

# New Mexico

## Juvenile Justice Education

### Case Study Results

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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 New Mexico and other selected states.

## **New Mexico 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 April 9<sup>th</sup> through 11<sup>th</sup>, 2008. The purpose of the visit was to: (1) determine the research and data capacity of New Mexico’s juvenile justice education system 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 New Mexico’s delinquent population, and (4) determine the impact the Juvenile Justice NCLB Collaboration Project had on New Mexico’s implementation of NCLB.

Section two of this report describes New Mexico’s organizational structure in terms of oversight of juvenile justice education, current agency initiatives, and annual reporting. Section three details New Mexico’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 New Mexico’s juvenile justice education services and student outcomes. Finally, Table D-3 provides detailed information regarding New Mexico’s data and definitions of measures of youth characteristics, educational services, and student outcomes.

### **II – Organizational Structure**

New Mexico operates a small, centralized juvenile justice education system. Juvenile justice youth are served by the Children, Youth and Families Department (CYFD). CYFD provides family services (child care and early child development), protective services (foster and adoptive care, investigations, and youth services) and juvenile justice services. Juvenile justice educational services are the direct responsibility of CYFD. The department has six statewide administrative staff including a superintendent for education, an associate superintendent, two transition specialists, an administrative assistant, and a librarian. In addition, there are three site principals and an assistant principal.

Juvenile justice programs include 12 locally operated detention centers, and six residential commitment programs that range in size from 20 to 153 beds. Two of the residential programs serve a mix of detained and committed youth. The 20 bed residential commitment program serves post-secondary students. The department is not responsible for day treatment programs, which are operated by local school districts. Youth are committed to the department up until the age of 18, and depending on their length of stay, the department can serve youth up to the age of 21.

Education is funded separately from other public schools in the state as a line item in the state's legislative budget. The department has separate budgets for education and custody. The education unit also receives federal IDEA, Title I, Title II, Title V, state GO bond library dollars, state instructional materials dollars, and free or reduced lunch money. The department applied for an eRate Grant and a Laura Bush Foundation grant, and receives Carl Perkins grants.

### **Agency Initiatives**

The initiative having the greatest impact on the department and educational services is the implementation of the Missouri juvenile justice model. The model restricts the maximum size of residential commitment programs to no larger than 30 beds. Treatment is based on group therapy. Youth are divided into groups of 8 to 12 based on treatment dynamics. Educational administrators are concerned that this initiative will adversely affect the quality of education. Once implemented, students will no longer be allowed to be grouped in school based on educational performance or needs. In addition, smaller programs will lead to teachers teaching more subject areas and grade levels within individual groups and fewer shared resources.

In an effort to reduce their detention population and ensure that only appropriate youth are placed in secure detention settings, New Mexico is implementing the Juvenile Detention Alternatives Initiative. In addition, CYFD is currently under two agreements, one with the American Civil Liberties Union (ACLU) and the second with the U.S. Department of Education (DOE), Office of Civil Rights. The ACLU agreement concerns conditions of confinement and has resulted in the closing of a residential program with the facility being transferred to the Department of Corrections. The agreement with the U.S. DOE, Office of Civil Rights involves a complaint regarding services for minority students in need of limited English proficiency services. Beyond these current agreements, CYFD has also been pursuing several reform initiatives.

Over the last three years, the education unit within the department has been pursuing the recruitment and retention of highly qualified teachers, and the implementation of a pre- and post-test system that will use the Northwest Educational Association (NWEA) and MAPS testing system which is aligned with New Mexico's state educational standards. The department is also in the process of developing an educational quality assurance system, and a new Management Information System (driven by PowerSchool) to capture educational performance data.

### **Reporting**

CYFD produces an annual report for the state legislature which contains referral, demographic, and delinquency information. Quarterly performance reports are submitted to agency administrators. These reports contain recidivism, client, and school performance information such as credits earned, testing, and diplomas earned.

### **III - NCLB Implementation**

#### **Highly Qualified Teachers**

The state's average student-to-teacher ratio for residential commitment programs is seven-to-one. CYFD schools offer 27.5 hours of education per week and 208 days of school per year.

Although New Mexico does not officially require the use of highly qualified teachers in their juvenile justice education system, they report highly qualified teacher data through the state database reporting system. The department requires teachers to be licensed with the state and places teachers based on their area of certification. New Mexico has three site principals, one assistant principal, a transition specialist, and 32 juvenile justice teachers. All educational personnel have varying levels of teaching licenses. The majority of them (95%) are teaching in their area of certification. Although pre-initiative data is not available, administrators estimate that over 50% of the juvenile justice teachers were non-certified prior to the state's qualified teacher recruitment initiative. Having better qualified teachers has allowed the department to standardize the academic curriculum throughout their juvenile residential facilities. Site principals report teacher qualifications to the state education director through spreadsheets to monitor the requirements.

