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# Final Report of the Task Force on Educational Programming at Juvenile Correctional Facilities

Maine State Legislature

Office of Policy and Legal Analysis

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**STATE OF MAINE  
119TH LEGISLATURE  
SECOND REGULAR SESSION**

**Final Report  
of the**

**Task Force on Educational Programming  
at Juvenile Correctional Facilities**

**January 2001**

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## Executive Summary

The Task Force on Educational Programming at Juvenile Correctional Facilities (“Task Force”) was established in the Second Regular Session of the 119th Legislature by Public Law 1999, Chapter 770. With a number of recent initiatives, state policymakers have endeavored to improve the delivery and effectiveness of educational programs and behavioral health treatment services provided to juveniles detained in or committed to a correctional facility in the State. Among these efforts are plans to reassign and renovate the Charleston correctional facility to function as the Northern Maine Juvenile Facility (“NMJF”) and to reorganize the governance and program delivery structure of the juvenile corrections system, including major capital construction and renovation of facilities at the Maine Youth Center which will soon serve as the Southern Maine Juvenile Facility (“SMJF”).

The Task Force was established to study educational programming at juvenile correctional facilities in the State, including the educational programming needs and the integration of mental health and substance abuse service needs of youth committed to these facilities, and to determine the best way to meet these needs. The 12-member Task Force included four Legislators, three state agency officials representing the Department of Corrections, the Department of Education and the Department of Mental Health, Mental Retardation and Substance Abuse Services, one member representing the Policy Review Council, one member representing the teachers at the Southern Maine Juvenile Correction Center and three educators representing the fields of special education, correctional education and alternative education.

The Task Force was convened on September 15, 2000, and held four other meetings. Task Force members received program information and data from state agency officials responsible for juvenile corrections, education and substance abuse programs and received expert testimony from specialists in the fields of juvenile correctional education, substance abuse treatment and alternative education. The Task Force also met with student representatives from the residential units at the Southern Maine Juvenile Correction Center and conducted a public hearing. The following recommendations were approved by a unanimous vote of Task Force members at the final meeting on December 7, 2000.

### Task Force Recommendations

The Task Force made eight recommendations to address the duties delegated to it by the 119<sup>th</sup> Legislature. The Task Force presents its recommendations within the framework of these charges by citing the specific duties (as underlined and italicized headings) and then reporting its recommendations.

#### *A. Recommendations regarding the “best methods to deliver educational services . . . with an emphasis on special education and alternative education.”*

1. The Task Force recommends that the “Learning for Life” program proposed by the Restructuring Committee for Juvenile Correctional Facilities be developed and implemented, and that the Department of Corrections be held accountable for delivering a standards-based and

student-centered, alternative education program that integrates behavioral health, mental health and substance abuse services and also includes pre-release, transition and after-care services for every youth detained and discharged from a juvenile correctional facility.

*B. Recommendations regarding “how to integrate mental health and substance abuse services into an educational setting.”*

2. The Task Force recommends that a discharge system that is aligned with the “Learning for Life” program be developed and put into service, including the fully-implemented “treatment integrity elements” of the behavioral health, mental health and substance abuse services; and further recommends that this system address the necessary pre-release, transition and after-care services that will be provided for the youth prior to release from the juvenile correctional facility.

3. The Task Force recommends that State law be amended to require school administrative units to develop a reintegration plan for a juvenile who has been released from a juvenile facility and is enrolling in a school within their jurisdiction, and that reintegration planning include collaboration with juvenile correctional officials in setting up a transition plan and after-care services. To ensure that school administrative units implement reintegration planning, the Task Force also recommends that the Department of Education includes reintegration planning as a requirement for basic school approval; and further, that the Department provides technical assistance to school administrative units, including guidance counselors or student assistance teams, in creating such plans.

*C. Recommendations regarding “the general type of student who will be served by juvenile correctional educational programming.”*

4. The Task Force recommends that the Department of Corrections establish an information database and reporting system to collect, maintain, analyze and disseminate facts and statistics, including performance indicators, resource indicators and results indicators, that help to describe, examine and measure the effectiveness of the instructional program, behavioral health, mental health and substance abuse treatment services and pre-release, transition and after-care services that are provided to youth committed to or detained at juvenile correctional facilities in the State.

The Task Force further recommends that Department of Corrections officials develop and use both descriptive and evaluative tools to help policymakers, legislators and interested citizens understand the many educational, therapeutic and rehabilitative components of the Maine juvenile correction system. Each juvenile correctional facility should be required to collect, maintain, analyze and disseminate a consistent set of descriptive and evaluative indicators.

*D. Recommendations regarding “an appropriate set of outcomes for the juvenile correctional educational program.”*

5. The Task Force recommends that the Department of Corrections develop and implement a plan for the expected outcomes of the “Learning for Life” program that are aligned

with the State's Basic School Approval standards and that clarify an appropriate set of performance, resource and results indicators for the integrated core educational program at juvenile correctional facilities.

E. Recommendations regarding "whether juvenile correctional educational programs should seek educational or correctional accreditation."

6. The Task Force recommends that -- upon the full implementation of the "Learning for Life" program -- the Department of Corrections seek accreditation through the Correctional Education Association (CEA).

F. Recommendations regarding "the necessary qualifications for faculty, administration, recruitment and retention."

7. The Task Force recommends that the Bureau of Human Resources in the Department of Administrative and Financial Services take the necessary steps to establish position classifications for correctional education teachers within the State civil service system; and further recommends that this classification eliminates the salary and benefit disparities between the 40 to 50 correctional education teachers that are expected to be employed at by the northern and southern juvenile correctional facilities and their counterparts teaching at local public schools. In establishing the new classifications, salary and benefit disparities should be eliminated such that the per diem compensation rate for correctional educators is at least the same as the per diem compensation rate for local public school educators with comparable certification status, years of service and other appropriate credentials.

8. The Task Force further recommends that the Department of Corrections incorporate a comprehensive professional development program, including pre-service and in-service training, for all juvenile correctional educators involved in the implementation of the "Learning for Life" program.

## I. INTRODUCTION

Taken together, legislation enacted during the 118<sup>th</sup> and 119<sup>th</sup> Legislatures intended to improve the delivery and effectiveness of educational programs and behavioral health treatment services provided to juveniles detained in or committed to a correctional facility in the State. Among these efforts were plans to reassign and renovate the Charleston correctional facility to function as the Northern Maine Juvenile Facility (“NMJF”) and to reorganize the governance and program delivery structure of the juvenile corrections system, including major capital construction and renovation of facilities at the Maine Youth Center (“MYC”) which will soon serve as the Southern Maine Juvenile Facility (“SMJF”).

### **Recent Legislative History Concerning Educational Programs at Juvenile Correctional Facilities**

Public Law 1991, Chapter 764, An Act Relating to the Arthur R. Gould School, provided that:

- The purpose of the Gould School at the MYC was codified in statute;
- The Department of Corrections was responsible for maintaining the school in compliance with state elementary and secondary education requirements for public schools and approved private schools;
- The persons residing at the MYC were eligible for school privileges – including vocational education, special education and alternative education services; and
- A 7-member Policy Review Council be established, with members appointed by the Commissioners of Corrections and Education; duties of the council included:
  1. Making annual recommendations to the Superintendent, with copies to the Legislature’s Joint Standing Committee on Education and Cultural Affairs (“Education Committee”);
  2. Making policy recommendations to the Superintendent, the Commissioner of Education and the Commissioner of Corrections;
  3. Reviewing policy development by the Superintendent;
  4. Reviewing the implementation of policy;
  5. Reviewing staffing policy and procedures;
  6. Holding hearings and soliciting the opinions of the public and interested parties concerning the operation and role of the school; and
  7. Conducting exit interviews with staff leaving school employment.

Public Law 1997, Chapter 752, § 34, An Act to Improve the Delivery and Effectiveness of State Correctional Facilities, accomplished the following:

- As part of the law reassigning the Charleston correctional facility as the Northern Maine Juvenile Correctional Center, this section reestablished the 7-member Policy Review Council, but expanded the scope of the council's authority to all of the Department of Corrections educational programs for confined juveniles; and
- Provided that the council have access to educational programs for juveniles.

Public Law 1999, Chapter 770, An Act to Improve Educational Programming at Juvenile Correctional Facilities, implemented certain recommendations of the Speaker's Advisory Council on Maine Youth Center Educational Programs to establish greater oversight of the educational programs and governance structure of the juvenile corrections system, including the following items:

- Clarified that educational programs for juveniles confined in correctional facilities are subject to school approval requirements, and further required that these education programs must be reviewed annually by the Department of Education;
- Added the chairs of the Education Committee to the Policy Review Council;
- Provided that the council meet at least 4 times a year, keep minutes and submit an annual report to the Education Committee; and
- Created the Task Force on Educational Programming at Juvenile Correctional Facilities.

### **Scope and Focus of the Task Force**

The Task Force on Educational Programming at Juvenile Correctional Facilities ("Task Force") was established during the Second Regular Session of the 119th Legislature by Public Law 1999, Chapter 770. A copy of the law is attached as **Appendix A**. The 12-member Task Force included four Legislators, three state agency officials representing the Department of Corrections, the Department of Education and the Department of Mental Health, Mental Retardation and Substance Abuse Services, one member representing the Policy Review Council, one member representing the teachers at the Southern Maine Juvenile Facility and three professional educators representing the fields of special education, correctional education and alternative education. The Task Force membership roster is listed in **Appendix B**.

The Task Force was established to study educational programming at juvenile correctional facilities in the State, including the educational programming needs and the integration of mental health and substance abuse service needs of juveniles detained in or committed to these facilities, and to determine the best way to meet these needs. The Task Force was charged with the following duties:



1. Determine the best methods of delivery of educational services for students at educational programs and facilities located in or operated by juvenile correctional facilities, with an emphasis on special education and alternative education;
2. Study how to integrate mental health and substance abuse services into an educational setting;
3. Determine the general type of student who will be served by juvenile correctional educational programming;
4. Develop an appropriate set of outcomes for the juvenile correctional educational program;
5. Determine whether juvenile correctional educational programs should seek educational or correctional accreditation; and
6. Determine the necessary qualifications for faculty, administration, recruitment and retention.

The Task Force was also provided with the authority to introduce legislation during the First Regular Session of the 120th Legislature to implement its recommendations.

The Task Force was convened on September 15, 2000 and held four additional meetings on the following dates: October 3, 2000; October 24, 2000; November 30, 2000; and December 7, 2000. Task Force members received program information and data on committed and detained youth from state agency officials responsible for juvenile corrections, education and substance abuse programs; and also received expert testimony from specialists in the fields of juvenile correctional education, substance abuse treatment and alternative education. The Task Force also met with student representatives from the residential units at the Southern Maine Juvenile Correction Center and conducted a public hearing held at the Portland campus of the University of Southern Maine.

