County of Los Angeles
CHIEF EXECUTIVE OFFICE
Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
http://ceo.lacounty.gov

WILLIAM T FUJIOKA
Chief Executive Officer

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October 14, 2008

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

PROBATION DEPARTMENT: APPROVAL OF COMPREHENSIVE EDUCATIONAL REFORM RECOMMENDATIONS AND PRELIMINARY ACTION PLAN FOR IMPLEMENTATION AT PROBATION CAMPS AND JUVENILE HALLS (ALL SUPERVISORIAL DISTRICTS) (3 VOTES)

SUBJECT

The Los Angeles County Probation Department, along with the members of the Education Reform Committee, is requesting that your Board approve the Comprehensive Educational Reform recommendations and action plan; funding for three (3) ordinance and budgeted positions; and a sole source contract with The Resource Company (TRC) in an effort to establish a more effective educational system for minors within the juvenile halls and camps.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the concept of Education Reform to begin moving forward with the 35 recommendations identified in the attached Comprehensive Educational Reform Report (Attachment I) and the accompanying draft implementation action plan (Attachment II) that were developed by the Comprehensive Educational Reform Committee, contingent on the availability of additional funding beyond the $621,000 being recommended and any necessary State legislation or approval of State waivers.

2. Instruct the Probation Department to work with the Chief Executive Office, the County Counsel's Office, and other key stakeholders, in seeking necessary legislation to provide or enhance the County's flexibility to deliver education services through multiple providers, including implementation of independent charter school programs designed to improve the delivery of educational services to minors in probation camps and halls and ensure enhanced options are available to best meet their needs.

3. Acknowledge that the County would need to obtain approval of State legislation to enable Probation to operate independent charter schools, and upon such approval, authorize Probation to immediately begin development of such charter schools.

4. Support the efforts by the Los Angeles County Office of Education (LACOE) to pursue legislation to change their funding model and instruct that our office along with the Probation Department work with LACOE on these efforts.

5. Instruct the Probation Department and LACOE to develop a pilot dependent charter school program for girls for implementation at Camp Scott or Camp Scudder which can be accomplished under existing law.

6. Instruct the Probation Department to pursue the implementation of an independent school pilot program for boys operated by another school district at a Probation camp to be determined by Probation which can be accomplished under existing law.

7. Approve the attached Appropriation Adjustment transferring a total of $621,000 ($321,000 in on-going salaries and employee benefits; $20,000 in on-going services and supplies; and $280,000 in one-time services and supplies) to the Probation Department's operating budget to provide the appropriation necessary to effectively begin implementing the recommendations outlined in the report.

8. Approve the funding for Education Reform for the Probation Department limited to $621,000 with any additional funding for Education Reform needing to be identified and approved by your Board prior to Probation moving forward with those recommendations that require additional funding.

9. Approve three ordinance and budgeted positions and authorize the Chief Probation Officer to fill the following positions; (1) Senior Probation Director or equivalent MAPP Tier II S12 level position; one (1) Senior Secretary III; and one (1) Program Analyst, Probation pursuant to Section 6.06.020 of the County Code, and subject to allocation by the Chief Executive Office. The $321,000 in

on-going funding for these positions is contained in the above referenced Appropriation Adjustment.

10. Authorize the Chief Probation Officer to negotiate and execute a one-year sole source agreement with TRC, with the option to extend the contract term on a month-to-month basis not to exceed six (6) months, contingent upon available funding and approval as to form by County Counsel. The $280,000 one-time cost of this contract is included in the above referenced Appropriation Adjustment.

11. Delegate authority to the Chief Probation Officer to prepare and execute modifications necessary to the resulting TRC contract for any decreases or increases not to exceed 10 percent of the contract amount upon approval as to form by County Counsel. The Chief Probation Officer will notify the CEO in writing within 10 business days after execution.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS

The purpose of the recommended actions is to provide a more effective educational system for youth at the Probation Department's juvenile halls and camps, with enhanced opportunities to become better engaged in their education. The Comprehensive Educational Reform Report identifies a planned vision of such a system and includes multiple pathways that would enable youth and emerging adults to develop good work habits and occupational skills proven to reduce recidivism and provide for healthier and safer communities. The implementation plan identifies the appropriate steps necessary to implement changes.

The first recommended action is to obtain your Board's approval in concept, for education reform at Probation juvenile camps and halls to begin moving forward with implementing the 35 recommendations, included in the Comprehensive Education Reform Committee's report that are necessary to dramatically reform education programs for minors in the County's probation camps and juvenile halls and emerging adults (18-25 year olds) under Probation's care and custody. The Committee's recommendations and the preliminary implementation action plan focus on improving education services at probation camp facilities because on the average, minors spend more time at camps than in the halls (four months in comparison to 19 days), and are consistent with the Department's effort to implement best and evidence-based practices at the camps.

