



August 26, 2014

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**RE: Request for Signature - AB 2276 (Bocanegra)**

Dear Governor Brown:

The Youth Law Center is a national, public interest children's advocacy organization that works to protect the rights of children and youth in the child welfare and juvenile justice systems. We write to voice our strong support for AB 2276, a bill that would address the re-enrollment rights and transition needs of California's juvenile justice youth.

Juvenile justice youth are one of the most academically at risk student groups enrolled in our public schools. One study concluded that the "academic achievement levels of adolescent-aged delinquents rarely exceeds elementary grade levels." This same study found that these youth often perform four years behind their age-equivalent peers on standardized tests and that more than "60 percent had been retained in grade, and more than 50 percent had been expelled from school prior to their incarceration."<sup>1</sup> Another report concluded that:

"Many court involved students perform below grade level and have histories of truancy and suspension. Few, if any, have high school credits. They require a disproportionate rate of special education services and often feel alienated from school. If the special needs of these youth are not met, they are at risk of dropping out of school and returning to the justice system, at considerable social and financial cost."<sup>2</sup>

Notwithstanding the unique educational challenges facing this high risk student group, education is one of the most critical factors in reducing criminality and assuring successful transition to self-sufficient adulthood. One study concluded that, "It is crucial that students are involved in an appropriate educational program while in the correctional center, and upon release. The incidence of

<sup>1</sup> "Addressing the Unmet Educational Needs of Children and Youth in the Juvenile Justice and Child Welfare Systems" (2012) Peter Leone, Lois Weinberg. <http://cjjr.georgetown.edu/pdfs/ed/edpaper2012.pdf>.

<sup>2</sup> "Overcoming Barriers to School Reentry" (2004) Roy-Stevens, C., Office of Juvenile Justice and Delinquency Prevention <https://www.ncjrs.gov/pdffiles1/ojjdp/fs200403.pdf>.



recidivism becomes greater when enrollment is not available soon after release.”<sup>3</sup> Despite the strong correlation between the failure to reenter school and re-offending, incarcerated youth often have trouble transitioning back into public school once released. One study found that one year after institutional release, only 28% of the youth were enrolled in school, 27% had withdrawn, and 45% never re-entered.<sup>4</sup> Contrary to public perception, most juvenile justice youth want to return to school, upon release, “According to the latest OJJDP Survey of Youth in Residential Placement . . . more than two-thirds of youth in custody report that they have aspirations of higher education.”<sup>5</sup>

Unfortunately, we do not have comprehensive data concerning the educational status of California’s juvenile justice youth. However, there is strong evidence that these youth encounter the same barriers to continued education. While detained, youth should be enrolled in California’s juvenile court school system, a system in which we invest millions of dollars. To capitalize on this investment, assuring that these youth are immediately enrolled in school and placed in appropriate educational programs once released should be a priority for California. Unfortunately, this is not occurring. Juvenile court schools have one of the highest dropout rates in the state at 52.2%.<sup>6</sup> In a recent report to the State Legislature, the California Department of Education revealed that of the 60,097 juvenile detention youth served by programs funded under the state’s Neglected or Delinquent program, only 12,442 (or 21%) “enrolled in their local district school” within 30 calendar days after exit from the facility.<sup>7</sup>

It should be noted that the youth most impacted by the failure to ensure subsequent enrollment in school are youth of color, primarily Black and Latino

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<sup>3</sup> “A Summary of Best Practices in School Reentry for Incarcerated Youth Returning Home” (2004) Just Children, Legal Aid Justice Center.

<sup>4</sup> “1999 Annual Report to the Florida Department of Education: Juvenile Justice Educational Enhancement Program” Chapter 8 – Transition and Aftercare.