#### **Transition Services**

Prior to the transition requirements of NCLB, New Mexico was already providing services to assist youth in returning to school after their release from residential facilities. The statewide transition specialists assist in preparing transition plans for youth prior to being released from residential programs. Transition plans detail living, school, and employment goals. The transition specialists also maintain contact and relationships with other state agencies, local school districts, and post secondary institutions to help facilitate post-release services. Local, public, alternative, charter, adult education, and postsecondary schools are contacted prior to exit. Students also develop transition portfolios which are shared with the parole board. However, little follow up is conducted with students once they re-enter the community. Based on anecdotal evidence, two statewide transition specialists are not sufficient to impact return-to-school rates.

In addition to the two statewide education transition specialists, the department delivers transition services through 12 regional transition coordinators with small caseloads of 10 to 15 youth each. However, this service is targeted for youth in need of mental health services and serves approximately 10% of the released population. The department plans to expand transition services and add transition personnel to better assist youth in returning to school and/or gaining employment.

#### **Program Monitoring and Evaluation**

The department does not have a comprehensive onsite quality review system for education. However, the director is developing a school monitoring evaluation tool; an education quality assurance system similar to the quality assurance system developed and

operated by FSU's Juvenile Justice Educational Enhancement Program. This instrument has been piloted in one facility and is scheduled to be used in the 2008-09 school year. Residential educational programs are visited by state educational administrative staff monthly. School visits consist of meeting with teachers, reviewing student schedules, and reviewing Positive Behavior Support (PBS) data. Site principals perform annual teacher evaluations. In addition, the state Department of Education conducts focused monitoring in special education and Title I programs.

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

CYFD does not have an MIS for education and student performance data. Most student performance data as well as teacher information is reported periodically by site principals to the state director of education. The department maintains an Access database that contains test scores, SBA scores, state graduation test scores, ESL scores, and teacher information. The education department is in the process of acquiring the Northwest Evaluation Association (NWEA) Measures of Academic Progress (MAPS) for pre- and post-testing in residential facilities (beginning in school year 08-09). Currently, CYFD uses the Test of Adult Basic Education (TABE) for pre- and post-testing. Gains are calculated for reading, language arts, and math based on all youth; results are reported for youth with higher post-test scores than pre-test scores. Based on these data, in FY2007, 17.9% of youth served in residential programs earned high school diplomas or GEDs. In addition, 66.7% of youth made gains in reading, 53.3% in language arts, and 51.1% in math. However, according to the department's most recent quarterly performance report, several youths' pre- and post-test scores were not reported.

CYFD maintains a MIS for student intake, confinement, and recidivism purposes. New Mexico defines recidivism as readjudication or new convictions and recommitment to the juvenile justice system within 12 months of release. The Department also has a MOU with the Department of Corrections to determine if youth are committed as adults. Recombitment is calculated by searching for prior commitments on all new placements within a fiscal year. Other community reintegration measures, such as return to school and employment, are not consistently collected or reported.

The department operates an older MIS system, and there are plans to upgrade the current system. Educational information and student performance data will be part of the new MIS. In addition, New Mexico has an interagency information taskforce that is currently working on designing a unique identifier for youth that will be used across state agencies. CYFD participates in the taskforce and is currently able to match their youth to Public Education Department (PED) data. Once the new unique identifiers are in place, CYFD will also be able to match youth with higher education, Department of Labor, and adult corrections data.

## **IV – NCLB Impact Summary**

According to CYFD administrators, NCLB has had a major impact on the educational services for juvenile justice youth. The department has used NCLB to bring accountability to a historically neglected area. The area most emphasized by New

Mexico has been the highly qualified teacher requirements. For example, over the past three years, 60% of the juvenile justice teachers in the system have been replaced with more highly certified and in-field teachers. The removal of prior under-qualified teachers and the increase in professionalism has enabled the department to raise curriculum standards in their residential facilities. The NCLB requirement for statewide testing has also enhanced accountability to the juvenile justice education system. CYFD reports state-test results for AYP as their own Local Education Agency (LEA).

In addition, the Juvenile Justice NCLB Collaboration Project positively impacted New Mexico’s education services for incarcerated youth. The superintendent for education uses information from annual reports of FSU’s Juvenile Justice Educational Enhancement Program (JJEED) to lobby for more resources and plans to implement an educational quality assurance system similar to JJEED’s.

