

# State Governance Models for Educating Youth in Juvenile Detention Facilities

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School-age youth [receive](#) educational services while in juvenile detention facilities, but how these services reach students varies by state. Recent [studies](#) and [surveys](#) provide insight on juvenile justice systems and the complexities for delivering educational services in detention facilities. The COVID-19 pandemic has [intensified persistent inequities](#) in the juvenile justice system and how services, like education, reach youth.

Understanding the governance models of the educational services provided may shed light on the barriers and opportunities to aid this student population. While each state operates educational services in the juvenile justice system differently, to meet unique needs, Education Commission of the States identified three general governance models: statewide school district, state school and local school district.

It is difficult to estimate the number of youth in detention facilities because of the transient nature of the system, but a one-day count in 2018 estimated [37,529](#) youth resided in juvenile justice detention facilities across the United States. A youth's [length of stay](#) depends on various factors, including the offense and facility, with a median length of about two months. During this detainment period, youth are enrolled in the educational services operated within the facility but often continue to face interruptions to education and other opportunities. Some governing systems overseeing education in juvenile justice facilities are identifying ways to leverage youth's experiences to ensure future success once released, including reentry to school, completion of a high school diploma or equivalent, postsecondary readiness or employment.



Education Commission of the States' survey of state policy identifies three models for the governance of educational services in juvenile detention facilities: the statewide school district model, the state school model and the local school district model.

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Each model varies by state with authority granted to different state and local agencies.

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Identifying how governance approaches impact youth leads to a deeper understanding of the barriers and opportunities for school-age youth in state custody and the impact of the justice system.

This brief provides an overview of how the education services in juvenile detention facilities are administered and overseen, and provides state examples of each model.

## Youth Impacted by the Juvenile Justice System

In 2018, the United States juvenile courts processed an estimated [744,500 cases](#). While not all cases lead to placement within a detention facility, the figure represents a segment of school-age youth directly impacted by the juvenile justice system. Census and survey data identify disparities that exist within the detention center populations.

- [Estimates](#) show that Black youth are disproportionately affected.
- Of the national youth detention population, [male youth](#) are a majority.
- About [30%](#) of youth placed in a facility have a learning disability identified by a doctor or counselor.

School-age youth impacted by the juvenile justice system are disadvantaged by the conditions they face moving in and out of facilities. Interruptions to their education and the overall conditions within the juvenile justice system [limit their abilities to grow academically](#) and, in some cases, may inhibit their ability to [graduate](#) or [access postsecondary opportunities](#). A [survey](#) of youth in detention facilities found that interruptions to education often begin before the juvenile justice system's impacts. For example, [24%](#) of youth placed in detention facilities were not enrolled in school at the time of their placement. In addition, [61%](#) of youth were expelled or suspended by their school or district in the year prior.

In general, a detention facility's [educational conditions](#), including access to teachers and essential math and science courses, do not match the services a student would get from their school of origin. Upon release from a facility, many youth [do not return to school](#) or seek other educational service options, including vocational schools. Many that do return to school do not finish.

Studies also show that detention greatly [increases](#) the chances of carrying out another offense and receiving a sentence. Furthermore, the conditions in facilities may [traumatize](#) already vulnerable youth, leading to higher rates of suicide in this population.

## State Governance Models

States must provide educational opportunities to all youth, including those impacted by the juvenile justice system and those residing within juvenile detention facilities. To meet this requirement, states generally follow one of three governance models.

- The **statewide school district model** describes states that operate educational services in juvenile detention facilities through a designated statewide school district.
- States with **state school models** oversee and operate schools within juvenile detention facilities under the direct supervision of a state agency.
- The **local school district model** is different in that it does not include direct oversight from a state district or agency. Instead, the relevant state juvenile justice and education agencies partner with local school districts to oversee and operate the educational services.

### Recent Policy Actions and Changing Approaches

Recent policy action in some states includes changes to facility operations, potentially altering the governance of educational services. In 2020, **Vermont** passed [Act 154 \(Section E.316\)](#) to close the Woodside Juvenile Rehabilitation Center and on-site school, which officially closed in October of that year. Interagency [evaluations](#) continue to determine the placement options and approaches to serving school-aged youth. **Wisconsin** passed [A.B. 953 \(Act 185\)](#) in 2017 to permanently close Lincoln Hills and Copper Lake now detention centers operated and [overseen](#) by the division of juvenile corrections in the department of corrections and its education director.

