rates of recidivism, however, the Director of Student Support Services applied for and received an Academic/Workforce Preparation Grant from the U.S. Department of Labor in 2003 to expand its reentry programming, known as *Think Exit at Entry*, via partnerships with outside agencies and institutions.

*Coy Satterfield, GA: "We wanted [youth] to come in on the first day at the facility, no matter how much time they had to serve, we wanted to think about how they could prepare themselves when they go back out."*

Some of the many collaborative partnerships the Georgia DJJ has established via memoranda of understanding (MOUs) include the Georgia Department of Labor (which provided transition staff to work with youth prior to their release, in addition to providing an onsite vocational

trailer at one long-term correctional facility); the Georgia Workforce Investment Board (which provides stipends to youth for attending classes, sets up job interviews and provides case management); the Atlanta Urban League (which provides youth with social and life skills training); the Georgia Department of Vocational Rehabilitation (VR) (which sends representatives to facilities to help youth with special education and/or mental health needs identify and secure employment opportunities); Technical Colleges of Georgia (which enables youth working toward high school diplomas or GEDs to be dually enrolled in technical colleges throughout the state and to transfer credits upon release); and the Black McDonald's Owner Association (which provides job opportunities to youth exiting facilities).

Participants in *Think Exit at Entry* are youth residing in long-term correctional facilities, and over the course of its five years as a federally funded program, has provided transition services to 1,250 youth. Although the program does not focus specifically on youth with disabilities, approximately 40% have individualized education programs (IEPs).

The *Think Exit at Entry* program includes four phases:

- *Intake review:* Within 30 days, an educational team conducts an educational assessment; develops an individualized student plan; and begins to put together a student portfolio that includes certification of skills mastered, a resume and letters of reference.
- *Ongoing activities:* Within 90 days, a review panel meets with each youth to review his/her progress and amend the student plan as needed.
- *Release review:* Sixty days prior to release, the review panel, which now includes both a transition facilitator and a parent/guardian, meets again to assess student progress and plan for reentry into the community. Topics addressed include educational and vocational training needs, housing, substance abuse treatment and/or transportation.
- *Exit:* Ten days prior to release, the panel conducts an exit interview and the student portfolio is given to the transition facilitator, probation and parole specialist and parent/guardian in order to support a successful transition from the facility to the community.

Transition staff for *Think Exit to Entry* originally included a part-time program manager who directed the program, reviewed student plans, and coordinated after care services; a career education teacher who taught a course on resume building, interview skills and work habits necessary for job retention; two developmental instructors who provided individualized tutoring in academic and vocational skills; and a network of 12 part-time transition facilitators who helped ensure that youth were successfully enrolled in educational programs and/or employed upon release from facilities.

The U.S. Department of Labor funded *Think Exit at Entry* from 2003-2007. Once the grant cycle came to an end, however, several key features of the program (e.g., most of the transition facilitators and the Department of Labor vocational trailer) were eliminated. At this point, the program continues to operate based primarily on the already established partnerships among collaborating agencies, as well as limited IDEA funds that pay for one part-time transition facilitator to mentor youth offenders in just one of the state's long-term facilities. A transition board made up of representatives from each of the collaborating agencies, local chambers of commerce, community colleges and technical colleges continues to meet regularly to ensure interagency collaboration now that federal funding for the program is no longer available. Also, the Georgia DJJ continues to support the program

through its juvenile probation and parole specialists who have assumed some of the responsibilities that once belonged to the transition facilitators.

Although the Georgia DJJ finds it difficult to track youth once they have exited the system, the University of Georgia did a follow-up study of 100 youth served by *Think Exit at Entry*. Findings indicated that while 54% were successfully employed, in training programs or enrolled in colleges, outcomes for other program participants were less positive. Outcomes tended to be significantly worse for youth residing in rural areas where access to needed social services was limited.<sup>6</sup>

## Hawaii

Hawaii's state-level reentry program for youth began approximately five years ago, when the Hawaii Youth Correctional Facility (HYCF) fell under a consent decree from the U.S. Department of Justice (DOJ). A MOU was created forcing HYCF and related agencies to work together to develop and/or improve programs to meet DOJ requirements. The Hawaii State Department of Education's (HSDE) Olomana School is the one education program serving students in the correctional facility.