The Task Force used the first meeting to discern the purposes of the study and to formulate a work plan. Task Force members reviewed the legislative history concerning educational programming at juvenile correctional facilities, including the final report of the Speaker's Advisory Council on Maine Youth Center Educational Programs. Task Force members decided to focus the next two meetings on gathering information about the following issues:

- ❖ A profile of adjudicated youth committed or detained at juvenile correctional facilities, including their educational and behavioral health, mental health and substance abuse treatment needs;
- ❖ The current status and future plans for educational programs at the southern and northern Maine juvenile correctional facilities;

- ❖ The implementation of substance abuse treatment programs;
- ❖ The status of transitional services provided to adjudicated youth who are released from a juvenile correctional facility and re-entering the community;
- ❖ The standing of the Southern Maine Juvenile Correction Center with respect to Maine's standards for achieving Basic School Approval;
- ❖ The comparative advantages of the accreditation programs conducted by the New England Association of Schools & Colleges (NEASC) and the Correctional Education Association (CEA) with respect to selecting appropriate accreditation standards for juvenile correctional education programs in the State; and
- ❖ The recruitment and retention of educational personnel at the Southern Maine Juvenile Correction Center, including the necessary qualifications and compensation for faculty and educational administrators.

The Task Force invited testimony from representatives of the Southern Maine Juvenile Correction Center, the Department of Correction, the Department of Education, the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Pennsylvania Department of Correction, the Correctional Education Association, the Community School, Camden, Maine, and the Opportunities Alternative School, Rockland, Maine. In addition to the series of informational presentations, the Task Force meetings also provided an opportunity for Task Force members to deliberate on the testimony provided by panelists.

During its fourth and fifth meetings, the Task Force reviewed the range of perspectives and data provided to them and discussed these findings and reached a consensus on a number of conclusions and recommendations.

The enabling legislation established November 15, 2000, as the reporting date of the Task Force to the Joint Standing Committee on Education and Cultural Affairs of the 118th Legislature. Due to the abbreviated time period in which the Task Force had to complete its work after the September 15, 2000 convening date, the Task Force chairs petitioned the Legislative Council for an extension of the reporting deadline and the Task Force was granted an extension.

## II. SUMMARY OF KEY FINDINGS

The Task Force on Educational Programming at Juvenile Correctional Facilities was commissioned to shed further light on how to achieve an integrated delivery system that can provide coherent and effective juvenile correctional programs to meet the educational, behavioral and mental health needs of juveniles detained in or committed to a correctional facility in the State. The primary purpose established for the Task Force by the 119<sup>th</sup> Legislature was to examine the next steps that should be taken to continue the transformation of juvenile correctional education programs at the Southern Maine Juvenile Facility (“SMJF”) and to develop similar plans for the redeployed Northern Maine Juvenile Facility (“NMJF”) in the State.

In addressing these duties, Task Force members reviewed the existing educational and behavioral health programs, including mental health and substance abuse treatment programs, pre-release, transition and aftercare programs, and alternative education programs. The Task Force also considered the role of state agencies and public sector entities, including both statewide and local community-based programs throughout the State. The following findings is intended to inform the Legislature about existing state and local efforts to implement programs and services that seek to respond to the extraordinary needs of juveniles, and to address the transition and after-care planning necessary to provide these troubled youth with the opportunity for a successful reintegration into society.

### **Key Findings Regarding the Educational Programming Needs and the Behavioral Health, Mental Health and Substance Abuse Services Needed by Juveniles**

The following sections summarize the data collected and the information received by Task Force members related to the duties charged to the Task Force to study the educational programming needs and the integration of behavioral health, mental health and substance abuse treatment needs of juveniles into the educational setting. The Task Force findings are presented in the following subject headings: (1) a profile of juveniles served by juvenile correctional educational programming; (2) the best methods to deliver educational services; (3) the integration of mental health and substance abuse services; (4) the appropriate set of outcomes for the juvenile correctional educational program; (5) the determination of where to seek accreditation for juvenile correctional educational programs; and (6) the necessary qualifications for faculty, administration, recruitment and retention.

#### **Profile of Juveniles Served by Juvenile Correctional Educational Programming**

One of the central duties charged to the Task Force was to profile the general type of student served by juvenile correctional educational programming. Based on the information received by the Task Force regarding the characteristics of youth committed or detained at the SMJF during the 2000 calendar year, Task Force members concluded that the following profile typifies the general type of student served by juvenile correctional educational programming in Maine. The general type of juvenile served by a correctional facility:

- ❖ Was brought up in a home environment where he/she had been exposed to neglect and abuse ranging from mistreatment to domestic violence and had probably reported being the victim of physical, emotional or sexual trauma;
- ❖ Comes from a household with a socio-economic situation that qualifies him/her as eligible for Medicaid services, even though he/she may not draw such benefits while detained or committed in a juvenile correctional facility;
- ❖ Has a history of serious substance abuse involving alcohol or other drugs and has been assessed as requiring an “intensive” level of intervention for a minimum of 6 months of substance abuse treatment;
- ❖ Has a prescription for psychotropic medication to treat a psychological disorder or other mental health condition;
- ❖ Comes to the educational program without school transcripts or educational records and has likely been habitually truant or bounced around from school to school; and
- ❖ Has serious educational deficits and has been identified as having special needs that require an individual education program as defined by special education laws.

Summarized below are data provided to the Task Force by SMJF Superintendent Olsen. This information was aggregated from the monthly “Governor’s report” and several other data sources and represents the best and most recent data available to describe the characteristic attributes of juveniles offenders detained at (pre-adjudication) or committed to (post-adjudication) a juvenile correctional facility in Maine. Unless otherwise indicated, the data refer to juveniles detained or committed during the 2000 calendar year.

Population

New Committals:	129	(105 males, 24 females)
Detainees:	1,961	(1,515 males, 446 females)
Shock Sentences:	229	(197 males, 32 females)
Releases:	139	(125 males, 14 females)
Discharges:	178	(159 males, 19 females)

(Note: “Release” refers to a release from period of detention (or pre-adjudication) and “discharge” refers to a discharge from period of committal (or post-adjudication))

<u>Region</u>	<u>Committals</u>	<u>Re-committals</u>
1	39	38
2	19	27
3	27	25
4	33	29

(Note: “Regions” refer to Probation & Parole Regions for Juvenile Services, including: 1 - Portland, 2 - Auburn, 3 - Waterville and 4 - Bangor)

### Education

An average of 20 students enter or leave the school each month. The school year is 224 days, 49 days longer than most public schools.

Average # of Students:	165 (90% male, 10% female)
Average # of Detainees Receiving Education:	68 (42 males, 26 females)
Residents Identified as Special Education Students:	49%
Residents in Grades 9 – 11:	78%
Average Length of Enrollment:	less than 6 months
High School Diploma:	3-5 per year
General Educational Development Diploma:	70 (+/-) per year

### Personal Data

Average Age of Residents:	16.6 years old
Male Residents:	16.7 years old
Female Residents:	15.9 years old

Residents in Department of Human Services Custody:	43
Medicaid Eligible Residents:	0

(Note: 98% of juveniles in DHS custody are Medicaid eligible, but may not receive Medicaid benefits while in custody)

### Mental Health Diagnoses

Mental health diagnosed cases based on 83 residents screened out of a total committed population of 181 and reported by DMHMRSAS as of July, 1999. Diagnoses are classified according to diagnostic codes of the “*Diagnostic and Statistical Manual of Mental Disorders*” or “DSM,” published by the American Psychiatric Association):

#### Axis I & II Diagnoses:

Impulse Control Disorder:	75
Substance Abuse Disorder:	62
Mood Disorder:	36
Anxiety Disorder:	26
Adjustment Disorder:	6
Personality Disorder (18 or older):	3

Axis III Diagnoses:

With co-occurring medical condition needing active treatment or monitoring 20

Axis IV Diagnoses – Psychosocial:

Problems related to:

Support Group (family of origin)	29%
Social Environment (wrong placement)	11%
Education (special education, learning disability)	52%
Occupational Issues (“aging out,” no job skills)	18%
Housing Issues (“aging out,” no place to go)	5%
Economic Issues (no visible means of support)	5%
Necessary Health Care	3%
Legal/Criminal Issues	100%
Other Psychosocial or Environmental Problems	3%

Residents Reporting History of Trauma:	88%
Male Residents:	87%
Female Residents:	92%

(Note: Residents reporting history of trauma based on 83 residents screened out of a total committed population of 181 and reported by DMHMRSAS as of July, 1999)

Residents receiving Psychotropic Medication: 43%

Substance Abuse Screening

Screening and formal assessment are conducted at “intake” as part of recommending the juvenile to one of three treatment levels.

New Committals:	34 (46%)
Re-committals:	40 (54%)

(Note: 41 new committals or re-committals were substance abuse related)

Substance Abuse Assessment Level Recommended at Intake:

Education (Prevention):	21 (28%)
Brief Intervention:	16 (22%)
Intensive Intervention:	25 (34%)
Not Yet Assessed:	12 (16%)

## **Best Methods to Deliver Educational Services That Emphasize Special Education and Alternative Education**

### **Special Education Programs**

Maine law requires that every school administrative unit in the State provide so-called “exceptional students” -- defined as individuals requiring special education because of one or more of specific learning disabilities or impairments, including an emotional disability – with a “special education program” designed to provide an equal educational opportunity through the delivery of special education services by qualified individuals. Educational programs operated by juvenile correctional facilities are subject to both state special education requirements, as well as the Federal requirements of the Individuals with Disabilities Education Act (“IDEA”); and juvenile corrections facilities have the same obligations as school units in providing a “free and appropriate public education” in the “least restrictive environment” to these special needs learners.

Information provided by SMJF Superintendent Olsen indicated that SMJF has made progress in addressing the identification of students, as well as the provision of programs and services for the 49% of SMJF students who were determined to be exceptional students during the 2000 school year. The findings summarized below represent the status of special education programming at the SMJF:

- ❖ SMJF hired a Special Education Director 2 years ago and now seeks to recruit and hire certified special education teachers and other teachers with a special education endorsement to their certification;
- ❖ Of the 31 members on the SMJF faculty, 11 teachers hold a special education certification or endorsement; however, given the shortage of special educators, SMJF officials believe it is unrealistic to require a special education endorsement for all teachers;
- ❖ SMJF now receives \$50,000 annually for professional development from Maine and nationally-recognized experts; training has increased our faculty’s understanding of the challenges they face in dealing with this exceptional student population;
- ❖ SMJF is currently providing Pupil Evaluation Team assessments, establishing Individualized Education Programs (IEP) for exceptional students and completing triennial evaluations for these students; and
- ❖ DOE officials commended the progress made by the SMJF in beginning to address the needs of exceptional students, yet indicated that up to 80% of the student population may have special needs.

