

# Delaware

## Juvenile Justice Education

### Site Visit Results

**Principal Investigator:**

Thomas G. Blomberg  
Dean and Sheldon L. Messinger Professor of Criminology and Criminal Justice

**Prepared by:**

George Pesta  
Research Faculty  
850-414-8355  
gpesta@fsu.edu

The Juvenile Justice NCLB Collaboration Project, with financial assistance from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), is committed to conducting research that improves the quality of education services for juvenile justice involved youth. Toward that end, the project has conducted a case study of Delaware and other selected states.

## **Delaware Case Study Findings**

### **I – Purpose**

The following report and information was collected through two national surveys conducted in 2006 and 2007, as well as a site visit that occurred May 19<sup>th</sup> through 21<sup>st</sup>, 2008. The purpose of the visit was to: (1) determine the research and data capacity of Delaware to evaluate its own efforts in juvenile justice education, as well as its current capacity to contribute to a National Information Clearinghouse for the field of juvenile justice education, (2) evaluate the current state of juvenile justice education post-NCLB, (3) assess the implementation of NCLB requirements and determine the extent to which NCLB impacted the services and outcomes of Delaware’s delinquent population, and (4) determine the impact the Juvenile Justice NCLB Collaboration Project had on Delaware’s implementation of NCLB.

Section two of this report describes Delaware’s organizational structure in terms of oversight of juvenile justice education, current agency initiatives, and annual reporting. Section three details Delaware’s level of NCLB implementation specifically addressing the requirements of highly qualified teachers, transition services, program monitoring and evaluation, and measuring youths’ academic gains and community reintegration outcomes. Section four provides a summary of NCLB’s impact on Delaware’s juvenile justice education services and student outcomes. Finally, Table D-1 provides detailed information regarding Delaware’s data and definitions of measures of youth characteristics, educational services, and student outcomes.

### **II – Organizational Structure**

Delaware operates a small, centralized juvenile justice education system. Educational services are the direct responsibility of the state Department of Services for Children, Youth, and their Families (DSCYF). The agency serves several different populations including substance users, children and youth with mental health needs, children in crisis, dependents and delinquents. The education unit is housed within the Division of Management Support Services and is responsible for directly operating the educational components in all of the Department’s programs. There are no private providers within the agency’s educational system. Detained and committed youth are served by the Division of Youth Rehabilitative Services (DYRS).

DYRS serves approximately 5,000 delinquent youth per year, 3,000 of which are served through community-based services. An additional 2,000 are served in detention or residential commitment programs. Programs include two detention centers (55 and 64 beds) and three commitment programs that range from 20 to 100 beds. In addition, approximately 10% of their committed juvenile residential population is served out of state through contracts and agreements. Most of the youth served out of state are sex offenders, because Delaware does not currently have a sex offender program. The department serves youth under the age of 18. Youthful offenders are served under the state’s Department of Corrections.

State-level education staff includes a director of education, a special education supervisor, a transition specialist, mentor coordinator, job developer, and two fiscal/administrative support personnel. In addition, the department employs four site principals and 50 full-time teachers

across its entire range of programs. Twenty-five of those teachers are employed in juvenile justice facilities.

The education unit is funded separately from other public schools within the state through a line item in the state legislative budget, and their budget remains separate from custody and care within the department. Federal funds include Title I-Part D, IDEA, and Title V. Through the state's Department of Education (DOE), the unit also receives Comprehensive School Reform grants and tuition reimbursement dollars for teachers' continuing education. Principals and teachers within the system can apply for external funding sources to support programming within education.

Through a cooperative agreement, the state's DOE has oversight responsibility for ensuring appropriate educational services for students with disabilities and the administration of Title I funding.

### **Agency Initiatives**

The department was the named defendant in a lawsuit that began in 1992 which initially focused on issues of custody and care. Educational quality was identified as needing improvement some time during the lawsuit and settlement. The lawsuit began in 1992 with the settlement reached in May 1994. An action plan was devised in July 1994. Education was included as part of this process. As a result, youthful offenders aged 16 to 21 were removed from the responsibility of the department and moved to the state Department of Corrections. As a result, the state built a new building to house the Ferris School for Boys. This program serves high risk youth who require a residential, therapeutic, and educational program—a “total learning environment”.

