

David W. Gordon
Superintendent

July 27, 2010

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The Honorable Steve White, Presiding Judge
Sacramento County Superior Court
720 9th Street, Department 47
Sacramento, California 95814

Re: Sacramento County Office of Education Response to 2009-2010
Grand Jury Report

Dear Judge White:

This letter serves as a response to the 2009-2010 Grand Jury Final Report pertaining to "Probation and Education at Juvenile Hall." (Grand Jury Report, pages 123-129)

By way of background, the County Superintendent of Schools and the Sacramento County Office of Education (SCOE) provide educational programs for detained youth in Sacramento County. At present, SCOE operates the El Centro Jr/Sr High School at the Youth Detention Facility (Juvenile Hall). SCOE also operated schools at the Boys Ranch and the Warren E. Thornton Center until these facilities were closed. The Sacramento County Department of Probation (SCDP) operates Juvenile Hall and supervises the youth detained in the facility.

SCOE is committed to the education and rehabilitation of all high-risk youth housed in the county's youth detention facilities. When I became County Superintendent of Schools in 2004, I, along with the County Board of Education and SCOE, made it a priority to improve the quality of education at each of the county's youth detention facilities, specifically including Juvenile Hall. As you know, the youth in Juvenile Hall present unique educational challenges, as many have not regularly attended school before being detained, most are between two and five grade levels below their age-appropriate grade level, and they attend SCOE's school in Juvenile Hall for an average of only 15 school days. Despite these challenges, beginning in 2004, SCOE began developing innovative methods for customizing and focusing instruction on each student's most pressing academic needs, with positive results. Testing data provides objective proof that SCOE's educational programs at Juvenile Hall are working. The education provided in SCOE's court schools is often the best education many of these students have ever received.



For example, since 2006-2007, all reported data up to this point indicates that after attending El Centro Jr/Sr High School, at least 70% of students completing multiple assessments demonstrate improvement between their initial pre-tests and later periodic tests in both reading and mathematics. Furthermore, the statewide pass-rate for the General Education Development (GED) Test, recognized as a high school graduation equivalent, is 65%. However, between 2005 and 2009, El Centro Jr/Sr High School students who completed the GED passed at a much higher rate of 84% to 95%.

SCOE has developed a statewide reputation for excellence in educating juvenile court school and other high-risk students. As a result, in 2009, the California Department of Education approached SCOE and requested that it train other educational agencies throughout the state on the most effective methods for educating juvenile court school and other high-risk students, including how to most effectively deliver instruction, implement interventions, improve academic achievement, and create the structure to maximize educational success for these students.

We respectfully disagree with the Grand Jury's statement that senior administrators at SCOE toured Juvenile Hall in 2004, expressed disappointment in the quality of the educational program, yet made no changes. (Grand Jury Report, page 127) This is simply not correct. Since 2004, many positive changes have been made at El Centro Jr/Sr High School, including the following:

- Data-Driven Targeted Interventions and Individualized Instruction on a School-wide Basis
 - SCOE uses academic assessment data to target interventions, maximize access to the academic program, and develop appropriate curriculum for each individual student.
 - In 2008 SCOE piloted and in 2009 implemented the Northwest Evaluation Association (NWEA) assessment system. SCOE also created its own data system to link individual NWEA assessment results with students' other standards-based testing data so that individualized instructional and intervention programs could be created for each student. Staff is required to NWEA assess each student shortly after he/she enters Juvenile Hall. Based upon the resulting data, SCOE is able to create and provide individually tailored, differentiated instruction based upon the specific educational needs of each student. This unique, cutting-edge assessment and data system exceeds state and federal requirements and what most students have received in their previous schools.
 - Based on the assessment results for most students at Juvenile Hall, SCOE educators intensively and aggressively focus on improving literacy and mathematics skills, as this is the fastest way to increase these students' academic skills and provide them with access to the curriculum. Every student is provided with appropriate educational materials and a full curriculum tailored to

the needs of each student and consistent with the California academic content standards. Students have access to a wide range of textbooks in multiple academic areas and to computer-assisted lessons that provide individualized instruction at the student's academic level and that trigger new levels of instruction and learning as the student progresses.