The Task Force also acknowledged the achievements of juvenile correctional officials in expanding special education services for students in the SMJF educational program. Task Force members also sought to ascertain the impact of the “Learning for Life” program on providing

special education services to exceptional students as required by the student's IEP. SMJF officials indicated that the project-based learning approach used at the constructivist learning laboratory at the Gould School, as well as the school's literacy laboratory initiatives, appear to promote learning for these exceptional students. The "construction" of meaning involves students making sense of things that are observed, experienced, and taught; and is based on the principle that students learn most by linking new information or knowledge to be learned, with what is meaningful to them. A Task Force member advised juvenile correctional educators to consider the research-based literacy programs recommended by the 7 regional laboratories of the National Institutes for Health, particularly as they relate to developing the reading skills of special needs learners.

### Alternative Education Programs

The Task Force met with a panel of alternative educators to review the scope of alternative education programs established by public schools, as well as alternative programs provided by independently-operated schools. Alternative education programs come in all shapes and sizes and vary by local circumstances. The primary student populations served by alternative education programs include students who need an alternative learning environment and students whose behavior or attitude need further development and can benefit from a more supportive placement before they can be reintegrated into the regular classroom. An effective alternative educator has a gift for building an affirmative relationship with an at-risk student and possesses the ability to provide learning experiences appropriate to the student's individual learning style. These programs also serve special needs students who have been identified with a severe emotional disturbance, but only if the alternative setting is determined to be an appropriate placement for the student.

An alternative education program must be initiated by a local school board which can approve one or more alternative education programs and can enter into so-called superintendents' agreements to establish a regional program. The process for enrolling a student in an alternative education program involves cooperative decision making between parent(s), the student and school administrators. Once a referral is made by an educator or requested by a parent, the student completes an application and a meeting is held to discuss the student's educational needs and to set up an "alternative education plan." Alternative educators endorsed the benefit of establishing alternative education programs in the elementary and middle school grades. They indicated that early intervention should begin in pre-school and that kindergarten teachers can immediately identify "at risk" children.

Alternative education programs work within a network of school and community agencies. Alternative educators work closely with both school faculty and administration, as well as within the community with state and local community agency resource people. These programs take children for whom the regular public school model is not working and provide them with a place to belong. Belonging is a critical component of alternative education programs since these children are often disenfranchised. Programs benefit both youth and the community at large by making education relevant for the individual and preparing the youth to become a productive citizen in the community.



Alternative educators reported that a lack of stable funding is a detriment to sustaining effective alternative education programs and also noted that the State has recently changed its funding policies for alternative education programs. Funding for alternative education programs comes primarily from local taxpayers, with some programs also receiving state funds from the Innovative Grant Program as well as grant funds from federal and private grant programs. Superintendents' agreements can establish regional programs that are funded in part by accepting tuition students from public schools in the region. Alternative educators recommend that the state investment in alternative education programs be increased and that adults and the community at large need to inform state and local legislative bodies to express support for funding alternative education programs.

Alternative educators work with state and local agencies, as well as non-governmental agencies and private citizens to provide creative solutions for alternative education students. With the advent of the Communities for Children initiative, alternative educators reported improved coordination of state and local community agency services. However, they also suggest that issues remain in identifying and providing appropriate interventions for our children, including the need to understand and clarify the boundaries between education and social work and the need to direct resources to the home environment.

### **Integrating Mental Health and Substance Abuse Services Into an Educational Setting**

Substance abuse treatment providers, public school personnel and juvenile correctional education officials emphasized a sobering bit of information to the Task Force. A teenaged youth who has a history of significant substance abuse or a mental health disorder is simply unable to develop cognitively or emotionally and will not be able to process information or "learn." These individuals concluded that neither the best public school program nor the best alternative program in the world can help these youth learn until they have finished a prescribed course of treatment.

A program manager from the Substance Abuse Services within the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) and a contracted service provider under contract to work with juveniles through the Substance Abuse Treatment Program at the SMJF provided an overview of the substance abuse treatment programs. These individuals provided the following information regarding substance abuse programs.

Based on the assessment data presented above for 74 committed youth between July 1, 2000, through September 30, 2000, 41 (or 54%) of these juveniles were assessed as needing "intensive" treatment where they would participate in brief intervention groups and receive additional counseling (twice a week). However, this group is not tailored to meet their needs and these youth need 8 months in treatment under a different type of group programming. The current arrangement was made in 1996 and intended to be a temporary measure; however, the State is still not meeting the treatment needs of these "high need" youth. As of October 23, 2000, four counselors were working with 87 juveniles in treatment programs. These figures correspond to an average case load of 22 youth per counselor.

The Task Force also received testimony about the challenges of integrating mental health and substance abuse services at the SMJF. Correctional officials reported that implementing the treatment structure is a work in progress and the full treatment structure (i.e., intake, assessment and coordinating services between cottages and counseling staff) is not completely in place due to issues, including scheduling, staff support, conflicts with confidentiality restrictions when accessing student treatment records and a lack of resources necessary to work in one-on-one intensive treatment situations with youth. SMJF staff are working on implementing a system where youth will receive 8 months of treatment if an assessment and orientation determines placement in the intensive treatment intervention. DMHMRSAS officials indicated they will not take responsibility for treatment program effectiveness until all the program components that provide treatment integrity are in place because releasing youth prior to the completion of appropriate treatment presents risks to both the youth and the community. DMHMRSAS officials noted both the high rate of SMJF “returnees” -- and research findings indicating that many of these SMJF “returnees” will show up in the adult correctional population -- as compelling indicators that full implementation of the treatment program is a cost-effective measure that must be realized.

A more recent profile of committed youth assessed between January 1, 2000, through June 30, 2000, provided the following snapshot of juveniles:

New committals	68 (47%)
Re-committals	<u>78</u> (53%)
Total assessed youth	146

Substance Abuse Assessment at Intake:

Education (Prevention)	35 (24%)
Brief Intervention	45 (31%)
Intensive Intervention	62 (42%)
No info available	<u>4</u> ( 3%)
Total assessed youth	146

A substance abuse service provider noted that 75% of returnees require brief or intensive intervention, while over 40% have need of the intensive intervention. In considering the high rate of re-committals, Task Force members were informed about “sentencing and program” issues related to integrating mental health and substance abuse services. Often, juveniles aren’t completing the recommended 8 months of substance abuse treatment because their release is based on a credit-driven system where they must work off a certain number of required credits (e.g., 30 credits takes roughly 6-7 weeks) and complete a number of requirements, including mental health services and substance abuse services. Many youth are either discharged from the facility or unable to participate in intensive level programs which are currently unavailable. SMJF officials are considering changing to a discharge system that bases a juvenile’s discharge on the juvenile reaching a set of program standards that are established as part of an integrated core program. SMJF will be piloting a new skills-based program where program and treatment objectives will be based on a collective professional determination made by a unit treatment

team. After an assessment and orientation program identifies the youth's needs, the unit treatment team develops an individual intervention plan.

Using a differentiated treatment program established for the SMJF, committed youth are assessed within 28 days of their arrival. Screening and formal assessment are conducted by one full-time equivalent staff, who also contacts the juvenile community corrections officer in the particular region and completes a risk assessment instrument for the youth. SMJF staff recommends an intervention to one of three treatment levels based on the following factors:

- Substance abuse need (high – moderate – low);
- Criminogenic risk to community (high – moderate – low);
- Responsivity or willingness to undergo treatment (high – moderate – low).

The prescription for intervention levels are based on the goal of targeting the highest need and highest risk youth as follows:

(1) Education (prevention, not treatment)

- Low-need youth;
- No substance use, experimenting, may use substances but use doesn't negatively affect life;
- Do not qualify for treatment in the community;
- Refer to health education class in Gould School at SMJF (lasts a quarter).

(2) Brief Intervention

- Mostly moderate-need youth; regular substance abuse that affects life area(s) in a negative way;
- Responsivity is low – they lack insight and motivation;
- Primarily group intervention, a 20-session Motivation-Awareness group held in Gould School (moved to counselor's office) and scheduled as a "class";
- Earn ¼ school credit as well as "program" credit towards release; reviewing Learning Results to ensure fit with content standards counselors certified as Educational Technician III;
- Transition to community treatment providers – commitments and funds set aside for treatment (i.e., Juvenile Justice Network).

### (3) Intensive Intervention

- Mostly high-need youth; chemically dependent and/or abuse substance so that many life areas are negatively affected; likely to re-offend;
- 50-session cognitive-behavioral group and weekly individual counseling;
- Uses motivational techniques to challenge youth to change behavior;
- Transition to community treatment providers – higher in risk to community and re-offending (e.g., commit a crime or abuse substances).

The following recommendations were proposed by DMHMRSAS spokespeople to maximize the effectiveness and integrity of substance treatment programs provided to youth confined at the SMJF:

- ❖ Substance abuse needs to be regarded as a primary treatment issue for identified youth and attendance and completion of treatment needs to be mandatory; and clients need to finish the prescribed course of treatment prior to release from facility;
- ❖ The intensive intervention program needs to be implemented as designed, distinct from other courses of treatment, for a minimum of 8 months;
- ❖ Additional staff is needed to respond to the number of clients identified needing treatment services and another full-time counselor is needed for the female unit in order to better address gender-specific issues;
- ❖ Counselors need to be involved in their client's daily programming in the units and need to be notified of problems that have treatment relevance – abuse of medications, drug use on home visits, etc.; in addition, counselors need to be involved in transition planning for their clients; and
- ❖ SMJF officials need to expand their compliance efforts regarding federal confidentiality regulations to all personnel at the center, including contracted service providers (i.e., maintaining confidentiality related to disseminating and maintaining client information).