The Transforming Juvenile Justice Initiative and the Annie E. Casey Juvenile Detention Alternatives Initiative are currently high priorities of the department. The Transforming Juvenile Justice Initiative includes using outside consultants to examine the departments' policies, processes, flow of youth, and resource allocation. The Center for Juvenile Justice Reform and Systems Integration at Georgetown University is currently conducting the evaluation. Recommendations are expected to improve services to youth by better targeting department resources. Working in collaboration with the Annie E. Casey Foundation, Delaware has been able to better identify youth who do not need secure detention. Using non-secure detention programs and other alternatives to detention, the department has been able to significantly reduce its detention population from a daily average of 168 in FY 2001 to 131 in FY 2007.

Current educational initiatives include: (1) building a curriculum foundation, (2) teaching youth to prepare for transition, and (3) developing a new transition services model which includes developing curriculum that prepares youth for their post-release goals.

### **Reporting**

Descriptive information on youth served by the department and recidivism results are reported annually to the Delaware Legislature's Joint Finance Committee. In addition, the education unit reports student information and educational outcomes annually to the DOE through an annual outcome evaluation. As a special project, in 2006, the education unit employed a consultant to

conduct a return to school follow up study. The study recommended that the department provide more consistency and frequency in regards to follow up methods. For details on these measures and for Delaware's most recent findings see Table D-1.

### **III - NCLB Implementation**

#### **Highly Qualified Teachers**

Youths in juvenile justice programs receive five hours per day of educational services or its weekly equivalent and the school year is 215 days long. The average student-to-teacher ratio is 8:1, although there is at least one secure care program with a 10:1 ratio. The education unit currently employs four site principals and 50 full-time teachers. Although the department determined that the highly qualified teacher (HQT) requirements do not apply to juvenile justice schools, since the authorization of NCLB, they have focused their efforts on recruiting fully certified teachers teaching within their subject area for core academic courses. In addition to specific certifications for math, English, social studies and science, the department also considers special education and middle school certifications as qualified to teach core academic subjects.

In May 2008, the department had 25 juvenile justice education teachers. All the teachers had some level of certification and 19 were teaching in-field and considered qualified. Site principals maintain lists of teachers and teaching duties, and submit updates to the state director for education. Some teacher information is also maintained in the Department's Office of Human Resources. In addition, quarterly reports indicate current teaching vacancies.

Teacher recruitment strategies include the use of internships and teaching practicums from local colleges and universities, attending job fairs, and recruiting future teachers from the current pool of substitutes and teacher aides. Teaching salaries are commensurate with those of the public schools and include a summer stipend to cover the year round schooling. The level of college degrees and years of professional teaching experience impact teacher salaries. In addition, teachers receive state employee benefits, are guaranteed annual step raises, and receive tuition reimbursement for college course work.

Recently, the department experienced increased teacher turnover related to retiring teachers. New teachers tend to be younger and the average age of teachers has significantly decreased. The recruitment of certified teachers teaching in their area of certification has impacted student outcomes as evidenced by improved reading test scores for students receiving instruction by certified reading teachers.

#### **Transition Services**

The education unit provides transition services that support youth in returning to school and/or gaining employment after their release from residential commitment programs. At the state level, the education unit employs a full-time transition specialist and a job developer. The transition specialist serves as the state administrator for transition as well as the hands-on transition specialist for the Ferris School (the agency's largest and longest-term commitment program). The transition process includes testing, student planning, and preparation for release. Education staff participates in transition meetings. When students are identified as returning to

school in their transition plan, the transition specialist or other designated individuals, contact public schools prior to each student's release to begin the enrollment process. Students can be placed in adult education centers and alternative schools when those options are available and appropriate. Cooperation with local schools varies from district to district and school to school. Problems often emerge for students who have been previously expelled from school.