- Students receive instruction in a small group setting of no more than 15 students per classroom, along with one-to-one attention from the instructor when needed.
- Students gain credit in the same courses required by regular, comprehensive California high schools, and can graduate and earn high school equivalency.

■ Personnel

- All teachers in Juvenile Hall meet the "highly qualified standards" of state and federal law. This includes being properly credentialed and trained to serve the students at El Centro Jr/Sr High School.
- Staff replacing those who have resigned or retired have been rigorously interviewed to assure that they meet the high standards required to teach in this facility.
- In 2005 and 2006, SCOE replaced all Principal leadership positions in the court schools, including at El Centro Jr/Sr High School. Dr. Mike Borgaard has faithfully served as Principal at El Centro Jr/Sr High School for almost four years and has implemented numerous improvements to the quality of education provided at Juvenile Hall. This consistency has been important to changing the educational culture and to the continuous improvement of El Centro Jr/Sr High School.

■ Training

- In accordance with the California Education Code, classroom teachers at El Centro Jr/Sr High School must meet the same California teacher standards as any teacher serving students in a California public school.
- Teachers have been trained to implement reading, mathematics, and writing standards within the curriculum required by the California State Board of Education and to provide academic interventions targeted to the unique students at El Centro Jr/Sr High School.
- All staff are trained in adopted California middle and high school curricula in the appropriate course of study they teach.
- All staff are trained on their responsibilities as mandated reporters and on the requirements for reporting abuse or suspected abuse. Staff are also provided with written guidelines explaining their mandated reporting requirements. (See Attachment A.)

■ Technology

- In 2007, a new technological attendance program was implemented, called PowerSchool. This program provides teachers with the ability to access online grading, student records, attendance data, and prior school history. This is particularly important, given that students attend El Centro Jr/Sr High School for an average of 15 school days.
- SCOE furnishes each classroom in El Centro Jr/Sr High School with more than one computer for every two students, a richer ratio than in any other school district in the county.
- Infusion of LINKS
 - Leadership in Everyday Life
Ingenuity in Thought and Practice
Navigating Choices
Keeping the Promise
Sufficiency in Preparation
 - The LINKS philosophy brings support and opportunity to the lives of the incarcerated students at El Centro Jr/Sr High School. It is a purposeful plan to surround the young people we serve with supports that enhance their cognitive, social, and emotional development and are not commonly experienced by incarcerated and at-risk students. This includes opportunities for students to display their artwork in local art shows, participate in Blues in the Schools and Academic Bowl competitions, and recite their poems at Poetry Out Loud, among many others.
 - Attachment B is a booklet describing the LINKS philosophy.
- Student Discipline Procedures
 - SCOE follows the California Education Code in matters of student discipline and suspension.
 - Parents or guardians are notified and are given an opportunity to meet with school staff when their children are suspended from school based on their behavior in the classroom.

LINKS is the program model that motivates, inspires, and leads our students to positive outcomes for their future.

In its report, the Grand Jury mentions the Settlement Agreement that resolved the litigation between SCOE and the Prison Law Office (PLO) of California. The Grand Jury's findings and recommendations are addressed by the Settlement Agreement, and we explain how the findings and recommendations are being adhered to below.

- ***Finding 1.0*** *SCOE entered into a Settlement Agreement in which it agreed to remediate alleged failings and implement changes.*

Recommendation 1.1 *SCOE needs to immediately complete, implement, and*

monitor a detailed comprehensive corrective educational action plan to include all [Sacramento County Department of Probation] SCDP students. The plan is to be based on state standards, the Education Code (including E.C. 48645, et. seq.), and federal law. The results of this corrective action plan should be published yearly.

SCOE requires its educators to develop a customized education action plan for each student at Juvenile Hall, to be provided within five days of their enrollment into school. This plan is based on state standards, the California Education Code and federal law. As further detailed above, it uses individual assessment results to create an individually tailored, differentiated instructional learning path for each student and teacher to follow to meet the child's specific educational needs. This action plan is subject to monitoring under the Settlement Agreement.