HYCF averages approximately 58 students per day. A significant percentage of the students have been identified with emotional disturbance (ED), specific learning disability (SLD), intellectual disability, hearing impairment or other health impairment.

*Raymond Gaughen, HI: "One team [the multidisciplinary team] means one voice and everyone on the same page."*

To ensure that all pieces of the HYCF program work together in a seamless fashion, HYCF requires regular multidisciplinary team (MDT) meetings for each youth residing in the facility, that include representatives from Olomana School and all other programs in which

youth participate (e.g., anger management programs, treatment for substance use and abuse, and mental health and/or counseling services). Youth participate in monthly MDT meetings during which their progress in both academic and other programs is evaluated. Youth are also expected to present their cases to the parole board.

HYCF has adopted a program based on four levels where youth earn daily points for appropriate behaviors and participation in programs, enabling them to advance from one level to the next. With higher levels come increased privileges (e.g., phone calls, later bedtimes, access to video games and outings with staff). More importantly, with higher levels come opportunities for spending increasingly more time in their home communities. For example, youth first receive day passes and then graduate to overnight passes, weekend passes, extended vacation passes and ultimately parole. To move from level to level, youth are required to present a formal request to the MDT.

Olomana School provides educational guidance and direction for youth in the facility, as well as support transitioning back into their community schools. Hawaii's educational system is unique in that one board governs the entire state system, and a single database is used to capture information on students' cumulative files, thus supporting the timely transfer of information between Olomana School and the youth's home school. When youth transfer back to their home schools, information-sharing meetings are also frequently held in order to

<sup>6</sup> For more details on outcomes for the *Think Exit at Entry* program, see T. O'Rourke and C. Satterfield's, *Think Exit at Entry*, in the *Journal of Correctional Education*, 56(2), pp.189-194 (2005).

update the home schools as to youth progress and/or special education support needs while attending Olomana School.

In terms of funding and human resources, Hawaii's reentry programming for youth is covered automatically as part of Olomana School (funded by HSDE) and HYCF (funded under Hawaii's Office of Youth Services).

Although no formal evaluations have been conducted of program effectiveness, representatives of HYCF reported that the shift to a level system, which allows for the gradual integration of youth back into their home communities, has resulted in far less time spent 'in custody' as well as lower recidivism rates. HYCF staff also stressed the importance of in-facility programs that address youth's delinquent behaviors, thereby ensuring greater success upon release.

### **Oregon**

In 1999, Oregon implemented a pilot project called Project SUPPORT to address the reentry needs of youth with emotional behavioral disorder (EBD) and other disabilities exiting long-term correctional facilities. This project evolved into what is now known as Project STAY OUT (or Strategies Teaching Adolescent Young Offenders to Use Transition Skills). In the past, one of the unique features of Project STAY OUT was its governance structure, designed to ensure program sustainability through interagency collaboration. Members of the state management team met regularly and included the Oregon Department of Education (ODE), Oregon Youth Authority (OYA), Oregon Office of Vocational Services (VR), state Workforce Investment Board (designed to implement the Workforce Investment ACT [WIA]), staff from the Department of Human Services in the Addiction and Mental Health Department and an evaluation team from the University of Oregon (UO). Although budget cuts have kept the state team from meeting regularly, whenever Project STAY OUT is adopted by a new community, state level agency personnel help identify appropriate contacts within that community.

In order to participate in Project STAY OUT, youth must either have an IEP, 504 plan or active mental health diagnosis. According to statistics gathered by the UO evaluation team, 87% of participants meet the diagnostic criteria for one or more mental health disorders and approximately 46% have an IEP (a figure which the interviewees believed underrepresents the actual number of participants eligible for special education services). Youth participation in Project STAY OUT lasts anywhere from three months to two years, and the average participant age is 18 years.