RECOMMENDED CHARTER SCHOOL PILOT PROGRAMS

The recommendations include pursuing legislation to enable the implementation of a independent charter school at a Probation camp to be determined by Probation.

To determine the feasibility of the County operating charter schools, in December 2007, the Probation Department submitted a request to County Counsel for a legal opinion to determine whether the County has the authorization to operate charter schools at the juvenile halls and camps, and to identify any legal impediments and the necessary steps to implement this educational alternative. Based upon an opinion received from County Counsel, we believe pursuing the creation of pilot charter schools would be a good option to explore.

Dependent Charter School Pilot Program

We support the Committee's recommendation to implement a pilot dependent charter school for high school girls at Camps Scott and/or Scudder in the Santa Clarita Valley. These camps target females' gender-specific issues due to the prevalence of physical, emotional, and/or sexual abuse and/or neglect. The Los Angeles County Board of Education and LACOE are open to establishing such a dependent charter school, which can be accomplished through the Board of Education's existing legal authority to establish charter schools serving students in its jurisdiction.

Independent Charter School Pilot Program under the Operation of another School District

We also recommend pursuing the implementation of an independent charter school pilot program operated by an unidentified school district for high school boys at a Probation camp to be determined by Probation. This can be accomplished under existing law that requires a County Board of Education to provide for the administration and operation of juvenile court schools in the county, either by the county superintendent of schools, as specified, or by contract with the respective governing boards of the elementary, high school, or unified school district in which the juvenile court school is located.

Overall, upon your Board's direction, my office, the Chief Probation Officer, and the LACOE Superintendent of Schools will finalize a comprehensive, long-term implementation action plan consistent with these recommendations and report back to your Board within 60 days, including the estimated fiscal impact as well as the proposed outcomes and performance indicators associated with the recommendations.

Key Educational Reform Issues

The following are key issues to be addressed as part of the comprehensive educational reform:

- Educational responsibilities
- Assessments and case planning
- Instructional programs and delivery

- Special education
- Number of regular teachers
- Classrooms and equipment
- Educational funding

Please refer to the Comprehensive Educational Reform Report (Attachment I) for a detailed description of each issue.

Vision of Comprehensive Education Reform

As probationers enter the juvenile justice system, it is clear that many have been neglected for years, are educationally disadvantaged, and one-third or more have specific learning disabilities or other special education needs. Consequently, as noted in the report, some of the key visions are to have:

- An instructional program that is not only accredited but includes high expectations and educational standards and outcomes for all students, so that youth are well equipped to succeed in school, at work, and in life. The Committee identified four educational pathways to accomplish this purpose.

- The delivery of educational services to youth in the County's juvenile halls and camps based on comprehensive assessments of their criminogenic, educational, health, and mental health needs and case plans, including individual learning plans (ILPs) for educational services that are customized to address each student's strengths, needs, and responsivity issues. It is also necessary to have seamless case management services.

- The provision of adequate special education services, in compliance with the Individuals with Disabilities Education Improvement Act, including timely assessments of specific learning disabilities or other special education needs, development of Individualized Education Plans (IEPs) and Positive Behavior Intervention Plans (PBIPs), and a continuum of services and placements to meet specific learning disabilities and other special education needs.

- A quality educational system within the juvenile halls and camps that is not just limited to the legally required 240 minutes or Board-approved policy of 300 minutes of classroom time per weekday, but is part of case plans that are the "whole cloth" for improving the development of youth during and after their stays in juvenile halls and/or camps. Because all minors have a right to an opportunity for obtaining a quality life-long education, this should not be diminished by the circumstances of their detention in one of the juvenile facilities.

Expectations as a Result of Educational Reform

The Committee has developed a comprehensive vision of educational reform and key issues and recommendations for each of the areas of the Report. Full implementation of the recommendations will provide youth and emerging adults (18-25 year olds) with opportunities to:

- Receive comprehensive assessments of their criminogenic, educational, health, and mental health needs.
- Receive case plans including ILPs or IEPs for educational services that are customized to address their needs, strengths, and responsivity issues.
- Have access to and counseling for one or more of the following four educational pathways based on their strengths, interests, abilities, motivation, and achievement levels:

  1. Obtaining a high school diploma and passing the California High School Exit Examination (CAHSEE);
  2. Obtaining a General Education Development (GED) certificate;
  3. Completing Career Technical Education (CTE) or vocational educational (VE) programs in camp for preparation of formal apprenticeships and/or employment in the community; and/or
  4. Have opportunities to attend two or four-year colleges.