### **Appropriate Set of Outcomes for the Juvenile Correctional Educational Program**

The Task Force received a great deal of comment regarding what came to be cited as “the square peg, round hole” issue of applying public school standards to a correctional facility educational programs. Task Force members received the testimony summarized below that describes the tensions between high standards on the one hand and severely-challenged learners on the other:

- ❖ Nationally, only 5% of committed juveniles stay in school after release; 60-65% have math and reading skills at or below 8th grade level and are not able to succeed in academic side of school;
- ❖ The exception in correctional education programs is a standards-based curriculum where individual programs are provided for each student;
- ❖ Public school administrators often lack the capacity to address the needs of habitual truants and local communities lack after-care programs and wrap-around services; school officials must realize that behavioral issues are primary concerns with this population and should tailor educational programs suitable to their behavioral and environmental circumstances;
- ❖ Across the country, state policymakers are not producing sufficient numbers of correctional education teachers to meet the growing needs of juvenile populations; college preparation programs for correctional education teachers are almost non-existent;
- ❖ While the philosophy and goals of all students achieving high standards are laudable, state policymakers must be realistic; correctional education programs should focus on teaching skills, using content to prepare for a General Educational Development (“GED”) diploma and to prepare for life;
- ❖ SMJF educational programs should provide basic literacy, develop life skills, make learning a positive experience and address cognitive and other developmental deficits;
- ❖ Public school student assistance teams (“SAT”) should be employed to assist transition of re-entry students and DOE can play a meaningful role in this effort in a well-planned, longitudinal approach;
- ❖ While SATs are wonderful, they require spirit and sustained effort; to be effective, transition planning needs to start once the youth is committed at the institution, not when they leave;
- ❖ A recent report on health in the Journal of the American Medical Association discussed “connectedness” as an important factor in effective treatment and state officials should support connectedness in the reintegration of juveniles into our communities and schools;
- ❖ Maine’s Children’s Cabinet has done a good job working out the hospital re-entry process, perhaps state officials can work with the Children’s Cabinet to address the re-entry process for juveniles;
- ❖ If a student is not able to learn -- due to significant substance abuse, mental health circumstances, etc. -- then neither a conventional public school program nor the best alternative program can help that youth learn until they have finished a prescribed

course of treatment;

- ❖ The legislative intent of establishing an annual “Basic School Approval” review for the SMJF was based on the judgment that standards for the SMJF review should be aligned with public school standards; however, with these data, it appears that state officials need to write a specific set of educational standards for this population since these students are not in school before they are committed and they are not able to learn without appropriate treatment;
- ❖ SMJF youth released on aftercare need a “transitional” re-entry program instead of directly re-entering the home and school environment where they have already failed.

### **Seeking Accreditation for Juvenile Correctional Educational Programs**

Officials from the Maine Department of Education (DOE) and juvenile correctional education in Pennsylvania briefed the Task Force on accreditation programs offered through the New England Association of Schools & Colleges (NEASC) and the Correctional Education Association (CEA). During the briefing, Task Force members received an overview of the two entities:

#### **NEASC Accreditation Programs**

NEASC has 7 accreditation standards that are based on teaching and learning, and focus on depth, not breadth and student alignment:

- ❖ Mission and expectations for student learning;
- ❖ Curriculum;
- ❖ Instruction;
- ❖ Assessment of student learning support;
- ❖ Leadership and organization;
- ❖ School resources for learning; and
- ❖ Community resources for learning.

The standards establish a level of acceptable quality. NEASC accreditation is a 12-18 month self-study process every 5 years and the review costs \$10,000.

#### **CEA Accreditation Programs**

The CEA accreditation program also has standards and benchmarks designed with state and federal laws in mind. Standards set high expectations, are policy-based, measurable and quantitative and seek evidence for implementation. CEA standards focus on the following areas:

- ❖ Administration and Governance;
- ❖ Staff;
- ❖ Students; and
- ❖ Program.

Overall, there are 78 standards, of which 39 are core, 24 are required, 54 are not required (correctional education programs can miss up to 10% of non-required standards). CEA standards are established for both adult and juvenile correctional education programs; and they also have postsecondary education standards. CEA standards are used by 17 states and in public and private, juvenile and adult and international correctional facilities.

CEA uses correctional educators as auditors since they have expertise from within the field (although auditors come from outside the state of the audited program). Following initial certification, a one-year review is followed by 3-year review cycles. The process includes a self-review component, takes 12-18 months and costs \$3,000.

### **Necessary Qualifications for Faculty, Administration, Recruitment and Retention**

SMJF Superintendent Olsen provided the Task Force with the following data profiling the current qualifications of educational staff at the SMJF, as well as information related to disparities in salary and benefits between these educators and their counterparts in nearby public schools.

- ❖ Teacher degrees and endorsements – of 31-member SMJF faculty:
  - 8 hold a Bachelor’s degree plus 30 credit hours;
  - 5 hold a Master’s degree;
  - 3 hold a Master’s degree plus 15 credit hours;
  - 4 hold a Master’s degree plus 30 credit hours; and
  - 11 hold a special education endorsement;
- ❖ Teacher salary survey – a 1998 Bureau of Human Resources review of area salary structures for public school teachers compared SMJF with Portland, Saco and Brunswick schools and found that SMJF teacher salaries ranged from \$19,000 – \$46,400 for a 224-day school year compared to \$24,000 – \$49,900 for a 185-day school year in Portland;
- ❖ Teacher recruitment and retention – between November, 1999, and October, 2000, SMJF saw 7 teachers terminate their employment representing a 25% turnover in the teaching faculty;
- ❖ Adequate funding is necessary for fully-implemented educational programs and treatment services; the NMJF will need 7 positions to serve a population of 150 youth; and both SMJF and NMJF facilities will need 6 additional staff for program implementation;

Task Force members received testimony that the Department of Corrections has sought Bureau of Human Resources assistance in addressing the salary and benefit disparities between correctional education teachers at both the northern and southern juvenile correctional facilities and their counterparts teaching at local public schools. The Task Force heard compelling testimony that teachers employed at juveniles correctional facilities within the State should be compensated fairly; and that the per diem compensation rate for correctional educators should be at least the same as the per diem compensation rate for local public school educators with

comparable certification status, years of service and other appropriate credentials. Task Force members also received testimony that pre-service preparation programs and in-service professional development and training programs should be provided so that personnel at juvenile correctional facilities develop the necessary competencies to work with this challenging population.

### III. RECOMMENDATIONS

The Task Force on Educational Programming at Juvenile Correctional Facilities makes the following recommendations and presents them for the immediate consideration of the 120<sup>th</sup> Legislature. These recommendations, and the draft legislation presented in **Appendix C**, were approved by a unanimous vote of the 8 Task Force members present when this vote was taken during the final Task Force meeting.<sup>1</sup> Task Force members urge state policymakers to reflect upon the extraordinary needs of these juveniles detained in or committed to a correctional facility as they review these recommendations and consider appropriate steps to fully implement policies that support and sustain the juvenile correctional system.

#### Task Force Recommendations

The Task Force makes the following recommendations consistent with its charge under the authorizing legislation. The Task Force presents these proposals within the framework of these charges by reintroducing the specific duties (as underlined and italicized headings) and then reporting its recommendations (in bold text).

#### *A. Recommendations regarding the “best methods to deliver educational services . . . with an emphasis on special education and alternative education.”*

**1. The Task Force recommends that the “Learning for Life” program proposed by the Restructuring Committee for Juvenile Correctional Facilities be developed and implemented (see Appendix D); and that the Department of Corrections should be held accountable for delivering a standards-based and student-centered, alternative education program that integrates behavioral health, mental health and substance abuse services and also includes pre-release, transition and after-care services for every youth detained and discharged from a juvenile correctional facility.**

The Task Force concluded that the extraordinary learning and developmental needs of most of these youth cannot be met by either conventional academic programs or the best alternative education programs until they receive appropriate behavioral health, mental health and substance abuse services. The Task Force recommends that state policymakers, including corrections, education and mental health officials, should support the delivery of a seamless system of standards-based and student-centered alternative education programs and treatment services for youth committed and detained in juvenile correctional facilities.

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<sup>1</sup> Dorothy D’Allesandro and Helen Nichols were present for the majority of the final meeting, but Sen. Mary Small and Joe-Ann Corwin were not present for the final Task Force meeting. Following a review of the final report, these four members endorsed the recommendations presented here.



The Task Force concluded that additional resources are needed for full implementation of the “Learning for Life” program at the SMJF and NMJF facilities. Task Force members recommended that Department of Corrections officials must find the necessary funds to implement this initiative within existing budgeted resources, or must seek the necessary funds through a supplemental appropriations budget request or by seeking funds from the Federal government and other sources.

The Task Force further recommends that the “Learning for Life” program incorporate the following elements:

- ❖ The instructional program should be based on the so-called “constructivist learning model” developed by Professor Seymour Papert, and should include an academic curriculum integrated with the “treatment integrity program” developed for behavioral health, mental health and substance abuse services;
- ❖ The instructional program should adopt an alternative education delivery model and must provide special education services for students identified with special needs in accordance with applicable Federal and state statutes and regulations;
- ❖ The instructional program and assessment system must be aligned with Maine’s Learning Results; and student performance must be assessed using state and local assessments based on the content standards and performance indicators of Maine’s Learning Results and using appropriate assessment methods, including student portfolios;
- ❖ School-based programs and treatment services should include partnerships with state agencies and community-based service providers (i.e., Day One, Jobs for Maine’s Graduates and Project IMPACT agencies and personnel);
- ❖ Officials in the Department of Corrections, Department of Education and Department of Mental Health, Mental Retardation and Substance Abuse Services should report to the joint standing committees of the legislature having jurisdiction over criminal justice, education and human services matters on the status of implementing an inter-agency agreement for the “Learning for Life” program at state juvenile facilities; and
- ❖ State agency officials and other appropriate juvenile facility personnel should work with the Policy Review Council to develop strategies for securing the necessary funds to implement the “Learning for Life” program, including funds for program development, a comprehensive professional development program and assessment strategies that are appropriate for the instructional programs and treatment services.

*B. Recommendations regarding “how to integrate mental health and substance abuse services into an educational setting.”*

**2. The Task Force recommends that a discharge system that is aligned with the “Learning for Life” program be developed and put into service, including the fully-**

**implemented “treatment integrity elements” of the behavioral health, mental health and substance abuse services; and further recommends that this system address the necessary pre-release, transition and after-care services that will be provided for the youth prior to release from the juvenile correctional facility.**

- ❖ The so-called “time and credit” discharge system -- currently used to determine a youth’s release from a juvenile correction facility -- should be converted to a standards-based discharge system that is coordinated with the integrated educational curriculum and treatment services of the “Learning for Life” program;
- ❖ The “treatment integrity elements” developed for behavioral health, mental health and substance abuse services at the SMJF should be fully implemented and, if prescribed, each adjudicated or committed youth should complete the approved course of treatment prior to his or her release from a juvenile correctional facility; and
- ❖ An array of youth- and family-centered release and aftercare programming should be provided, including a “transitional placement” option for those youth who would otherwise return to an unsuitable home or school environment; a transitional placement would provide a youth with a supportive situation in which appropriate release and after-care services can be provided in a manner that may improve the likelihood of a successful reintegration into society;
- ❖ The inter-agency agreement should align expectations for juveniles, both upon their committal to a juvenile facility and upon their discharge from the facility and reintegration into the community, including home and school environments;
- ❖ SMJF officials should continue to work within the limitations of Federal and State confidentiality requirements and should expand their compliance efforts to include personnel from other state agencies and contracted service providers who deliver instructional programs, behavioral, mental health or substance abuse treatment and transition and aftercare services.