**Table 1: Data Measures**

Program/School Characteristics
<p><b>Programs</b>                      Juvenile justice programs include six residential commitment programs that range in size from 20 to 153 beds. Two of the residential programs serve a mix of detained and committed youth. The 20 bed residential commitment program serves post-secondary students. The state also has 12 locally-operated detention centers whose educational services are operated by local school districts under contracts with the CYFD.</p>
<p><b>Education Services</b>                      Students in juvenile justice programs receive year round (208 days) educational services at 27.5 hours per week. The average student-to-teacher ratio is 7:1.</p>
Youth Demographics and Characteristics
<p><b>Youth Served</b>                      CYFD received 209 new commitments to residential programs in FY2007. This number has steadily declined since FY1998 (603 new residential commitments). Detention admissions for FY2007 were available for the four largest counties only. In these counties there were 1749 new detentions in FY2007.</p>
<p><b>Age Range</b>                      The juvenile justice division serves youth, aged 12 to 21, who commit acts of delinquency.</p>
<p><b>Special Education</b>                      Special education data is collected quarterly from each of the juvenile justice schools. The percent of special education students served by the department ranges from 45% to 65%.</p>
<p><b>Length of Stay</b>                      Of the 209 new commitments in FY 2007, 119 were committed for up to one year, 81 were committed for up to two years, and nine were committed until the age of 21.</p>

<p><b>Available Demographic Data</b> Demographic data is reported annually by referral, crime, detained and committed youth.</p>
<p><b>Delinquency</b></p>
<p><b>Current and Prior Offense(s)</b> Delinquency information is reported in the department’s annual report. Referrals and commitments are reported by misdemeanor, petty misdemeanor, technical violation, and 1<sup>st</sup> through 4<sup>th</sup> degree felonies.</p>
<p><b>Teacher Characteristics</b></p>
<p><b>Number and Qualifications</b> In April 2008, New Mexico had three site principals, one assistant principal, a transition specialist, and 28 juvenile justice teachers. All educational personnel have varying levels of teaching licenses. The majority (95%) are teaching in their area of certification.</p> <p><b>Definition of Qualified</b> New Mexico requires the use of highly qualified teachers in their juvenile justice educational system (to maintain accreditation with PED). The department requires teachers to be licensed with the state and places teachers based on their area of certification. The department prefers teachers with at least three years of teaching at-risk students who have multiple endorsements and who are special education certified. The department strives to have at least one content certified teacher for each core subject area including math, science, language arts, and social studies at each school.</p> <p><b>Source</b> Site principals report teacher qualifications to the state education director through spreadsheets.</p> <p><b>Where Reported</b> Teacher qualification and retention data is not regularly reported, but is available.</p>
<p><b>Diplomas/GEDs</b></p>
<p><b>Current Findings</b> In FY2007, 17.9% of youth served in residential programs earned high school diplomas or GEDs.</p> <p><b>Data Source</b> Diplomas are reported as a percent of all youth committed by semester. Site principals report youth who earn high school diplomas or GEDs to the state education director through spreadsheets. This information is not recorded in the department’s MIS.</p> <p><b>Where Reported</b> Reported to the state legislature in annual report.</p>
<p><b>Testing</b></p>
<p><b>Current Findings</b> According to the Department’s most recent quarterly performance report, some youths’ pre- and post-test scores were not being reported. In FY2007, 66.7% of youth served</p>

made gains in reading, 53.3% in language arts, and 51.1% in math.

**Definition**

CYFD uses the Test of Adult Basic Education (TABE) to pre- and post-testing residentially-committed youth. Gains are calculated for reading, language arts, and math based on youth who had higher post-test scores than pre-test scores.

**Data Source**

Site principals report teacher qualifications to the state education director through spreadsheets.

**Where Reported**

Reported internally to department administrators through quarterly performance reports.

**Recidivism**

**Current Findings**

According to the agencies FY2008 quarterly performance measures, 4.0% of clients were recommitted to a CYFD facility compared to 13.2% in FY2007, and 4.71% were re-adjudicated compared to 6.6% in FY2007.

**Definition**

New Mexico defines recidivism as readjudication or new convictions and recommitment to the juvenile justice system within 12 months of release. The department also has a MOU with the Department of Corrections to determine if youth are recommitted as adults. Recombitment is calculated by searching for prior commitments on all new placements within a fiscal year.

**Data Source**

Recidivism data is retrieved from the department’s MIS.

**Where Reported**

Recidivism is reported quarterly to department administrators and annually to the legislature.

**Return to School**

**Current Findings**

Not Available

**Definition**

CYFD does not have an operational definition for return to school.

**Data Source**

The department’s MIS system contains a field for probation/parole officers to indicate whether or not students are enrolled in school 90 days post-release. However, a review of this data revealed that return to school information is not collected or reported consistently.



<p><b>Where Reported</b> Not currently reported.</p>
<p>School Performance Post Release</p>
<p><b>Current Findings</b> Not Available</p>
<p>Employment</p>
<p><b>Current Findings</b> Not Available</p> <p><b>Definition</b> No operational definition.</p> <p><b>Data Source</b> CYFD does not collect post-release employment information.</p> <p><b>Where Reported</b> Not currently reported.</p>
<p>Employment Performance Post Release</p>
<p><b>Current Findings</b> Not Available</p>