  All four of the preceding educational pathways are intended to provide avenues for youth and emerging adults to acquire the education needed to obtain gainful employment and to become productive members of their communities.

- Benefit from the County's continuing and expanded commitment to improving the literacy of both juvenile and emerging adult probationers.
- Have timely access to special education assessments and a full continuum of services and placements to address the specific learning disabilities and other special education needs, identified in IEPs that seem to be quite prevalent among these youth and emerging adults.
- Have access to quality classrooms, educational materials, computer equipment, and other technologies that facilitate interactive learning by doing (Learning Style 3), as well as more traditional classroom instruction (Learning Style 2) that emphasize lecture, reading assignments, other homework, and testing.

- Have access to quality career technical educational and vocational education programs that prepare youth and emerging adults in various areas including formal apprenticeships and/or employment in the construction trades, media production, and culinary arts to earn a living and thereby support themselves and their families.

- Have access to both classroom and after-school tutors and mentors that provide these youth and emerging adults with nurturing support that many have been missing for all or most of their young lives.

- Receive updated case plans and integrated transition services to help these youth and emerging adults move from juvenile halls and camps back to their families and communities.

Memorandum of Understanding

The Probation Department and LACOE have signed a Memorandum of Understanding (MOU) (Attachment VI) stating that both parties agree to work collaboratively to implement the aforementioned education reform recommendations. Specifically, the MOU calls for (a) monthly on-site meetings of the Probation Department and LACOE line staff to address and resolve educational service delivery issues; (b) have periodic executive meetings between the Chief Probation Officer, LACOE Superintendent, and key staff from both agencies to address and resolve larger implementation issues; and (c) provide joint quarterly progress reports to the Board of Supervisors and the Los Angeles County Board of Education. In addition, the Probation Department and LACOE are developing a "report card" that can be used to inform your Board and the Los Angeles County Board of Education on the progress being made in executing the MOU.

Recommendation for Additional Ordinance and Budgeted Positions

As a result of the Comprehensive Educational Reform effort, the Probation Department is requesting the following three (3) ordinance and budgeted positions: one (1) Senior Probation Director; one (1) Program Analyst, Probation; and one (1) Senior Secretary III. These positions are necessary to enable the Probation Department to establish a formal structure and move towards effective implementation of the recommendations. The Senior Probation Director, or a County position at this level, is necessary to enable the Probation Department to recruit and hire an individual to serve as a senior staff advisor to the Chief Probation Officer on education matters and as the Probation Department's chief liaison in working with LACOE management and staff in

implementing comprehensive educational reform in the juvenile halls and camps. This position will require a fully credentialed, highly-qualified education expert to report directly to the Chief Probation Officer to handle the increased workload associated with administering this highly diversified, major function. The Probation Department's Director of School Services would liaison with LACOE's Assistant Superintendent, Educational Programs or his designee, that provides oversight of, and services to, the juvenile halls and camps and other educational service providers to ensure educational service consistency throughout the juvenile hall and camp systems.

The Probation Department currently does not have a manager dedicated to the coordination of educational services provided by LACOE, or any other potential provider. This task is primarily handled by the Probation Superintendent and/or Director of each facility who have many other collateral duties. Consequently, there exists a lack of consistency and limited coordination of basic educational services from classroom to classroom, and from facility to facility.

The Probation Department indicates that it would have been both helpful and efficient to have had a Director of School Services in place as the Probation Department met the challenges of the many and varied DOJ matters that dealt with issues such as constitutionally-based educational rights, Individual Educational Programs, Special Education, educational assessments, and developmental disabilities. Learning Rights issues are an emerging focal point, not only for the DOJ, but for other advocacy groups such as the Youth Law Center, Learning Rights Law Center, and Public Counsel. Having a Director of School Services on board to address these emerging advocacy concerns, as well as basic school services issues that frequently end up being addressed by the Superintendent of Schools or the Chief Probation Officer is anticipated to improve the operational efficiency of both agencies. In addition, the Senior Secretary III and Program Analyst, Probation positions are necessary to provide clerical and administrative support, respectively, to the management position.

Recommendation to Contract with The Resources Company

The Department is requesting Board approval to contract with TRC on a sole source basis to provide consultation and project management services related to the implementation and monitoring of the 35 education reform recommendations. TRC will also be responsible for assisting the Probation Department and LACOE in exploring and developing three (3) initiatives for improving educational services in the juvenile halls and camps and to integrate implementation of educational reform recommendations with the implementation of evidence-based treatment and other services in the halls, camps, day reporting centers, and the community.