**3. The Task Force recommends that State law be amended to require school administrative units to develop a reintegration plan for a juvenile who has been released from a juvenile facility and is entering school within their jurisdiction; and that reintegration planning include collaboration with juvenile correctional officials in setting up a transition plan and after-care services. To ensure that school administrative units implement reintegration planning, the Task Force also recommends that the Department of Education includes reintegration planning as a requirement for basic school approval; and further, that the Department provides technical assistance to school administrative units, including guidance counselors or student assistance teams, in creating such plans.**

State, local and community resources are necessary and must be mobilized if we hope to support the successful reintegration of a juvenile into the school or community environment. Toward this end, Task Force members concluded that the following must occur:

- ❖ State law and regulations should require school administrative units to file routinely a reintegration plan with the Department of Education, which must include tracking data on the number of such plans filed in the annual report of the Commissioner’s Advisory Committee on Truancy, Dropout and Alternative Education;
- ❖ Both Department of Education and school administrative unit leadership and advocacy roles should be strengthened; and the Department should ensure that when a student transfers from a juvenile correctional education program to a public school or vice versa, that – consistent with State law -- all appropriate student records are forwarded in a timely fashion; and
- ❖ Community-based resources should also be reinvigorated to help slow down the “revolving door” phenomenon and reduce the incidence of recidivism, including re-committals triggered by re-offending and by violating terms and conditions of adjudication.

C. Recommendations regarding “the general type of student who will be served by juvenile correctional educational programming.”

**4. The Task Force recommends that the Department of Corrections establish an information database and reporting system to collect, maintain, analyze and disseminate facts and statistics, including performance indicators, resource indicators and results indicators, that help to describe, examine and measure the effectiveness of the instructional program, behavioral health, mental health and substance abuse treatment services and pre-release, transition and after-care services that are provided to youth committed to or detained at juvenile correctional facilities in the State.**

The Task Force recommends that Department of Corrections officials develop and use both descriptive and evaluative tools to help policymakers, legislators and interested citizens understand the many educational, therapeutic and rehabilitative components of the Maine juvenile correction system. Each juvenile correctional facility should be required to collect, maintain, analyze and disseminate a consistent set of descriptive and evaluative indicators.

D. Recommendations regarding “an appropriate set of outcomes for the juvenile correctional educational program.”

**5. The Task Force recommends that the Department of Corrections develop and implement a plan for the expected outcomes of the “Learning for Life” program that are aligned with the State’s Basic School Approval standards and that clarify an appropriate set of performance, resource and results indicators for the integrated core educational program at juvenile correctional facilities.**

The Task Force further recommends that the expected outcomes for the “Learning for Life” program address the following issues:

- ❖ Resolve the “square peg, round hole” issue of applying public school standards to a correctional facility educational program; and endorse this agreement in a “memorandum of understanding” between the Department of Corrections, the Department of Education and the Department of Mental Health, Mental Retardation and Substance Abuse Services;
- ❖ Expectations for juveniles should be established upon committal to a juvenile facility and should be consistently applied while they are detained at a juvenile correctional center, prior to their discharged from the facility and through reintegration into the community, including transition to home and school environments;
- ❖ While adhering to the philosophy and goals of high learning standards, the expectations and indicators must be realistic and make learning a positive experience that provides students with basic literacy and meaningful life skills, as well as addressing these students’ cognitive and other developmental deficits; and
- ❖ In implementing literacy programs, juvenile correction educators should consider research-based approaches and best practices from the latest research related to improving reading skills and basic literacy.

E. Recommendations regarding “whether juvenile correctional educational programs should seek educational or correctional accreditation.”

**6. The Task Force recommends that -- upon the full implementation of the “Learning for Life” program -- the Department of Corrections seek accreditation through the Correctional Education Association (CEA).**

The Task Force concludes that the CEA standards and audit review process is the appropriate choice for accrediting the educational programs embedded within a juvenile correctional setting. This conclusion was based, in part, on the understanding that the CEA accreditation review takes into account all existing State statutes and regulations, including Basic School Approval standards, that pertain to educational programs provided under the auspices of a juvenile correctional facility.

Task Force members also agreed that the primary focus of Department of Correction’s officials should be on developing a student-centered program that meets the extraordinary needs of juveniles educated at correctional facilities, and not exclusively on achieving accreditation status. The creation of public awareness that SMJF and NMJF officials have high expectations for juvenile educational programs is important, yet accreditation should not be considered as a means of validating these programs.

F. Recommendations regarding “the necessary qualifications for faculty, administration, recruitment and retention.”

**7. The Task Force recommends that the Bureau of Human Resources in the Department of Administrative and Financial Services take the necessary steps to establish position classifications for correctional education teachers within the State civil service**

**system; and further recommends that this classification eliminates the salary and benefit disparities between correctional education teachers at both the northern and southern juvenile correctional facilities and their counterparts teaching at local public schools.**

The Task Force concluded that the Bureau of Human Resources should accomplish the reclassification of the 40 to 50 teachers that are expected to be employed at the two juvenile correctional facilities within the State. In establishing the new classifications, salary and benefit disparities should be eliminated such that the per diem compensation rate for correctional educators is at least the same as the per diem compensation rate for local public school educators with comparable certification status, years of service and other appropriate credentials.

**8. The Task Force further recommends that the Department of Corrections incorporate a comprehensive professional development program, including pre-service and in-service training, for all juvenile correctional educators involved in the implementation of the “Learning for Life” program.**

Task Force members concluded that the success of the integrated “Learning for Life” initiative rests largely on the capacity of juvenile correctional educators to transform the existing educational and treatment programs into a truly synergistic, cognitive and therapeutic program that meets the extraordinary needs of the juvenile population in the State. To augment the existing capability of personnel at the SMJF and to develop the competencies necessary to staff the NMJF, a comprehensive professional development program must be established.

### **Acknowledgements**

Task Force members would like to acknowledge and thank all those individuals -- including experts, practitioners, state and local agency resource people and interested parties -- who provided testimony and background information to the Task Force. A list of these individuals is included as **Appendix E**.

**APPENDIX A**

**Public Law Maine 1999, Chapter 770**  
**(H.P. 1872 - L.D. 2608)**  
**An Act to Improve Educational Programming**  
**at Juvenile Correctional Facilities**

**PUBLIC LAWS OF MAINE**  
Second Regular Session of the 119th

**CHAPTER 770**  
H.P. 1872 - L.D. 2608

**An Act to Improve Educational Programming at Juvenile Correctional Facilities**

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, there is a need to study educational programming at juvenile correctional facilities to determine their educational programming needs and the best way to meet those needs; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 20-A MRSA §4502, sub-§1**, as enacted by PL 1983, c. 859, Pt. A, §§20 and 25, is amended to read:

**1. General requirements.** Elementary and secondary schools and school administrative units, including an educational program or school located in or operated by a juvenile correctional facility, shall meet all requirements of this Title and other statutory requirements applicable to the public schools and basic school approval standards.

**Sec. 2. 20-A MRSA §4502, sub-§7** is enacted to read:

**7. Juvenile corrections facilities.** An educational program or school for juveniles located in or operated by a correctional facility must be reviewed for approval by the department on an annual basis, with special attention paid to alternative educational programming. The department shall report to the joint standing committees of the Legislature having jurisdiction over appropriations, criminal justice and education matters on the results of the review by January 15th of each year.

**Sec. 3. 34-A MRSA §3002-A, first ¶**, as enacted by PL 1997, c. 752, §34, is amended to read:

The commissioner and the Commissioner of Education shall appoint a 7-member 9-member policy review council, referred to in this section as the "council," as authorized by Title 5, chapter 379.

**Sec. 4. 34-A MRSA §3002-A, sub-§§1 and 2**, as enacted by PL 1997, c. 752, §34, are amended to read:

**1. Term.** Legislative members serve as voting, ex officio members. The term of office for nonlegislative members is 3 years. The initial appointments are as follows:

- A. Three members for 3 years;
- B. Two members for 2 years; and
- C. Two members for one year.

Replacements for council members who do not complete their terms of office are for the remainder of the unexpired terms.

**2. Council members.** The cochairs of the joint standing committee of the Legislature having jurisdiction over education matters or their designees are members. The other council members must be representative of a broad range of professionals, parents and citizens interested in the education of students confined in the department's juvenile facilities and include the parents of a current or former student. In addition, council members may include:

- A. Professionals not employed by the department who serve or have served students in a corrections setting;
- B. Representatives of advocacy groups for children with special needs;
- C. School administrative unit administrators or special education directors; and
- D. Interested citizens.

A Legislator may not serve on the council.

**Sec. 5. 34-A MRSA §3002-A, sub-§5** is enacted to read:

**5. Meetings; report.** The council shall meet at least 4 times a year and keep minutes and records of the meetings. The council shall submit a report each year to the joint standing committee of the Legislature having jurisdiction over education matters.

**Sec. 6. Establish task force on educational programming at juvenile correctional facilities.**

**1. Task force on educational programming at juvenile correctional facilities established.** The task force on educational programming at juvenile correctional facilities, referred to in this section as the "task force," is established.

**2. Membership.** The task force consists of 13 members as follows:

- A. Two members from the Senate, with one member from the political party holding the largest number of seats in the Senate and one member who is not a



member of the political party holding the largest number of seats in the Senate; a representative from the field of special education; and a parent of a student at the Southern Maine Juvenile Facility, all of which are to be appointed by the President of the Senate;

B. Two members from the House of Representatives, with one member from the political party holding the largest number of seats in the House of Representatives and one member who is not a member of the political party holding the largest number of seats in the House of Representatives; a representative from the field of alternative education; and a representative from the field of correctional education, all of which are to be appointed by the Speaker of the House; and

C. A representative from the Department of Education; a representative from the Department of Corrections; a representative from the Department of Mental Health, Mental Retardation and Substance Abuse Services; a representative from the Policy Review Council; and a teacher from the Southern Maine Juvenile Facility, all of which are to be appointed by the Governor.

**3. Appointments; chairs; convening of task force; meetings.** All appointments must be made no later than 30 days following the effective date of this Act. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. The first named Senate member is the Senate chair and the first named House member is the House chair. The first meeting must be called by the chairs no later than 30 days after all appointments have been made. The task force shall meet at least once with students of the Southern Maine Juvenile Facility and hold at least one public hearing.

**4. Duties.** The task force shall:

A. Determine the best methods of delivery of educational services for students at educational programs and facilities located in or operated by juvenile correctional facilities, with an emphasis on special education and alternative education;

B. Study how to integrate mental health and substance abuse services into an educational setting;

C. Determine the general type of student who will be served by juvenile correctional educational programming;

D. Develop an appropriate set of outcomes for the juvenile correctional educational program;

E. Determine whether juvenile correctional educational programs should seek educational or correctional accreditation; and

F. Determine the necessary qualifications for faculty, administration, recruitment and retention.

**5. Staff assistance.** Upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the task force.

**6. Compensation.** The members of the task force who are Legislators are entitled to the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2,

and reimbursement for necessary expenses incurred for their attendance at authorized meetings of the task force. Other members of the task force who are not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses incurred for their attendance at authorized meetings.