Project STAY OUT's service delivery model is based on best practices within the field of EBD and juvenile corrections. Based on research findings by Bullis and colleagues (2002) indicating that engagement in school and work are critical predictors of success for youth exiting correctional facilities, the program focuses on ensuring that these services are in place immediately following youth offenders' release. Project STAY OUT is based on a comprehensive approach to reentry. Key components include a focus on enhanced self-determination skills, competitive employment, flexible educational opportunities, social skills instruction and immediate access to service coordination upon exiting a facility.

The transition specialist is an important feature of the project. This individual helps develop and implement a transition plan in collaboration with the youth and his/her parole officer.<sup>7</sup> The transition specialist works closely with 10-15 youth at any one time in order to tailor plans to match their individual preferences and skills. Following screening and referral of program participants, services are provided in three phases: 1) facility-based services; 2) immediate pre- and post-release activities; and 3) ongoing community-based support. Phase 2 is considered most critical. During this time, the transition specialist and parole officer work together to ensure that community resources are in place *before* the youth exits a correctional facility. For example, the transition specialist helps youth secure employment through VR or WIA. The transition specialist continues to provide ongoing mentorship through Phase 3 and also works to ensure that stakeholders, including a VR or WIA counselor, treatment manager, parole officer and facility and community education staff, are working together to share information and provide all necessary services.

Funding for Project SUPPORT originally came in the form of matching funds from ODE, OYA and VR and required a cooperative agreement to manage disbursement of the funds. When Project STAY OUT was initiated, however, this system was replaced by a localized funding model. This entails using average daily membership generated by participating youth who are still eligible for state school funds to pay for the transition specialist and ensuring that youth continue to receive educational services (including special education services) and vocational supports. Nine transition specialists provided support through Project SUPPORT across the state from 2001-2004, with two additional transition specialists added to high-population areas and funded through an OSEP model demonstration grant. In 2004, however, ODE eliminated funding for the project and only two districts maintained transition specialist positions using grant monies through 2008. In 2008, the UO and OYA received a grant from OJJDP to develop a localized funding model for the project and now two new regions are again initiating project services.

*Tim Canter, OR: "No matter what you call the position, it's important to have a person within the [local education agency] who can partner and liaison and work with outside agencies, families and students. You need to have one person navigating those systems."*

The UO evaluation team continues to gather both process and outcome data for the project, including youth demographic information; transition specialist activities completed and services provided; and outcome information including education, employment, and recidivism statistics. Based on UO findings:

- 91% of Project STAY OUT participants received employment services from a transition specialist;
- 71% received some type of educational support;
- 60% received training in independent living skills; and
- 66% received social/family services.

Findings also indicate that almost 66% of participants were either employed or enrolled in some type of educational setting during the first six months following their release—highly promising outcomes considering Bullis and colleagues' estimates of an overall 60% recidivism rate for youth offenders (Bullis et al., 2002).<sup>8</sup>

<sup>7</sup> To download the training manual for Project STAY OUT transition specialists, go to: <http://www.sset.uoregon.edu>.

<sup>8</sup> For more detailed information on Project STAY OUT, see D. Unruh, M. Waintrup, T. Canter, & S. Smith's *Improving the Transition Outcomes of Adolescent Young Offenders* (2010).

## Common Themes

Several themes emerged from the interviews with state staff. For example:

- Interagency collaboration and infrastructure supporting the sharing of information (e.g., MOUs, regular meetings and/or conferences) are critical to developing an effective support network for youth on reentry.
- A continuum of supports starting while youth are still residing in facilities and continuing after their release helps bridge the difficult transition from correctional facilities back to communities.
- The role of a transition facilitator is key.
- Reentry programs must be comprehensive in nature, addressing the youth's educational and vocational needs, as well as social and behavioral skills, mental health, substance abuse treatment, housing and transportation.
- Budgetary constraints are a significant barrier to sustaining effective programming over the long-term.
- Tracking of student outcomes—not just recidivism rates, but also employment and school enrollment statistics—is critical to understanding which features of reentry programs support success.

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