Employment services are provided for some students who do not plan to return to school following their release. The state's job developer, a new position, is responsible for developing relationships with local and state companies that are willing to hire youth after their release from residential commitment. In addition, the agency uses the "Jobs for Delaware Graduates" program to assist youth with gaining employment post-release. Jobs for Delaware Graduates is funded through Title I part D funds and serves youth in the department by providing employability skills prior to release, assisting the youth in finding employment, and tracking the youth's post-release employment success. However, this program is currently limited to serving only a portion of the residential releasees, and does not serve all youth who do not have plans to return to school.

Although the department was providing transition services prior to NCLB, since its authorization, transition requirements and community reintegration outcomes such as return to school and post-release employment have been incorporated into the education unit's school improvement plan. In addition, the department conducted a transition study using outside consultants in 2006. This study provided recommendations to improve follow up services for youth returning to school and provide employment assistance to more youth being released.

### **Program Monitoring and Evaluation**

Although the education unit within the department does not conduct comprehensive quality reviews of its schools, education within DSCYF is accredited by the Middle States Association of Colleges and Schools every ten years with a review every five. In addition, the department's special education coordinator monitors special education services for compliance on a regular basis and annual teacher evaluations are conducted by administrative staff. The education unit also maintains a school improvement plan which contains goals and objectives related to pre- and post-testing in reading and math, and 90 day post-release goals of returning to school or gaining employment. Delaware does not have educational quality review standards that are unique to juvenile justice education.

### **Measuring Youths Academic Gains and Community Reentry**

Since the implementation of NCLB, Delaware has focused efforts on improving measures of student performance. Using different methods and data collection systems, Delaware collects and reports student academic information including the number of high school diplomas and GEDs earned while incarcerated, grade promotions and pre- and post-testing in reading and math. Standard diplomas are awarded from student's home schools or the Groves Adult Education High School and the department does not issue any types of special diplomas. Site principals maintain lists of students who receive a GED or diploma while incarcerated. This information is reported to the state education director but is not included in the department's MIS.

The state is currently using the Basic Achievement Skills Inventory (BASI) for pre- and post-testing in all of its facilities. Students are pre-tested upon entrance into the juvenile system (in detention), then tested every six months and at exit. Students must be in the system for a minimum of 60 days in order to receive a post-test. Students making academic gains in reading and math are those students who received a pre- and post-test using the BASI, and who have shown improvement in the standard score for reading and math from entry to exit. This data is electronically captured in the department's MIS and includes grade equivalency and standard scores for reading and math as well as vocabulary stanine scores.

Community reintegration outcomes include recidivism, return to public school, and post-release employment. Delaware defines recidivism as rearrest with a felony charge within 12 months of release. Official recidivism is calculated outside of the agency responsible for juvenile justice. It is calculated by the state's Statistical Analysis Center (SAC). Arrest information is captured through the state's Criminal Justice Information System as reported by local law enforcement agencies. Return to school is defined as any student who is enrolled in a public school in the state of Delaware 90 days after being released from a residential commitment program. However, only those releasees who received a transition plan at the time of release and who indicate they are going back to school receive follow up. Teachers and/or transition counselors follow up by phone with students' schools at 30, 60, and 90 days post release. If students are not enrolled in a school they indicated they would return to, then additional follow up is inconsistent.

Post-release employment information is captured through the Jobs for Delaware Graduates' program. Approximately 20% of released youth receive Jobs for Delaware Graduates services and follow up. Employees of the Jobs for Delaware Graduates conduct follow up with youth and or employers by phone at 30, 60, 90 and 120 days post-release.

It should be noted that these measures are calculated independently from each other. For example, academic gains are based on all students who received a pre- and post-test, while the population of releasees may differ for the three community reintegration measures. Most measures are maintained in the department's FACTS system, which is a statewide management information system operating with Oracle software. However, GED and diploma information is maintained on spreadsheets and self-reported by programs to the state education director's office. Recidivism and arrest information is collected and reported by the state's Statistical Analysis Center (SAC) which is housed in a separate state agency.

#### **IV – NCLB Impact Summary**

Overall, NCLB has positively impacted the educational services provided to youth in the Delaware juvenile justice system. As a result of NCLB requirements, Delaware is now measuring youths academic gains based on standardized pre- and post-testing using the BASI. This has resulted in more accountability of curriculum standards and teachers. Although the impact on student performance for this requirement has not yet been determined by the state, students are expected to learn and make gains while in the juvenile justice system. In addition, the collection of community reintegration outcomes relating to school and employment has

improved. Delaware has focused their efforts on collecting more accurate information and consistently tracking youth released from residential placements.