**7. Report.** The task force shall submit its report, along with any legislation necessary to implement its recommendations, to the 120th Legislature by November 1, 2000. If the task force requires a limited extension of time to conclude its work, it may apply to the Legislative Council, which may grant the extension.

**8. Budget.** The chairs of the task force, with the assistance of the task force staff, shall administer the task force's budget. Within 10 days after its first meeting, the task force shall present a work plan and proposed budget to the Legislative Council for its approval. The task force may not incur expenses that would result in the task force's exceeding its approved budget. Upon request from the task force, the Executive Director of the Legislative Council shall promptly provide the task force chairs and staff with a status report on the task force's budget, expenditures incurred and paid and available funds.

**Sec. 7. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

<b>LEGISLATURE</b>	<b>2000-01</b>
Task Force on Educational Programming at Juvenile Correctional Facilities	
Personal Services	\$ 880
All Other	<u>\$ 3,000</u>

Provides funds for the per diem and expenses of legislative members and expenses for other eligible members of the task force on educational programming at juvenile correctional facilities and to print the required report.

<b>LEGISLATURE</b>	
<b>TOTAL</b>	<b>\$3,880</b>

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective May 8, 2000.

## **APPENDIX B**

### **Task Force Membership**

**TASK FORCE ON EDUCATIONAL PROGRAMMING AT JUVENILE  
CORRECTIONAL FACILITIES**

**Public Law, Chapter 770**

**Membership 2000**

**Appointment(s) by the Governor**

Warren G. Galway  
274 Beech Hill Road  
Auburn, ME 04210

Representing the Policy Review Council

Peter H. Hennessy  
90 Rickleff Street  
Portland, ME 04103

Representing Teachers at Southern Maine Juvenile  
Correction Facility

Edwin "Buzz" Kastuck  
Dept. of Education  
23 SHS  
Augusta, ME 04333-0023

Representing the Department of Education

Carl Mowatt  
Office of Substance Abuse  
159 SHS  
Augusta, Me 04333-0159

Representing the Department of MHMRSAS

Lars A. Olsen  
28 Meyers Farm Road  
Windham, ME 04062

Representing the Department of Corrections

**Appointment(s) by the President**

Sen. Robert E. Murray, Jr.  
340 Center Street  
Bangor, ME 04401

**Chair**

Sen. Mary E. Small  
175 Oak Street  
Bath, ME 04530

Dorothy D'Alessandro, Administrator  
Waterville School Dept. Special Services  
21 Gilman Street  
Waterville, Maine 04901

Annette Gillespie  
HC 70, Box 1126  
Machiasport, ME 04655

Representing Parents

**Appointment(s) by the Speaker**

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## **APPENDIX C**

### **Proposed Legislation to Implement the Recommendations of the Task Force on Educational Programming at Juvenile Correctional Facilities**

LR #: 234801

Sponsor:

Drafted by: PDM

Date: 1/23/01

File Name: G:\OPLAGEA\GEASTUD\119-2nd\JuvCorrEduc\234801.DOC (2/5/01 10:34 AM)

**DRAFT Bill for Task Force on  
Educational Programs at Juvenile  
Correctional Institutions**

**Title:** An Act to Implement the Recommendations of the Task Force on Educational Programming at Juvenile Correctional Facilities

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 15 MRSA § 3308, sub-§ 7-A** is enacted to read:

**7-A. Dissemination of information.** When a juvenile who was charged in a juvenile petition that alleges the use or threatened use of physical force against a person or when a juvenile who was adjudicated as having committed one or more juvenile crimes seeks admission to a public school or private school approved for tuition purposes, any criminal justice agency that has knowledge that a juvenile described in this subsection is seeking admission to a school described in this subsection shall provide notice to the superintendent of the school or the superintendent's designees of the availability of the information described in this subsection. Upon the request of a superintendent or a superintendent's designee described in this subsection, a juvenile community corrections officer shall disseminate the following information:

A. The name of the juvenile;

B. The nature and date of the alleged offense or offense;

C. The date of the petition, if applicable;

D. The date of the adjudication, if applicable;

E. The location of the court where the case was brought, if applicable; and

F. The current status of the juvenile's compliance with an informal adjustment alternative program, a supervised work or service program, a restitution program, a juvenile drug treatment court program or conditions of probation as determined by a juvenile community corrections officer or ordered by the court.

All information provided under this subsection is confidential and may not be further distributed, except as provided in Title 20-A, section 1054, subsection 12. Information provided pursuant to this paragraph to the superintendent of the juvenile's school or the superintendent's designees, or to the superintendent of the school into which the juvenile is seeking admission or the superintendent's designees may not become part of the student's education record.

**Sec. 2. 20-A MRSA § 254, sub-§ 12** is enacted to read:

**12. Technical assistance and statewide standards for reintegration planning.**

In consultation with juvenile correctional officials, juvenile community corrections officers, organizations representing school boards, school administrators, teachers and parents and other interested local officials and community members, the commissioner shall develop a program of technical assistance and establish statewide standards for reintegration planning and transition services for juvenile offenders who are discharged from a juvenile correctional facility in the State, who have been enrolled in an educational program or school for juveniles located in or operated by a correctional facility and who are transferring to a school located within a local school administrative unit in the State. The technical assistance and standards must include, but may not be limited to:

- A. Timely presentation of student educational records pursuant to section 6001-B and other appropriate information, including access to confidential criminal justice information regarding juveniles pursuant to section 1055, subsections 11 and 12;
- B. The level and scope of technical assistance to be provided by the department to local school officials and the level and scope of training that local school administrative units must provide to school personnel who may have access to confidential criminal justice information regarding juveniles pursuant to section 1055, subsections 11 and 12;
- C. Annual reporting to the department by superintendents of the number of juvenile offenders who are released or discharged from a juvenile correctional facility in the State and who enroll in a school located within their local school administrative unit. The department shall provide forms for reporting.

**Sec. 3. 20-A MRSA § 1055, sub-§ 12** is enacted to read:

**12. Reintegration teams.** Within 10 days after receiving information from a criminal justice agency official, pursuant to Title 15, section 3308, subsection 7-A, the superintendent may convene a reintegration team. The reintegration team must consist of the administrator of the school building or the administrator's designee, at least one classroom teacher to whom the student will be assigned or who is involved in the school's student assistance team, a parent or guardian of the student and a guidance counselor. The reintegration team is entitled to receive the information described in Title 15, section 3308, subsection 7-A, paragraphs A through E and any other information permitted by the written consent of the student's parents, guardian or custodian. The reintegration team shall also determine on the basis of need which school employees may receive that information.

Confidentiality of this criminal justice information regarding juveniles must be ensured at all times, and the information may be released only under the conditions of this subsection. The superintendent shall ensure that confidentiality training is provided to all school employees who have access to the information.

**Sec. 4. 20-A MRSA § 2902** is amended to read:

**§ 2902. State requirements**

Private schools approved for attendance purposes by the department shall:

**1. Immunization.** Comply with the immunization provisions under section 6351;

**2. Language of instruction.** Use English as the language of instruction except as specified under section 4701;

**3. Courses required by law.** Provide instruction in elementary schools as specified in sections 4701, 4706 and 4711 and in secondary schools as specified in sections 4701, 4706, 4722, 4723 and 4724.

**4. Commissioner's basic curriculum.** Provide instruction in the basic curriculum established by rule by the commissioner under section 4704;

**5. Certified teachers.** Employ only certified teachers;

**6. Secondary schools.** For private secondary schools:

A. Meet the requirements of a minimum school year under section 4801;

B. Provide a school day of sufficient length to allow for the operation of its approved education program;

C. Have a student-teacher ratio of not more than 30 to one;

D. Include not less than 2 consecutive grades from 9 to 12; and

E. Maintain adequate, safely protected records;

**7. Approval rules.** Meet the requirements applicable to the approval of private schools for attendance purposes adopted jointly by the state board and the commissioner;

**8. Release of student records.** Upon the request of a school unit, release copies of all student records for students transferring from the private school to the school unit; ~~and~~



**9. Medication.** Meet the requirements for administering medication under section 254, subsection 5; and

**10. Reintegration planning.** Meet the requirements for administering reintegration planning under section 254, subsection 12.

**Sec. 5. 20-A MRSA § 4502, sub-§ 5** is amended to read:

**5. Other standards.** The state board and the commissioner shall jointly adopt basic school approval rules governing school administrative units and elementary and secondary schools. These rules must set minimum standards in the following areas, incorporating such standards as are established by statute:

- A. Instructional time, including a minimum school day and week;
- B. Staffing, including student-teacher ratios, except that the approval rules in effect for the school years beginning in the fall of 1998 and 1999 must permit maximum student-teacher ratios of 25:1 school-wide for kindergarten to grade 8 and maximum student-teacher ratios of 30:1 school-wide for grades 9 to 12;
- C. Physical facilities, incorporating the school construction rules of the state board;
- D. Standards for equipment and libraries;
- E. Minimum school size, but including recognition of geographically isolated schools;
- F. Grade and program organization;
- G. Assessment and evaluation of student performance;
- H. Student personnel services, including guidance and counseling and, notwithstanding any rules adopted by the department, comprehensive guidance plans to be approved by the commissioner for implementation in the 2000-01 school year;
- I. Records, record keeping and reporting requirements;
- J. Health, sanitation and safety requirements, including compliance with section 6302;
- K. School improvement;

L. Preparation and implementation of an ongoing school improvement process and the annual update of a written school improvement plan, including a fully developed staff development plan for identifying at-risk students in kindergarten to grade 12, including, but not limited to, truants and dropouts and the development of appropriate alternative programs to meet their needs;

M. The use of time-out areas, administered in accordance with standards adopted by the department and with this paragraph. The use of a time-out area is subject to the following:

(1) The time-out area must be well ventilated and sufficiently lighted. The time-out area may not be locked; and

(2) The time-out area must be designed to ensure the safety of the student so that the student is supervised by a professional staff member in the room or can be observed from outside of the time-out area and can be heard by a person supervising the time-out area; ~~and~~

N. Preparation of a written local policy and implementation of training for all unlicensed personnel who administer medication in accordance with the requirements under section 254, subsection 5; and

O. Preparation of a written local policy and implementation of training for all guidance counselors and school personnel who administer reintegration planning pursuant to section 254, subsection 12 and who participate in a reintegration team and who shall have access to confidential criminal justice information regarding juveniles pursuant to section 1055, subsection 12.

