

**State of Washington
Department of Corrections
And
Superintendent of Public Instruction**



**Report on the Identification of the
Educational Needs of Inmates
Under Age Twenty-One in
Adult Correctional Facilities**

**Final Report
June 1999**

Table of Contents

Executive Summary	ii
I. Introduction	1
II. Basic Education and Special Education: Definition and Services	3
III. Offender Profiles	6
IV. Educational Services.....	15
V. Impact of Providing Education Services	22
VI. Ability to Provide Education Services	26
VII. Costs of Education Services	29
VIII. Summary of Findings and Recommendations.....	34
Appendix.....	38
Glossary	43
Footnotes	44

Executive Summary

Introduction

Chapter 244 laws of 1998 (Engrossed Substitute Senate Bill 6600), directs the Superintendent of Public Instruction and the Department of Corrections to conduct a study of offenders under age 21 in jails and prisons. The study must:

- profile offenders under age 21 in jails and prisons;
- identify the issues surrounding the educational needs of offenders;
- assess the barriers to providing educational services leading to a high school diploma;
- identify the ability, interest, and impact of providing educational services including special education; and
- estimate the cost of providing education services.

The study was conducted in the spring and summer months of 1998. Various agencies and organizations, as outlined in the legislation, were consulted. Historical information on educating this population was reviewed and current practices analyzed.

Findings

Historically, in the state of Washington, offenders under age 18 were confined and educated in county youth detention centers and state institutions for juveniles operated by the Juvenile Rehabilitation Administration (JRA), a division of the Department of Social and Health Services. School districts have been required to provide a program of education within JRA-operated residential facilities and county youth detention centers as prescribed in chapter 28A.190 Revised Code of Washington. Prior to 1994, offenders under age 18 were automatically sentenced in the Juvenile Court System unless the prosecutor requested a "decline hearing" to have the case remanded to Superior Court. Changes in juvenile justice laws in 1991, 1994, and 1997 have limited the courts' discretion to determine when a person under age 18 would be tried as an adult. The changes required youth under age 18 accused of specific violent offenses to automatically be treated as adults. The change in the law had the impact of increasing the number of accused and convicted persons under age 18 in both jails and prisons.

With the enactment of chapter 338 laws of 1997, jails and prisons were required to provide placement of accused and convicted offenders in a housing unit or portion of a housing unit, separate from offenders eighteen years of age and older. Additional revisions to chapter 244 laws of 1998 shifted the responsibility for soliciting and selecting an education provider for offenders under age 18 from the Department of Corrections to the Superintendent of Public Instruction.

In adult prisons, the Superintendent of Public Instruction and the Department of Corrections have contracted with two school districts to provide educational services to offenders under age 18. Offenders 18 years and older receive education services, leading to a General Educational Development certificate rather than a high school diploma, through existing and longstanding contracts with community colleges. Within jails, a mix of local school districts and local

community colleges provide educational services. Most offenders under age 18 in jails and prisons have not completed a high school education. Of those under age 21 in prison, approximately 78 percent do not have a high school diploma or a GED.

The current education program provided in Department of Corrections' facilities for offenders under age 18 costs approximately \$1,200,000 per year. The annual cost for offenders ages 18-21 in jails for education and security could be as high as \$9,772,000.

Recommendations

While this study provides considerable insight into the nature, extent, and implications of providing educational services to offenders under age 21 in jails prisons, much more has to be known particularly about the 18-21 year old population. Therefore, the first recommendation is to continue to study the 18-21 year old population to more confidently estimate the numbers and educational needs.

After reviewing the findings regarding the education of offenders under age 18 held in jails and prisons, the statutorily mandated advisory group recommends that local jurisdictions continue to have the discretion to decide whether to house remanded offenders under age 18 in county youth detention center or jails. For offenders under age 18 in jails, the county will have two options: 1) temporarily transfer offenders to the county youth detention center during school hours, or 2) arrange for basic and special educational services in the jails. If the county decides to provide educational services in the jail, the provider and jail administration may either adopt a full educational program or an alternative education program model.