Recommendation 1.2 *SCOE should contract with an outside agency to audit and publicly report SCOE's progress/performance towards complying with the Settlement Agreement.*

The Prison Law Office already monitors the Settlement Agreement. Hiring an additional contractor is not necessary at this time and would result in a waste of scarce public funds.

Recommendation 1.3 *SCOE should conduct comprehensive annual evaluations for its entire staff at juvenile hall based on job descriptions, state standards, and Settlement Agreement mandates.*

Annual staff evaluations are already conducted and submitted to SCOE's human resources department, in compliance with California Education Code requirements.

- ***Finding 2.0*** *Students have missed classes because of court dates and medical appointments.*

Recommendation 2.1 *The proposed idea of SCOE senior management to implement an evening educational program needs to be immediately negotiated with SCOE staff, labor union, and the probation department. If this plan is unworkable, another plan should be developed and negotiated immediately to ensure that all students at juvenile hall have appropriate educational services.*

Although SCOE is not required by law to provide evening classes to wards of the court, SCOE is committed to upgrading student academic performance. By expanding the school day, students who are credit-deficient, lacking basic literacy skills, and who have failed the California High School Exit Exam would

benefit from the additional class time. In addition, those wards who are pulled from the school day for court attendance, medical appointments and the like would be provided make-up time for school in the evening. However, the implementation of this model is dependent upon Probation having the staffing available to provide educational access and support in their facility outside of the regular school day. In light of the deep budget cuts sustained by Probation, it is not yet certain whether this can occur.

- ***Finding 3.0 Staff at SCPD and SCOE are mandated reporters and are required by law to report abuse or suspected abuse.***

Recommendation 3.1 Annual training on mandated reporting for all SCPD and SCOE personnel employed at juvenile hall needs to occur.

As was explained to the Grand Jury, SCOE understands and acknowledges its responsibilities as mandated reporters. Attachment A is our state mandated requirement for training and information that is provided to all SCOE staff. We meet this requirement by providing an annual workshop which is not restricted to those employees who work at Juvenile Hall but includes all staff who work with any students within SCOE's student programs.

Recommendation 3.2 To resolve confusion as to who should be reporting when multiple mandated reporters are aware of, or suspect abuse, a policy should be created and implemented for both the SCPD and SCOE employees at juvenile hall.

All mandated reporters are required to report suspected abuse. SCOE has and will continue to report suspected abuse regardless of whether other mandated reporters are aware of, or suspect, abuse.

We would like to emphasize that SCOE has developed a strong relationship with the Probation Department and is actively working with Probation as partners in serving the needs of youth at Juvenile Hall. In addition to the collaboration that occurs on a daily basis, SCOE and Probation participate in weekly multi-disciplinary meetings to discuss the special educational, mental health, medical, safety, and security needs of the incarcerated youth. SCOE and Probation also meet on a regular basis to discuss the scheduling and program needs of the youth, and meet regularly to resolve facility and operational needs at Juvenile Hall.

We concur with the Grand Jury about the impressive educational/vocational services, overall physical condition, morale, and friendly environment at the Sacramento County Boys Ranch. (Grand Jury Report, pages 151-152.) We are extremely disappointed about the recent closure of the Boys Ranch and also have great concern about the 2009 closure of the Warren E. Thornton Center. With the absence of these two youth

The Honorable Steve White, Presiding Judge

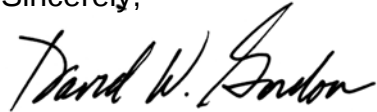
July 27, 2010

Page 7

commitment facilities and the SCOE educational programs they housed, the opportunities to educate and rehabilitate at-risk youth in Sacramento County have been severely limited.

Thank you for your time and consideration. If you have any questions or need any additional information, please contact me at (916) 228-2410.

Sincerely,

A handwritten signature in black ink, reading "David W. Gordon". The signature is written in a cursive style with a large, stylized "D" and "G".

David W. Gordon
Sacramento County Superintendent of Schools

Enclosures

Cc: Becky Castaneda, Grand Jury Coordinator