Prior to NCLB, the state had already begun to focus on providing transition services and recruiting certified teachers in special education, middle school, and core academic areas. However, these requirements are now included in the state’s school improvement plan and the implementation of these services is reported annually to the state’s Department of Education.

According to interviews with state administrators, Delaware’s participation in the NCLB collaboration project has resulted in more awareness regarding NCLB requirements for juvenile justice schools. The state has networked with other juvenile justice education state representatives to share strategies for providing transition services and has incorporated transition policies and practices for transition from other states into their own system. In addition and as a result of the project’s national meetings, the educational administrator for Delaware has met with education administrators from Maryland to share strategies for managing education in juvenile justice facilities.

**Table 1: Data Measures**

Program/School Characteristics
<p><b>Programs</b>                      Programs include two detention centers (55 and 64 beds) and three commitment programs which range from 20 to 100 beds (including a 20 bed transition cottage) and includes one girls program. The state’s largest and highest risk facility is the Farris School.</p>
<p><b>Educational Services</b>                      Educational services focus on academic courses with limited career/technical training for 5 hours per day or its weekly equivalent. There 215 school days in the calendar year. The student / teacher ratio is approximately 8:1 with one program having a 10:1 ratio.</p>
Youth Demographics and Characteristics
<p><b>Youth Served</b>                      DYRS serves approximately 5,000 youth per year, 3,000 of which are served through community-based services, the other approximate 2,000 are served in detention or residential commitment programs. Approximately 675 youth remain in education programs for longer than 30 days and long-term programs serve about 300 youth annually. Based on FY 2007 recidivism rates, 740 youth were released from residential commitment programs.</p>
<p><b>Age Range</b>                      The department serves all youth who commit an act of delinquency while under the age of 18. If charged as an adult, youth are served in the DOC Youthful Offender program.</p>
<p><b>Special Education</b>                      Throughout the 2006-07 school year, the percent of special education students ranged from 40 to 45%. Information on Limited English Proficient students is not routinely collected or reported.</p>

<p><b>Length of Stay</b>                  The department has two short-term residential programs that serve youth for 30, 60, or 90 days. The average length of stay for the majority of youth served in long-term residential commitment programs is 6-9 months. The length of stay at the detention facilities varies greatly from one day to approximately one year.</p>
<p><b>Available Demographic Data</b>                  The department can produce basic demographic data including age, race, gender, etc.</p>
<p><b>Delinquency</b></p>
<p><b>Current and Prior Offense(s)</b>                  Current offense and prior information is housed in the state’s Statistical Analysis Center and is not included in the department’s MIS or annual reporting.</p>
<p><b>Teacher Characteristics</b></p>
<p><b>Number and Qualifications</b>                  In May 2008, the department had 25 juvenile justice education teachers. All teachers have some level of certification and 19 were teaching in-field and considered qualified.</p> <p><b>Definition of Qualified</b>                  Teachers certified in special education, middle school, or the core content areas of English, math, social studies and science are considered qualified to teach core content area subjects.</p> <p><b>Source</b>                  Site principals maintain lists of teachers and teaching duties and submit updates to the state director for education. Some teacher information is also maintained in the department’s Office of Human Resources.</p> <p><b>Where Reported</b>                  This information is not reported in an annual report, but is collected and maintained.</p>
<p><b>Diplomas/GEDs</b></p>
<p><b>Current Findings</b>                  During the 2006-07 school year, 13 students received their GEDs and four students received their standard diploma while at the Ferris School. The remaining two residential commitment programs tend to serve younger youth for shorter lengths of stay.</p> <p><b>Data Source</b>                  Delaware collects and reports the number of students who earn a GED or standard diploma while incarcerated. Standard diplomas are awarded from student’s home schools and the department does not issue any types of special diplomas. Site principals maintain lists of students who receive a GED or diploma while incarcerated. This information is reported to the state education director and is not included in the FACTS system.</p> <p><b>Where Reported</b>                  GED results are reported in the Education Services Unit’s Annual Outcome Evaluation Report and the annual Joint Finance Committee Briefing book.</p>
<p><b>Testing</b></p>



