

Executive Summary:  
Report on a program audit of the Youth Corrections Education Program  
Conducted October, 2016 – June, 2018



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## **Executive Summary**

This report summarizes the results, recommendations, and Management's responses, for the internal program audit of the Oregon Department of Education's (ODE) Youth Corrections Education Program (YCEP). ODE program managers have participated in the development of recommendations, and in this report have indicated their agreement (16 of 19), partial agreement (2 of 19), or disagreement (1 of 19) with each. The education of incarcerated youth is highly challenging. Oregon conforms to national patterns of significant over-representation of disadvantaged groups in its population of incarcerated youth. Moreover, due to national trends that divert youth convicted of legal offenses from incarceration, those youth who are incarcerated likely present acute challenges that exceed what corrections education systems were historically designed to accommodate.

My general observations over a four-year tenure with the Agency are that ODE managers and staff achieve effective results across most programs, given limited funding provided by the legislature for the Agency's operations and administration. However, I have also observed that, for many programs, this limited funding impacts the Agency's ability to fully study, evaluate, and apply up-to-date and best-practices. YCEP managers (including Education Specialists) have been aware of the Program's challenges and vulnerabilities, and in fact identified the program risks that led to the YCEP being selected for this audit. These managers have maximized Program effectiveness given limited resources, and their cooperation and input have been instrumental in the success of this audit.

Because offending youth have been enrolled in both neighborhood and YCEP schools, research shows that the role and effectiveness of all schools must be considered in assessing achievement and outcomes for incarcerated youth. The audit found that Oregon has managed its YCEP program largely isolated from the neighborhood K12 school system that enroll youth prior and subsequent to incarceration. This is especially germane given the significant over-representation of people of color, disabled, and disadvantaged youth among the YCEP population, which indicates that neighborhood schools are not adequately meeting the needs of these groups. Audit results related to potentially omitted special education evaluations and plans, achievement, and anecdotal reports of neighborhood schools not complying with State regulations requiring post-incarceration enrollment, indicate that ODE should evaluate incarcerated youth's achievement and outcomes as effects of both YCEP and neighborhood schools.

The declining rate of juvenile incarceration due to diversion, noted above, is an opportunity for ODE to provide the increased individualized focus that research shows improves outcomes. However, the current YCEP per-head funding model, which reduces funding when the YCEP population declines, precludes increasing individualized attention. Declining populations may also hamper the provision of efficient and economical educational services due to reduced ability to employ the economies of scale. This challenge also impacts programs of the Oregon Youth Authority (OYA), which manages juvenile corrections facilities and certain non-high school programming for incarcerated youth, and collaborates with ODE on education-related issues. The audit recommends increasing collaboration with OYA.

The modest increase in YCEP resources provided in recent years, and significant financial contributions from OYA, have enabled the Department to provide limited additional staffing for the program. One result has been an ongoing deliberation of whether to augment, via "standardization", YCEP operations and management. This is a highly-needed project which, coupled with the implementation of

recommendations from this audit, can be expected to improve outcomes for youth educated in Oregon's youth corrections system. Results of the audit indicate that opportunities exist to improve the effectiveness of the YCEP by:

- Continuing to provide at least the current levels of support for the Program, and implementing the standardization project;
- Evolving the structure of the Program to a corrections school district model, from the current contract management model;
- Increasing collaboration with the Oregon Youth Authority (OYA);
- Working with OYA to develop a stronger evaluation component for program practices and outcomes;
- Increasing measurement and mitigation of the achievement gaps experienced by YCEP youth;
- Increasing the accountability and evaluation of YCEP education contractors;
- Updating and making uniform the contracts with education contractors;
- Requiring that YCEP schools comply with State and school board policy standards for credit quality and credit recovery;
- Continuing to implement procedures to improve compliance with federal Title I-D for Neglected and Delinquent youth and Individuals with Disabilities Education Act (IDEA) regulations for Special Education;
- Ensuring that youth corrections educators receive professional development that specifically addresses the unique challenges of corrections education.

Oregon's expectations for its youth corrections schools are important determinants of their outcomes. The U.S. Departments of Education and Justice have noted that youth corrections schools "...should not be considered lesser learning environments...Students in juvenile justice residential facilities [should] participate in the same curriculum and state accountability systems as students in traditional schools".<sup>1</sup> Furthermore, these departments noted that "...instructional tools and approaches employed by teachers in juvenile justice settings should be aligned closely with instructional practices in today's community schools".<sup>2</sup> If the educational system expects less from youth corrections schools, achievement gaps may persist or be exacerbated. Saunders (2016) cited studies which found that "...students who were assessed at intake and again at release made minimal academic progress during their incarceration. It is noteworthy that students not only entered the institution below grade level but also failed to make adequate progress during their incarceration"<sup>3</sup>.

In spite of these challenges, education provided during incarceration has the potential to dramatically alter and improve a youth's life trajectory, and repeatedly has been shown to reduce criminal behavior and recidivism.<sup>4</sup> Leone (2015) noted that, "...for incarcerated youth, aligning correctional education programs to the Guiding Principles is an essential first step to improve the quality of education services in juvenile corrections".<sup>5</sup> And the high dedication and expertise of ODE's YCEP team is cause for optimism that Oregon's juvenile correction education system has a high probability of altering life trajectories for incarcerated youth.

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<sup>1</sup> U.S. Departments of Education & Justice, 2014

<sup>2</sup> Ibid.

<sup>3</sup> Saunders JV, 2016

<sup>4</sup> Leone and Wruble, 2015

<sup>5</sup> Ibid.