## Statewide School District Model

In some states, the juvenile justice agency oversees and governs the educational services as a statewide school district. Each state operates the school district differently, but most include more than one school located at different sites across the state under the authority of an appointed superintendent. In some cases, the

agency's oversight committee serves as the statewide school district authority. In other cases, a governor-appointed board oversees the educational services in the statewide school district. In each case, the state agency works with the state's education oversight authority — such as the state board of education — to ensure educational services are meeting state requirements and standards. The boards of education for these districts take different forms.

In **Alabama**, the department of youth services is designated as a [special school district](#), organized as School District 210. The accredited district is recognized by and works with the state board of education. Currently, the district operates and oversees three year-round schools located on youth services' campuses. The school district's [powers, duties, responsibilities and relationship](#) to the state board of education are the same as other school districts in the state. The [18-member school district board](#) includes the state's superintendent for education, health officer, secretary of the law enforcement agency, and the commissioners of the state departments of human services and mental health. The youth services' board and the state board of education [must](#) cooperatively establish a funding formula that reflects and addresses the needs of students in the district. The board is required to hire a [qualified superintendent](#) of education to oversee the administration of the district.

Similarly, **Georgia** [established](#) the department of juvenile justice as the state's 181st school district. The board of juvenile justice [oversees](#) the education responsibilities for the district, including the operation and management of the schools and their facilities. The board consists of 15 members appointed by the governor and confirmed by the Senate. The [commissioner of juvenile justice](#) is the superintendent of the district. The schools in the district must meet the state board of education's [requirements and regulations](#). However, the state school superintendent may grant waivers for provisions in these regulations when the schools cannot comply with required functions of a secure facility. The district is [eligible](#) for the same federal funding considerations as other school districts in the state.

**South Carolina** [designates](#) the department of juvenile justice as a special school district. The district [must](#) provide academic and vocational training to the estimated 500 students from grades four through 12. The director of education in the department of juvenile justice [employs](#) a full-time superintendent who holds a valid superintendent's certificate from the department of education. The district works with the state's superintendent of education to [administer](#) the standards related to the school programs. Schools operated by the department receive funds from the department of education under the same provisions as other public schools.

## Different Types of Educational Services

Some states focus on youth near or close to completing high school and provide vocational opportunities in addition to traditional schooling. The governance models providing these services vary by state. For example, the **Illinois** Department of Juvenile Justice operates the statewide School District #428 to provide [educational services](#) to individuals under 21 years of age residing in detention facilities. In coordination with the professional education personnel in the department of juvenile justice and the state board of education, the district's six-member board of education determines the needs, types of educational services and curriculum for each school. The state [requires](#) the district to focus on youth who have not earned a school diploma or high school equivalency certificate. The district may also establish vocational, adult, special and advanced education services in addition to primary and secondary schools.

**New Jersey** follows a state school model at [three juvenile detention facilities](#). An [office of education](#), overseen by the [juvenile justice commission](#) in the department of law and public safety, supervises the educational services within the facilities. The New Jersey Training School provides vocational education opportunities, including an optical laboratory that supplies eyeglasses to individuals in the juvenile justice system and adults in the correctional system.

## State School Model

Similar to the school district model, some states operate schools under the direct supervision of the state, most commonly the juvenile justice agency. For example, **Arizona** [requires](#) the department of juvenile corrections to establish a state education system with specific attention to high school diplomas or certificates of equivalency. While operating in a similar structure to a district with a superintendent and board, the state operates a school, the Adobe Mountain School, as the education service provider for detained youth. The [school's superintendent](#) reports to and is chosen by the department director, with consultation from the superintendent of public instruction. The superintendent is [required](#) to establish a system for communicating with the student's school district of origin to facilitate the transfer of records and educational credit. This

communication system must also determine the appropriate education program provided to the student.

In **Virginia**, the department of juvenile justice oversees state detention facilities and in-facility education programs, including career and technical services. The department's education division operates the Yvonne B. Miller High School. Students with high school diplomas or a high school equivalency are provided opportunities in postsecondary classes to develop employable skills.