**Sec. 6. 20-A MRSA § 4502, sub-§ 7** is amended to read:

**7. Juvenile corrections facilities.** An educational program or school for juveniles located in or operated by a correctional facility must be reviewed for approval by the department on an annual basis, with special attention paid to alternative educational programming and discharge planning and related transition services provided to juveniles who are released from a juvenile correctional facility and transferred to a public school in the State. The department shall report to the joint standing committees of the Legislature having jurisdiction over appropriations, criminal justice and education matters on the results of the review by January 15th of each year.

**Sec. 7. 20-A MRSA § 5151** is amended to read as follows:

**§ 5151. Technical assistance for truants, dropout prevention and reintegration ~~return~~ and alternative education**

The commissioner shall provide technical assistance regarding truancy, dropouts and reintegration and alternative educational programs. To do this, the commissioner shall employ at least one consultant whose sole responsibility is to cover the area of truancy, dropouts and reintegration and alternative education.

**1. Qualifications.** Any consultant must be knowledgeable in the problems of truancy and dropouts and policies and programs pertaining to the problem and have this as his sole responsibility.

**2. Duties.** The consultant shall:

A. Provide technical assistance to school administrative units and private schools approved for tuition purposes to establish alternative programs;

B. Develop screening tools for early identification of potential dropouts;

C. Act as a clearinghouse for information on alternative education programs in the State, on exemplary programs in other states and on research pertaining to the subject, and promote effective programs;

D. Function as a liaison among the commissioner, department staff, advisory committee and school administrative units and private schools as it pertains to truants, dropouts and reintegration, alternative education and adult education;

E. Develop model curricula and programs for alternative educational schools and programs;

F. Assess and provide for the evaluation of alternative educational programs consistent with the standards established by the commissioner;

G. Develop training programs for superintendents, principals and school attendance officers to improve effectiveness in performance of their duties as pertains to truants, dropouts and reintegration and alternative education;

H. Develop and submit a plan on behalf of the commissioner for the joint standing committee of the Legislature having jurisdiction over education and the state board on the prevalence of truancy and dropouts, assess alternative and adult educational programs and prepare positive strategies to prevent and remedy the problems identified, including reintegration planning for juvenile offenders who have been released from a juvenile facility and are enrolling in a school in the State;

I. Have the responsibility for preventive and alternative programs;

J. Collect data on the scope of the dropout and truancy problem in the State;

K. Evaluate the scope of the problem of dropouts and truants and programs and policies directed to meet it, including reintegration planning and after care services provided for juvenile offenders who have been released from a juvenile facility and have enrolled in a school in the State ;

L. Provide staff services to the advisory committee; and

M. Plan and coordinate programs and grant writing to stimulate programs and research on the problem of dropouts, truants, alternative education and adult education.

**Sec. 8. 20-A MRSA§ 5151, sub-§ 2** is amended to read as follows:

**2. Duties of the advisory committee, as appointed by the commissioner.** The advisory committee shall advise the commissioner on the development and implementation of state and local policies and programs that are needed to deal effectively with the incidence of truancy and dropouts in state schools. They should consider their mandate in a broad context to assess the causes of truancy and dropouts, the effectiveness of alternative and prevention programs and the social and educational programs or changes needed to encourage students to remain in school, including reintegration planning and after care services provided for juvenile offenders who have been released from a juvenile facility in the State and have enrolled in a school in the State.

**Sec. 9. 20-A MRSA § 6001-B, sub-§ 1** is amended to read:

**§ 6001-B. Transfer of education records**

**1. Education records must follow students who transfer.** Education records must follow students who transfer to a school in another school administrative unit in the State. The education records of students who transfer from an educational program or school for juveniles located in or operated by a correctional facility or out-of-state schools are also subject to this requirement.

**2. Transfer of records.** Upon application of a student to transfer to another school administrative unit in this State or to enroll at a school administrative unit in this State from an educational program or school for juveniles located in or operated by a correctional facility or a school outside of the State, and upon the written request of the superintendent of the school administrative unit into which the student seeks admission, school administrators at the school administrative unit from which the student is transferring shall provide all of the student's education records, including special education records, to school administrators at the school administrative unit to which the student is seeking a transfer.

**3. Determination of disciplinary status of student applying for transfer; discretion of school to accept student.** At the request of the superintendent of the school administrative unit into which a student seeks admission, the student's current or former school administrators shall provide, in a timely fashion, an oral or written report to the receiving school administrative unit indicating whether the student has been expelled or suspended or is the subject of an expulsion or suspension proceeding. In the case of a student who has been expelled or suspended or is the subject of an expulsion or suspension proceeding, the receiving school administrative unit may deny admission or participation in public school programs, facilities or activities as part of an equivalent instruction program pursuant to section 5021 until the school administrative unit is satisfied that the conditions of the expulsion or suspension have been met.

**3-A. Determination of status of a juvenile applying for transfer; discretion of school to accept juvenile.** At the request of the superintendent of the school administrative unit into which a student seeks admission, a criminal justice agency official shall provide, in a timely fashion, an oral or written report to the superintendent of the school or the superintendent's designees indicating whether the student is seeking to transfer from an educational program or school for juveniles located in or operated by a correctional facility and the current status of whether or not the student is in compliance with an informal adjustment alternative program or conditions of probation, pursuant to Title 15, section 3308, subsection 7-A, as determined by a juvenile community corrections office or ordered by the court. In the case of a student who is not in compliance with an informal adjustment alternative program or conditional probation or is the subject of an adjudication proceeding, the receiving school administrative unit may deny admission or participation in public school programs, facilities or activities as part of an equivalent instruction program pursuant to section 5021 until the school administrative unit is satisfied that the conditions of the informal adjustment alternative program, conditional probation or adjudication proceeding have been met.

**4. Notice to parents and guardians.** Prior to the start of the 2000-01 school year and each school year thereafter, a school administrative unit shall send a written notice to parents or guardians of every student enrolled in the school administrative unit that education records must be sent to a school administrative unit to which a student applies for transfer. Beginning with the 2001-02 school year, an educational program or school for juveniles located in or operated by a correctional facility shall send a written notice to parents, guardians and custodians of every student enrolled in an educational program or school for juveniles located in or operated by a correctional facility that education records must be sent to a school administrative unit to which a student applies for transfer. The notice provided to parents, ~~and~~ guardians and custodians must comply with the standards of the federal Family Education Rights and Privacy Act of 1974, Public Law 93-380, as amended by Public Law 93-568.

**Sec. 10. Department of Corrections, Department of Education and Department of Mental Health, Mental Retardation and Substance Abuse Services progress report.** The Commissioner of Corrections, the Commissioner of Education and

the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services, the chairperson of the Policy Review Council established under Title 34-A, section 3002-A or their designees shall present an annual report to the Council on Children and Families established in Title 5, chapter 438, and the Children's Cabinet established in Title 5, chapter 439 on or before December 15 of each year, with the first report presented on or before December 15, 2001. State officials from each of these agencies shall jointly provide a report on:

1. The implementation of the Learning for Life program, including the memorandum of understanding regarding the integrated delivery of educational programs and behavioral health, mental health and substance abuse services that are to be provided to juveniles who receive educational services through an educational program or school for juveniles located in or operated by a correctional facility in the State; and

2. The progress of implementing interagency initiatives designed to improve the effectiveness of release and discharge planning, transition services, aftercare services and reintegration planning provided to youth discharged from juvenile correctional facilities.

### SUMMARY

This bill implements the recommendations of the Task Force on Educational Programming at Juvenile Correctional Facilities and accomplishes the following:

When a juvenile who was charged in a juvenile petition that alleges the use or threatened use of physical force against a person or when a juvenile who was adjudicated as having committed one or more juvenile crimes seeks admission to a public school or private school approved for tuition purposes, any criminal justice agency that has knowledge that a juvenile described in this subsection is seeking admission to a school described in this subsection shall provide notice of the availability of the following information disseminate

The current status of the juvenile's compliance with an informal adjustment alternative program, a supervised work or service program, a restitution program, a juvenile drug treatment court program or conditions of probation as determined by a juvenile community corrections officer or ordered by the court

1. Provides that criminal justice agency officials must provide notice to the superintendent of the school in which a juvenile seeks admission for a juvenile who has been charged in a juvenile petition that alleged the use or threatened use of physical force against a person or who was adjudicated as having committed one or more juvenile crimes;
2. Provides that, upon request of a superintendent of the school in which a juvenile seeks admission, a juvenile community corrections officer must provide the superintendent with certain information related to the current status of a juvenile's compliance with any informal adjustment alternative program, supervised work or service program,

restitution program, juvenile drug treatment court program or conditions of probation as determined by a juvenile community corrections officer or ordered by the court;

3. Requires the Commissioner of Education to establish standards and to provide technical assistance regarding reintegration teams for juveniles released or discharged from a juvenile corrections facility and seeking admission into a school in the State;
4. Requires school superintendents to provide planning for reintegration teams, including training for school personnel involved in reintegration planning and with access to confidential records of juveniles;
5. Requires compliance with these reintegration planning provisions as part of basic school approval for public and private schools approved for tuition purposes;
6. Amends the scope and duties of the Commissioner's Advisory Committee on Truancy, Dropout and Alternative Education to include reintegration planning for released or discharged from a juvenile corrections facility and seeking admission into a school in the State;
7. Requires that school superintendents report annually on planning efforts for reintegrating juveniles into the school environment to the Commissioner's Advisory Committee on Truancy, Dropout and Alternative Education; and
8. Requires the Commissioner of Corrections, the Commissioner of Education and the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services and the chairperson of the Policy Review Council established under Title 34-A, section 3002-A or their designees to present an annual report to the Council on Children and Families and the Children's Cabinet on the progress of implementation efforts regarding the juvenile correctional educational programs, the integration of behavioral health, mental health and substance abuse programming and release and discharge planning, transition services, aftercare services and reintegration planning provided to youth discharged from juvenile correctional facilities.

## **APPENDIX D**

### **Abstract of the “Learning for Life” Program for Maine’s Juvenile Offenders**



# LEARNING FOR LIFE

## PROGRAM FOR MAINE'S JUVENILE OFFENDERS

### ABSTRACT:

Learning for Life is a proposed program that treats the child with a holistic approach using both formal and informal education throughout the child's day. The goal is to create an outstanding education model in which students acquire habits of **Learning for Life**, which will be practiced while at the facilities, and transfer to the community. This model integrates outcomes consistent with the Maine Learning Results, will be synergistic with the rehabilitation goals incorporated into the overall treatment program and will be acceptable to public schools, to vocational technical schools or to future employers. Each student will receive an Individual Service Plan (ISP) after extensive assessment of deficits, risk factors and assets. Skills, which are developed in all areas of learning, will be practiced daily. The formal education program will be structured with a technical platform utilizing themes that contain project-based, hands-on problems. Products using portfolios and rubrics will demonstrate mastery of skills including literacy. Teams of teachers and other staff will assist learning and will act as advisors to individual students. The program will continue to maintain the Department of Education school approval standards.