### SWOT analysis (strengths, weaknesses, opportunities, threats)

#### Strengths

- Highly skilled and motivated program managers at OYA and ODE
- Additional resources allocated to YCEP by ODE
- Collaboration between program managers at OYA and ODE
- ODE, OYA, and contracted educators commitment to youth success and an effective YCEP program
- Dedicated educators at the YCEP sites

#### Weaknesses

- Significant over-representation of persons of color, disabled, and historically-marginalized youth
- Program structure that is not a true corrections school district
- A YCEP program that is conceptualized largely in isolation from the neighborhood school system
- Lack of accountability for, and uniformity between, YCEP contractors
- Limited ODE staffing
- Weak evaluation component for Program practices and outcomes
- Limited professional development for educators
- Limited visibility of the YCEP within ODE and the K12 system
- Risks pertaining to credit quality and credit recovery, especially through online education

#### Opportunities

- The YCEP standardization project currently under consideration
- Increased visibility and accountability for the YCEP
- Contract uniformity, including standardization of educational programs across all sites
- Further collaboration with OYA, including impacts of OYA decisions on education
- Further collaboration with the neighborhood school system
- Declining numbers of incarcerated youth can yield increased focus on those who are incarcerated
- Increased likelihood of successful life preparation
- More effective professional development for YCEP educators

#### Threats (current and potential)

- Declining numbers of incarcerated youth resulting in loss of economies of scale
- Limited resources
- Undeveloped collaboration with neighborhood K12 school system
- Lack of support from contractors for standardization of operating practices and collaboration
- Potential for goals misalignment between corrections and educational missions

### **Summary of major findings**

(See each report section for details, including implications for management. Management's responses are contained in the table that begins on page 48.)

The education of incarcerated youth is highly challenging, as described under Background below. Moreover, due to national trends that divert from incarceration youth who have committed legal offenses, youth who now are incarcerated likely have a larger proportion of acute challenges than corrections education systems were designed for.

The Department of Education, and managers of its Youth Corrections Education Program (YCEP), have generally operated an effective program given limited resources. Managers certainly have been aware of Program challenges and vulnerabilities, identifying the high risks to YCEP success that led to its selection for this audit. The addition of high-expertise YCEP staff that occurred during the audit has resulted program improvements, including ongoing deliberation of whether to standardize YCEP operations and management. This is a highly-needed project which, coupled with the implementation of recommendations from this audit, can be expected to improve outcomes for youth educated in Oregon's youth corrections system, by:

- Continuing to provide at least the current level of staffing support for the Program, and implementing the program standardization project;
- Evolving the state-level structure of the Program to a corrections school district model, from the current contract management model;
- Standardizing educational programs across all sites;
- Increasing collaboration with the Oregon Youth Authority;
- Working with OYA to develop a stronger evaluation component for program practices and outcomes
- Increasing measurement and mitigation of the achievement gaps experienced by YCEP youth;
- Increasing the accountability and evaluation of YCEP education contractors;
- Updating and making uniform the contracts with education contractors;
- Require that YCEP schools comply with State standards for credit quality, credit recovery, and achievement;
- Institute procedures to improve compliance with federal Title I-D for Neglected and Delinquent Students, and IDEA regulations for Special Education eligible students, including those identified in the 2016 consultant's report;
- Ensure that youth corrections educators receive professional development that specifically addresses the unique challenges of corrections education.

Although, as noted above, my general observations are that ODE manages its programs quite effectively given limited funding provided by the legislature for ODE internal operations and administration, inevitably this limitation impacts the Agency's ability to fully study, evaluate, and apply up-to-date and best-practices. This conforms to observations of other ODE programs made during my tenure in ODE that, over time, resource limitations and increased workload can exhibit the pattern defined by Safety Science professor Sidney Dekker as drifting into failure. An organization's programs that initially were fairly well-matched between resources and workload, incrementally over time undergo repeated iterations of resource reductions and workload increases. Each iteration incrementally increases stress to program success, but the program usually is able to absorb the stress with no major failure and settles in to a new, more mismatched "normal". Dekker calls this process the normalization of deviance.

The process repeats until, eventually, these programs drift into an operating region where major program failures are likely. For incarcerated youth, who are inherently at-risk, YCEP failure means that inadequate pre- and post-incarceration interventions and support from the neighborhood K12 school system, and inadequate education during incarceration, do not divert youth from long-term immersion in the *school-to-prison pipeline*. This document reports on a program audit that identified ODE-relevant strengths, vulnerabilities, and opportunities, in order to alter the program's drift toward failure, and increase the likelihood that youth will be diverted from the *pipeline*.

Because offending youth have been enrolled in both neighborhood and YCEP schools, research shows that the role and effectiveness of all schools must be considered in assessing achievement and outcomes for incarcerated youth. The audit found that Oregon has managed its YCEP program largely isolated from the neighborhood K12 school system that enroll youth prior and subsequent to incarceration. This is especially germane given the significant over-representation of people of color, disabled, and disadvantaged youth among the YCEP population, which indicates that neighborhood schools are not adequately meeting the needs of these groups. Audit results related to potentially omitted special education evaluations and plans, achievement, and anecdotal reports of neighborhood schools not complying with State regulations requiring post-incarceration enrollment, indicate that ODE should evaluate incarcerated youth's achievement and outcomes as effects of both YCEP and neighborhood schools.

There were no limitations placed on the scope of the audit, or access to records or personnel. I am grateful for the extensive support and cooperation provided by YCEP managers, and by OYA managers.

This audit was conducted in conformance with the International Standards for the Professional Practice of Internal Auditing, with the exception of standards pertaining to an external quality assurance review, and pertaining to an independent review of audit work. An external quality assurance review is planned for 2019, and has not been performed in recent years due to a vacancy in the Agency's internal audit position. An independent review of audit work was not performed because ODE's internal audit function is staffed by one person.