<sup>5</sup> “Reentry Myth Buster – On Youth Access to Education Upon Reentry” (The National Reentry Resource Center – The Council of State Government Justice Center)  
[http://csgjusticecenter.org/documents/0000/1090/REENTRY\\_MYTHBUSTERS.pdf](http://csgjusticecenter.org/documents/0000/1090/REENTRY_MYTHBUSTERS.pdf)

<sup>6</sup> DataQuest “2012-13 Adjusted Grade 9-12 Dropouts With Adjusted 1-year Dropout Rates” (Juvenile Court Schools) <http://data1.cde.ca.gov/dataquest/dropoutreporting/OtherSchDropsByGrade.aspx?s=2012-13>

<sup>7</sup> Attachment 2 to “Report to the Governor, Legislator, and Legislative Analyst’s Office: Identification and Status of State Monitoring of County Court Schools and State Division of Juvenile Justice Schools” (California Department of Education – December 2012)  
<http://www.cde.ca.gov/ta/cr/documents/legsplmrpt2012.pdf>



students. These two groups comprised 81% of the total student enrollment in California's juvenile court school system during 2012-13.<sup>8</sup>

The failure to properly award credits or to transfer school records serves as a major barrier for successful school reentry for juvenile justice youth, as noted by a report recently issued by the Georgetown Law Human Rights Institute regarding its review of reentry practices impacting juvenile justice youth in Los Angeles County:

"Students trying to return to traditional schools from juvenile justice placements face additional problems accessing credits and records. There are three key reasons for this: (1) credits earned while incarcerated may not align with traditional school curricula; (2) students may not consistently receive credits while incarcerated; and (3) credits earned in probation camps or juvenile justice placements may not be effectively transferred to new schools. . . Finally, students reported difficulties in getting their transcripts from camps sent to traditional schools. This is problematic because whether a student is able to obtain a copy of his or her transcript upon release from custody can be the determining factor in whether he or she is able to successfully enroll in school and continue progress toward earning a high school diploma. . . However, not all students are provided with a transcript or an active and dedicated probation officer, and many are unable to successfully reenroll in school."<sup>9</sup>

The failure to provide appropriate transition services for juvenile justice youth may also hamper their ability to successfully continue their education upon exiting juvenile hall. The Center for Juvenile Justice Reform confirms that the "lack of transition planning for juveniles makes successful reentry and integration into the community extremely difficult" and that "[d]ue to a lack of interdisciplinary collaboration, service providers are often unprepared to provide appropriate transition services."<sup>10</sup>

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<sup>8</sup> DataQuest, "Enrollment in California Public Schools by Ethnic Designation, 2013-14" (Juvenile Court Schools) <http://data1.cde.ca.gov/dataquest/DQ/SchEnrOtherEth2.aspx?TheYear=2013-14&SortBy=a&cCounty=all&cSchType=14>

<sup>9</sup> "Kept Out – Barriers to Meaningful Education in the School to Prison Pipeline" (Georgetown Law Human Rights Institute, April 2012) <http://www.law.georgetown.edu/academics/centers-institutes/human-rights-institute/fact-finding/upload/KeptOut.pdf>

<sup>10</sup> "Addressing the Unmet Educational Needs of Children and Youth in the Juvenile Justice and Child Welfare Systems" (2012) Peter Leone, Lois Weinberg. <http://cjjr.georgetown.edu/pdfs/ed/edpaper2012.pdf>

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AB 2276 helps to ensure the successful transition of justice-involved youth as they return to their local schools by specifying that as part of their existing responsibilities to coordinate education for youth in the juvenile justice system, county offices of education and probation departments develop a transition planning policy that includes collaboration with local educational agencies. The bill further directs the convening of a statewide group to develop a model and identify best practices with respect to transition planning and reenrollment policies and practices for these youth.

AB 2276 has received strong bi-partisan support. In our view, the bill will help to remove barriers to educational attainment for juvenile justice youth and will hopefully help to reduce the probability that they will return to the juvenile justice system.

For all the foregoing reasons, Youth Law Center strongly supports AB 2276 and respectfully urges your approval of this bill. If you require additional information, please do not hesitate to contact me.

Sincerely,



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cc: The Honorable Raul Bocanegra