Implementation of Strategic Plan Goals

The recommended actions are consistent with the principles of County Strategic Plan Goal 1: Service Excellence; Goal 3: Organizational Effectiveness; Goal 5: Children and Families' Well-being; and Goal 7: Public Safety. Specifically, all four educational pathways previously identified are intended to provide avenues for youth and emerging adults to acquire a quality education needed to obtain gainful employment and to become productive members of their communities. A key goal is attaining the expectation that minors return to their school of residence if doing so is the best way to accomplish the educational objectives in their respective case plans.

FISCAL IMPACT/FINANCING

The Probation Department requires $341,000 of ongoing funding and $280,000 of one-time funding for a total of $621,000 for this project. For FY 2008-09, the $621,000 Appropriation Adjustment (Attachment VII) will transfer the required appropriation from PFU to Probation's operating budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On June 19, 2007, on motion of Supervisor Knabe, as amended by Supervisor Antonovich, the Board instructed the Chief Probation Officer, in collaboration with the LACOE Superintendent of Schools, Los Angeles County Board of Education, Probation Commission, County Librarian, Director of Mental Health, Children's Planning Council, the CEO, and the Los Angeles County Education Coordinating Council to: 1) develop a comprehensive plan to dramatically reform education programs in the County's juvenile halls and probation camps, including an exploration of the feasibility of charter schools and other innovative models of education, i.e., the expansion and enhancement of vocational schools and partnerships with community colleges; and 2) report back to the Board every 60 days with progress reports.

The Comprehensive Education Reform Committee was formed, is chaired by the Chief Probation Officer, and includes representatives from the various departments and agencies identified by your Board and other departments or agencies deemed appropriate and that expressed an interest in this effort, i.e., the Juvenile Court, Department of Children and Family Services, the Learning Rights Law Center, TRC, and RT Consulting, Inc. The Probation Department has submitted six 60-day progress reports to your Board which have provided an overview of the Committee's work and presentations conducted at 22 Comprehensive Education Reform Committee meetings held thus far.

Legislation Needed to Revamp Current JCCS Funding Model

The Committee recommends that the County support LACOE's desire to seek legislation to revamp the current funding of Juvenile Court Schools (JCS), which is based on average daily attendance in the juvenile halls and camps, to one that is based on a residential service delivery model and reflects the total costs of providing educational services in the juvenile halls and camps throughout the County. This recommendation is before your Board

CONTRACTING PROCESS

As previously indicated, authorization is being recommended for the Chief Probation Officer to prepare, negotiate, and execute a sole source contract substantially similar to Attachment IV with TRC, upon approval as to form by County Counsel, to provide assistance to the Probation Department for implementing the comprehensive educational reform recommendations. Consistent with your Board's revised February 6, 2008, Sole Source Contracts Policy, a completed Sole Source Checklist is provided (Attachment V).

In addition, the Probation Department and LACOE intend to submit a final implementation action plan within 60 days contingent on your Board's approval of the Comprehensive Educational Reform Report.

IMPACT ON CURRENT SERVICES

Approval of the Committee's recommendations and implementation of the preliminary action plan will enhance opportunities for youth in our juvenile halls and camps to become more engaged in their education by having multiple pathways available that emphasize the value of work and help youth and emerging adults develop good work habits and occupational skills which are proven to reduce recidivism and provide for healthier and safer communities.

CONCLUSION

The Comprehensive Educational Reform Report and its supporting documents provide a vision of an effective educational system in our juvenile halls and camps, and that the short-term, preliminary implementation action plan includes appropriate steps to dramatically reform education programs for the minors in the County's juvenile halls, probation camps and emerging adults under Probation's care and custody.

The Committee will continue to work on a comprehensive, long-term implementatio action plan and will report back to your Board within 60 days.

Respectfully submitted,

WILLIAM T FUJIOKA
Chief Executive Officer

WTF:SRH:RDC
RBT:yjf/llm

Attachments (7)

c: Honorable Michael Nash, Presiding Judge, Juvenile Court
Sachi A. Hamai, Executive Officer, Board of Supervisors
Robert B. Taylor, Chief Probation Officer
Raymond G. Fortner, Jr., County Counsel
Wendy Watanabe, Acting Auditor-Controller
Dr. Darline P. Robles, Superintendent, Los Angeles County Office of Education
Leslie K. Gilbert-Lurie, President, Los Angeles County Board of Education
Clay Hollopeter, President, Probation Commission
Margaret Todd, County Librarian
Dr. Marvin J. Southard, Director, Department of Mental Health
Dr. Sharon Watson, Executive Director, The Children's Council of Los Angeles County
Jose Huizar, Chair, Los Angeles County Education Coordinating Council
Trish Ploehn, Director, Department of Children and Family Services
Judy Hammond, Public Information Officer, Chief Executive Office