In addition to the previously mentioned Lincoln Hills and Copper Lake schools, **Wisconsin** operates an experiential education program at the Grow Academy. The agriculture facility teaches vocational and farming skills in a year-round format to students referred by the courts or community. Most students stay at the farming site for 120 days. Credit provided at the facility goes to earning a high school diploma, high school equivalency diploma, career and technical education, and other general education services. The program is under the authority of and overseen by the division of juvenile corrections in the department of corrections and its education director.

### Example of Educational Services Provided in a Juvenile Detention Facility

The **Arizona** Department of Juvenile Corrections' policies outline the educational experience at the Adobe Mountain School. Upon entry, youth must complete a basic skills reception, assessment and classification education course. The course is 23 days, counts as a half credit and occurs before the student's enrollment in other classes. After the course, the school develops an ongoing and adaptable Continuous Case Plan to follow youth through their time at the Adobe Mountain School and the transition back to their community. The site uses evidence-based social and emotional support, including positive behavior intervention. According to the department, the academic year for students is structured around 200 instructional school days with seven, six-week terms. Each class has one content teacher and one or two juvenile corrections officers, depending on class size and availability. The school provides programs to meet the state's high school diploma graduation requirements, including core academic courses, and career and technical education credits. The school is a General Educational Development test site with pre-GED assessments, tutoring opportunities and computer-based testing.

## Local School District Model

Many states require local school districts to provide educational services in a juvenile justice facility. The detention facility, state and school district may enter into a cooperative agreement to provide these services. In some cases, the student's school of origin is still responsible for providing funding. The state education agency retains the same governing authority as it does with other districts and schools. As a result, the localized governance approach must follow state guidelines, including meeting state academic standards, to ensure student success.

While **Colorado** [exempts](#) juvenile detention facility students from compulsory school attendance requirements, the facility and its local school district [must](#) cooperate to provide educational services, teachers, books and equipment. The school district and detention facility personnel must ensure the educational services align with the statewide hourly requirements for school attendance.

In **Connecticut**, the school district where the facility is located [must provide](#) free school privileges as long as the student's placement is within its jurisdiction. The student's original local education authority must either pay for the student's education or continue to provide such services, including transportation between the facility and the school. If the student's original school district cannot be identified, the district serving that facility is financially responsible for the educational costs.

In some states, policy describes the requirements for establishing and maintaining the cooperative agreements between the facility and the school district. For example, in **Montana**, each county [must provide services](#) for students in detention facilities and may contract with a school district to provide educational programs. The contract between the detention facility and the school district must specify the responsibilities, personnel necessary to provide instruction, and funds contributed by the facility and school district to pay the cost of establishing, operating and maintaining the education program.

**Nevada** [requires](#) that a youth placed in the care and custody of a detention facility has a right to an educational program appropriate for the youth's developmental maturity. Each county works with the local school district to provide educational services at schools housed in detention facilities. For example, the Lincoln County School District provides academic services at the Bastian High School in the Caliente Youth Center. The Summit View Youth Center, a maximum-security youth facility, offers academic programs through the Clark County School District. Services include the required and elective academic subjects, interscholastic activities and remedial, special education and vocational programs.

## Recent State Policy Studies

Recent legislative activity in **Washington** required studies of the educational services provided in juvenile detention facilities.

Enacted in 2019, [H.B. 1646](#) required the office of the superintendent of public instruction and the department of children and families to create a comprehensive plan on providing education to students in juvenile rehabilitation and detention facilities. The OSPI [oversees](#) 25 school districts across the state that provide educational services in various juvenile justice settings. Each school district [providing educational services](#) in the detention facilities must enter a [contract](#) providing the length of time, expectations and state oversight of the educational services provided. The final comprehensive report, the [Institutional Education Comprehensive Plan](#), outlined the resources and needs of the local school districts to provide adequate services, including teacher training and funding.

In 2020, the Legislature [established](#) the [Improving Institutional Education Programs and Outcomes Task Force](#) to examine the educational services delivered to youth in the juvenile justice system and students with specialized needs. The task force's final [report](#) provided 12 recommendations on the transitions throughout the institutional education system, supporting safe school environments, providing services to meet the complex needs of students, and building an equitable, long-term funding model, among others.

## Final Thoughts

The models identified and summarized in this brief — the statewide school district model, the state school model and the local school district model — capture the current status of governing educational services in juvenile detention facilities. The stewardship role that states and detention facilities have when youth are in their custody is a significant and important role. Understanding these governance systems can inform the policymaking process to improve students' opportunities, experiences and success.

## About the Author

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