

Memorandum #1

TO: JJPOC Education Committee

FROM: Peter E. Leone

RE: Funding and administrative structure of education services for incarcerated youth - examples from Missouri, Oregon, and Utah

Developing a transparent, equitable, and sustainable administrative structure and funding formula for education for incarcerated youth is essential. Inertia associated with current practices can exert a powerful force against change. Understanding systems in other states can provide opportunities to identify elements in other jurisdictions that may work in Connecticut. Missouri, Oregon, and Utah provide examples of how education services for incarcerated youth are organized and funded.

Missouri

The Missouri legislature established the Division of Youth Services (DYS) as eligible to receive state education funding. The Division of Youth Services of the Missouri Department of Human Services operates like a local school district and has the authority to bill local school districts or LEAs (local education agencies) for the cost of providing services to youth. This allows DYS education program to bill local school districts for local school taxes for youth in DYS facilities. During FY 2017, DYS operated 30 residential facilities, with 680 beds, and served 1,535 youth. Facilities range in size from 10 to 50 w/ an average of about 20. In addition to operating its own education programs, DYS is authorized to grant HS diplomas.

Missouri Statutes and Regulations

<http://revisor.mo.gov/main/OneSection.aspx?section=163.073&bid=35978&hl=>

Also <https://law.justia.com/codes/missouri/2016/title-xi/chapter-163/section-163.073/>
(funding for programs provided by the Division of Youth Services)

Oregon

The Oregon Department of Education is responsible for providing educational services to youth in county juvenile detention facilities and in the Oregon Youth Authority (OYA) commitment facilities within the state. Currently, there are 15 county juvenile detention facilities and 9 Oregon Youth Authority facilities.

The OYA operates four male and one female secure facilities and four transition facilities. The OYA serves youth between the ages of 12 and 24 who committed crimes before they turned 18.

Youth include those committed to OYA's legal and physical custody by county juvenile courts, as well as youth committed to the Department of Corrections by adult courts. Education services are provided in all facilities by a local school district or education service district through contract with the Oregon Department of Education.

Oregon Statutes & Regulations

<https://www.oregonlaws.org/ors/336.580> (education at youth care centers)

<https://www.oregonlaws.org/ors/336.585> (education in Juvenile Detention Centers)

<https://www.oregonlaws.org/ors/336.590> (education in Youth Corrections)

<https://www.oregonlaws.org/ors/327.026> (state school fund for Youth Corrections Education Program and the Juvenile Detention Education Program)

Utah

The Utah State Board of Education funds education services for incarcerated youth in detention and commitment facilities operated by Juvenile Justice Services a division of the Utah Department of Human Services. Through two annual grants to 26 local school districts, the Board of Education through its Youth in Custody (YIC) program¹ funds districts serving residential programs such as long-term secure, detention, and residential treatment. Allocation of one grant is needs-based and competitive. A second grant based on YIC enrollment in each of the districts is used to provide supplemental services to YIC students. An advisory council meets monthly to advise the YIC program.

Utah Board Rule and State Code

<https://rules.utah.gov/publicat/code/r277/r277-709.htm#T4>

¹ <https://www.schools.utah.gov/arc/yic>

Table 1 - Overview of Funding for Education in Three States

State	Who operates the schools?	Funding	Issues
Missouri	Division of Youth Services (DYS)	DYS bills LEAs of the youth in custody	Like MA, MO operates small regional facilities. Providing specialized instruction for high school students in facilities with two or three teachers is challenging. Recidivism?
Oregon	Local school districts under contract with the Oregon Department of Education	Two times the average per pupil cost ²	The Oregon Youth Authority (OYA) monitors and has oversight for education programs operated by local school districts.
Utah	State Superintendent of Schools contracts with LEAs to provide education to youth in custody (YIC); LEAs may subcontract with non-district education providers	Annual grants to local school districts.	Youth in custody students receiving education services by or through an LEA are students of that LEA.

² OR 327.026, (2)(a) The Youth Corrections Education Program shall receive from the State School Fund for each school year a special State School Fund grant, consisting of a general purpose grant that is equal to the Youth Corrections Education Program extended ADMw multiplied by Funding Percentage and further multiplied by Statewide Target per ADMw Grant. For the purpose of the calculation made under this paragraph:

(A) ADMw equals ADM multiplied by 2.0 multiplied by the additional per student weight, as calculated in ORS 327.013 (1)(c)(A)(i).