<p><b>Current Findings</b>                  In school year 2006-07, 83 students received a pre- and post-test using the Basic Achievement Skills Inventory (BASI). Of these students, 71% made gains in reading while 69% made gains in math. However, based on the number of youth released in 2006-07, it appears that less than 25% of released youth were tested at both entry and exit.</p> <p><b>Definition</b>                  Students are pre-tested at entry into the juvenile system (in detention), then tested every six months and at exit. Students must be in the system for a minimum of 60 days in order to receive a post-test. Students making academic gains in reading and math are those students who received a pre- and post-test using the BASI; and who have shown improvement in the standard score for reading and math from entry to exit.</p> <p><b>Data Source</b>                  This data is electronically captured in the department’s MIS (FACTS system) and includes grade equivalency and standard scores for reading and math as well as vocabulary stanine scores.</p> <p><b>Where Reported</b>                  Pre- and post-testing results are reported in the Education Services Unit’s Annual Outcome Evaluation Report and the annual Joint Finance Committee Briefing book.</p>
<p><b>Recidivism</b></p>
<p><b>Current Findings</b>                  FY 2007 had 740 discharges with 304 new arrests which resulted in a 41% recidivism rate.</p> <p><b>Definition</b>                  Rearrest with a felony charge within 12 months of release from a residential commitment program.</p> <p><b>Data Source</b>                  Official recidivism is calculated outside of the agency responsible for juvenile justice. It is calculated by the state’s Statistical Analysis Center. Arrest information is captured through the state’s Criminal Justice Information System, which is submitted to the state through local law enforcement agencies.</p> <p><b>Where Reported</b>                  Official recidivism findings are reported annually in the department’s Joint Finance Committee Briefing book and reported to the state’s legislative committee for finance.</p>
<p><b>Return to School</b></p>
<p><b>Current Findings</b>                  Based upon 415 releasees in 2006-07, 172 youth had plans to return to school and 48 youth (12%) were enrolled in school at 90 days post-release.</p> <p><b>Definition</b>                  Return to school is defined as any student who is enrolled in a public school in the state of</p>

<p>Delaware 90 days after being released from a residential commitment program. However, only those releasees who received a transition plan at the time of release and who indicated they were going back to school receive follow up.</p>
<p><b>Data Source</b> Teachers and/or transition counselors conduct follow up by phone with students’ schools at 30, 60, and 90 days post release. When students do not enroll in the school they intended to, additional tracking in other public schools is incomplete. This information is recorded in the department’s MIS system.</p>
<p><b>Where Reported</b> The percent of “successful transitions” (youth employed or in school at 90 days post release) is reported annually in the Education Services Unit’s Annual Outcome Evaluation Report.</p>
<p>School Performance Post Release</p>
<p><b>Current Findings</b> Currently, Delaware collects and reports information on whether or not youth are enrolled in school at 90 days post-release. No post-release, school performance information is collected.</p>
<p>Employment</p>
<p><b>Current Findings</b> The Jobs for Delaware Graduates is conducting follow up on 49 released youth. Twenty of the 49 youth (41%) were employed in April 2008. However, approximately 20% of released youth receive “Jobs for Delaware graduates” services and tracking.</p>
<p><b>Definition</b> Employment refers to youth who are actively employed as reported by the employer at 30, 60, 90, and 120 days post-release.</p>
<p><b>Data Source</b> Employees of the “Jobs for Delaware Graduates” conduct follow up with youth and/or employers by phone at 30, 60, 90, and 120 days post-release. This information is maintained in the department’s MIS.</p>
<p><b>Where Reported</b> The percent of “successful transitions” (youth employed or in school at 90 days post release) are reported annually in the Education Services Unit’s Annual Outcome Evaluation Report.</p>
<p>Employment Performance Post Release</p>
<p><b>Current Findings</b> Currently, Delaware collects and reports information on whether or not youth are employed at 120 days post-release. No employment performance information is collected. Anecdotal information is often recorded as to the type of job youth have.</p>