### BACKGROUND:

The program's genesis stems from research and results achieved by Dr. Seymour Papert and his colleagues from the Massachusetts Institute of Technology at the Maine Youth Center (MYC) Constructionist Learning Laboratory. This is an experiential model of learning that was instituted as a pilot project on the campus of the MYC in the fall of 1999. The educational approach of the Constructionist Learning Laboratory is organizing personal and collaborative projects around a theme that provides a context for connecting projects to powerful ideas and traditional disciplines. Working in 10-week blocks of time, over 60 MYC residents have participated in the Lab. The staff and residents have demonstrated significant success with this experiential approach to learning. The program also draws on the experience of educators who have taught this population for years. A Restructuring Committee, including: Seymour Papert, MIT; Carl Stasio, Head Master of Thornton Academy; Roberta Niehaus, A.R. Gould School Principal; and A.R. Gould School teachers have been working on a design plan since November 1999.

Presently, residents at the juvenile correctional facilities have significant gaps in their educational experiences, have serious mental health deficits and are at high risk for substance abuse. Many have not attended public schools for significant periods of time and therefore encounter failure and frustration when placed in a traditional public school model. Their experience in the institution becomes an endless succession of behavioral upheaval and emotional distress. The **Learning for Life** program is designed to enhance resident competence by providing them with a personal sense of success in learning, some fundamental ideas that cut across the disciplines, and the development of a learning ethic. Furthermore, emphasis will be placed on raising literacy standards by infusing literacy and numeracy into the curricula and continuing the literacy lab that has been under development for two years at SMJF.

## **BASIC CONCEPTS:**

**Learning for Life** will be structured around high interest vocational areas such as carpentry, culinary arts, and graphic arts. The emphasis of the approach will be on developing literacy and thinking skills, whether these are in the cognitive or therapeutic aspects of the juvenile corrections experience.

Many adolescents, probably most of these who come into juvenile correctional facilities, could engage far more easily, and deeply, with an area of work such as wood-work, commercial graphics or food preparation than with algebra or grammar. One might deduce that, therefore, they should be offered a “vocational” or “technical” rather than an “academic” school. This may be true if those were the only possibilities. But what we suggest here is really a third choice, very different from the usual sense of these words. The key features of the mode of learning we propose are:

- 1) Each student’s work will be by immersion in a technical area of interest;
- 2) The work will be largely project-based and “hands-on;” and
- 3) The work will enhance the skills of learning and thinking and the acquisition of general basic knowledge rather than just expertise in the technical areas.

**Example 1.** The goal of work in the wood-work area will not be to prepare students for a career in carpentry – though any who do become carpenters will, of course, benefit from their work there. Rather, the goal is to use the interest evoked by working with wood to support the platform to develop skills, literacy, attitudes, and ethics that will be of value in all directions of further learning and in all career paths. We want students to leave with a strong and realistic sense of all the paths, including the most academic, that are accessible to them.

Thus, what we would see happen in the wood-working area will, in some ways, be less than what would be done in the carpentry department of a vocational school and in some ways much more:

Less in that we would not try to provide all the carpentry skills taught in the vocational school.

More in that we would have goals that are not specifically associated with carpentry, such as:

- 1) A very strong emphasis on communication skills and literacy skills, including writing, but also expression in other media, such as reporting a project by using digital cameras and computers to compose a compelling video presentation.
- 2) Use of software for design, inventory, bookkeeping, cost estimation, etc.

- 3) Instead of trying to make the use of software as “easy” as possible, the emphasis will be on creating understanding and the deepest possible level of computer fluency.
- 4) Understanding the science of wood and of structures approached in a way that will lead to the greatest possible appreciation of scientific method.
- 5) Developing a sense of self as a competent learner and a sense of wonder at what one is capable of doing.

The **Learning for Life** program will examine the deeper possibilities of utilizing modern technologies in the interest areas. Furthermore, there will be full recognition of students who are ready to achieve academically. Their academic ISP will place them on a path for graduation and planning for future education. In addition, distance learning will be available for those residents who may need course work not offered at the school either for finishing a high school diploma or for post graduate work.

Given the innovative programming nature of the **Learning for Life** program, both facilities will be in compliance with the Department of Education’s Chapter 125, Regulations Governing Basic School Approval and Chapter 127, Instructional Requirements and Graduation Standards.

#### **CERTIFICATION:**

Beyond the high school diploma or the GED, an important part of the work will be the development of an instrument that will convey relevant information to schools, employers or others concerned with a released student’s abilities. Within the student’s portfolio will be a profile of the student’s basic skills plus an assessment of the student’s “learning readiness” and

In addition to helping the student re-adapt in the community, we see the development of a certificate of learning readiness as an instrument for obtaining feedback on the success of the program through a database that correlates the assessment of learning readiness with subsequent performance of the released student.

#### **MODEL/PROCESS FOR DEVELOPMENT:**

A model that worked well in the pilot project at the SMJF will be adapted for the process of development of the new program. The pilot developed through three phases:

- Phase 1 – This phase implemented an initial design developed by Dr. Papert’s team on the basis of expertise and experience in experiential learning, literacy development, and in the use of modern technologies.
- Phase 2 - This was a period of appropriation and adaptation in which teachers with experience in the SMJF worked in collaboration with the design team to adapt the design to better suit the local conditions.

- Phase 3 - This phase, which is now in operation, is a period of assessment and further modification to serve as a generalizable model.

We plan to use a similar model except that the experience we have gained will allow an abbreviation of the first phase and its transition to phase two. In addition, there will be an evaluation tool in place at the outset, which will track the process as it evolves.

#### **ORGANIZATIONAL STRUCTURE:**

The work will be done within the framework of an organizational structure consisting of:

1. The Learning for Life Steering Committee will be formed to provide oversight to the program personnel. The Committee will be representative of staff positions at both facilities and will include the Vocational Advisory Committee and the Policy Review Council. Additional members may represent local public schools, the Department of Corrections, the Department of Education, Maine's Technical College System, and others. The Steering Committee will meet regularly (biweekly at the outset) and will review the program design.
2. The Development Team consisting of a senior member from each of the NMJF and SNMJF staff and two curriculum development/educational technology specialists from the Seymour Papert Institute will begin the initial work. This effort will later include teachers from each of the facilities who are experts in the subject matter and the students.
3. A team of technical advisors set up on a contractual basis by the Seymour Papert Institute and headed by Seymour Papert.

#### **TIME LINE:**

- A preliminary design period of 3 months during which time the Seymour Papert Institute will take the lead in proposing a design and implementing a small pilot. During this phase substantial use will be made of outside consultants so as to bring in the best thinking from national and international sources. The effort will be directed by Dr. Papert and implemented by a team of specialists.
- A second period will run until the opening of the new buildings in which the Development Team will take the lead in adapting and developing the pilot, designing training procedures for teachers and assessment procedures for students.
- When the new buildings are opened, the pilots will be expanded for full-scale operation under the direction of the Development Team.

The program will encompass three years:

<b>YEAR ONE</b>	<b>YEAR TWO</b>	<b>YEAR THREE</b>
<b>Program Development &amp; Planning</b>	<b>Enhanced Training &amp; Formative Assessment</b>	<b>Summative Assessment &amp; Program Modification</b>
Initial program planning & development/process assessment	Build upon the initial training and preparation conducted during year one	Based upon the formative assessment, the program will be revised and modified as deemed appropriate
Pilot program/conversion of the existing programming at MYC	Implement the formative assessment process	The summative assessment process will be engaged
Implementation of foundation work at the Northern Maine Juvenile Facility to include pilot program	Develop the summative assessment process	Results of the assessments will be applied to assure that the program, in its finalized yet evolving form will be sustained
Initiate identification and collection of baseline data		

**BUDGET:**

<b>IN KIND</b>	<b>1<sup>st</sup> Year</b>	<b>2<sup>nd</sup> Year</b>	<b>3<sup>rd</sup> Year</b>
Principal - Northern Maine	\$74,702.00	\$72,081.00	0.00
Asst. Principal - Southern Maine	\$72,081.00	\$72,081.00	0.00
Dir. Special Ed. to replace Asst.Prin	\$65,841.00	\$45,430.00	0.00
Training: room rental, supplies	\$1,448.00	\$1,500.00	0.00
Travel for assessment of program	0.00	0.00	\$1254.00
<b>Total In-Kind Contribution</b>	<b>\$214,072.00</b>	<b>\$191,092.00</b>	<b>\$1254.00</b>
<b>REQUEST</b>			
Special education teacher - project	\$45,430.00	\$45,430.00	\$45,430.00
Substitute Teachers	\$15,900.00	\$21,200.00	\$10,600.00
Papert/including 2 curriculum Spec.	\$175,000.00	\$150,000.00	\$100,000.00
Travel/overnight accom. N.M.	\$19,292.00	\$19,292.00	0.00
Di - Cap (3.51%)	\$8,972.00	\$8,281.00	\$5,477.00
State Cap (.4101%)	\$1,048.00	\$968.00	\$640.00
<b>Subtotal</b>	<b>\$265,642.00</b>	<b>\$245,171.00</b>	<b>\$162,147.00</b>
<b>TOTAL REQUEST</b>			<b>\$672,960.00</b>

## **APPENDIX E**

### **Individuals Providing Testimony: Experts, Practitioners, Resource People and Interested Parties**

**Experts, Practitioners, Resource People and Interested Parties  
Who Provided Testimony to the Task Force**

Joe-Anne Corwin, Auditor, Correctional Education Association

Peter Hennessey, Guidance Counselor, Southern Maine Juvenile Facility

Jim Keeley, Bureau Chief, Juvenile Correctional Education, Pennsylvania

Al LaPlante, Opportunities Alternative School, Rockland

Susan Lombardo, Program Manager, Maine Youth Center Substance Abuse Treatment Program  
and Day One Contracted Services Provider

Carl Mowatt, Social Service Program Manager, Office of Substance Abuse, Department of  
Mental Health, Mental Retardation and Substance Abuse Services

Lars Olsen, Superintendent, Southern Maine Juvenile Facility

Emanuel Pariser, The Community School, Camden

Julie Read Marsh, Legislative Analyst, Office of Policy and Legal Analysis

Lorrie Richardson, Administrative Secretary, Southern Maine Juvenile Facility

Karen Rumery, Regional Education Specialist, Department of Education

David Noble Stockford, Director of Special Services, Department of Education

Professor Kimberly Cook, University of Southern Maine, Department of Criminology and  
CRM 330 Students who participated in the October 2, 2000, Public Forum:

Becky Barry

Michael Charest

Erin Lewis

Frank McBride

Ann Marie Smith

Halle Soule