Methodology

The study was completed under contract with MM Bell, Inc., on behalf of the Superintendent of Public Instruction and the Department of Corrections. Pertinent information was gathered on these offenders housed in both Department of Corrections' facilities and local jails. Historical information on educating this population was reviewed and current practices analyzed. In addition, the impact of providing education within adult correctional facilities, the ability to provide services, and the costs involved were carefully assessed. The study has seven sections:

- Background information on basic and special education
- Profile of offenders under age 21 in jails and prisons
- How education is currently provided in jails and prisons
- Impacts of providing basic and special education for offenders under age 18 and special education for offenders ages 18-21
- Ability to provide services in jails and prisons
- Cost of providing education in jails and prisons
- A summary of the findings

The Advisory Group members, listed in Appendix A, are representatives of agencies and organizations specified in chapter 244 laws of 1998. The Advisory Group reviewed the methodology and the study findings. The Washington Association of Sheriffs and Police Chiefs collected the data from jails.

Report on the Identification of the Educational Needs Of Inmates Under Age Twenty-One In Adult Correctional Facilities

I. Introduction

Historically, in the state of Washington, offenders under age 18 were confined and educated in county youth detention centers and state institutions for juveniles operated by the Juvenile Rehabilitation Administration (JRA), a division of the Department of Social and Health Services. School districts have been required to provide a program of education within JRA-operated residential facilities and county youth detention centers as prescribed in chapter 28A.190 Revised Code of Washington. Prior to 1994, offenders under age 18 were automatically sentenced in the Juvenile Court System unless the prosecutor requested a "decline hearing" to have the case remanded to Superior Court. Changes in juvenile justice laws in 1991, 1994, and 1997 have limited the courts' discretion to determine when a person under age 18 would be tried as an adult. The changes required youth under age 18 accused of specific violent offenses to automatically be treated as adults. The change in the law had the impact of increasing the number of accused and convicted persons under age 18 in both jails and prisons.

Prior to 1994, youth under age 18 were expected to be confined in either a county youth detention center or a JRA-operated residential facility, unless a Superior Court made a determination to prosecute the accused as an adult. Even those youth prosecuted and convicted as adults could be housed within a JRA facility by agreement between the Secretaries of the Department of Social and Health Services and the Department of Corrections. For example, if a youth 15 years of age was tried and convicted as an adult, upon commitment to adult corrections, he could be sent to a JRA facility. Provided the youth was manageable within that setting, the youth would partake of the education program (which is a high school diploma program), and other programming available in that setting. Then, through a case management process, when the youth had reached optimum benefit from being in a JRA facility and was deemed appropriate for return to an adult setting, he was transferred to a Department of Corrections' facility. With this process in place, the number of offenders under age 18 in prisons was relatively small compared to today.

The court's discretion to determine when a person under age 18 would be tried as an adult has been restricted with the enactment of the 1994 Violence Reduction Act. Youth accused of specific violent offenses were statutorily determined to be treated as adults. The 1997 Legislature, which revised the Juvenile Justice Act with the passage of chapter 338 laws of 1997, further limited the court's discretion and mandated separate housing within adult correctional facilities, both jails and prisons, for offenders under age 18. With this legislation, the Department of Corrections was directed to assist these offenders in a program of education leading to a high school diploma. Together, these changes in the law increased the rate of admission of offenders under age 18 to the adult justice system. Consequently, the number of

offenders under age 18 in prisons and jails grew. Subsequently, the Legislature enacted chapter 244 laws of 1998, Engrossed Substitute Senate Bill 6600. The new law shifts the responsibility to solicit a provider for the education program for offenders under age 18 within prisons from the Department of Corrections to the Superintendent of Public Instruction.

With a mandate to house offenders under age 18 separately from those over age 18, the ability to serve small segments of offenders became limited and the cost rose to serve the same numbers. Those offenders formerly committed to JRA facilities were dispersed and cut off from a system created to educate all youth together.

Currently in most counties, remanded offenders under age 18 are detained in jail while awaiting trial and sentencing. In other counties, they remain in county youth detention centers until sentenced. Once convicted, given the length of sentence associated with most violent crimes, the majority of the sentences are served in prisons.

The Department of Corrections houses all offenders under age 18 in two facilities. The females are housed at the Washington Corrections Center for Women. The males are housed at the Clallam Bay Corrections Center. In accordance with the statutory requirement to educate offenders under age 18, the Superintendent of Public Instruction solicited an education program provider through a "Request for Proposal" in 1998. The Superintendent of Public Instruction and the Department of Corrections contract with Peninsula and Cape Flattery School Districts to provide an educational program, which includes special education and leads to the award of a high school diploma. Offenders 18 through 20 years of age within the Department of Corrections are distributed throughout all facilities. Those offenders, along with older adults, are provided a well-established system for adult education under contracts with community colleges. These contracts provide basic skills instruction resulting in a GED rather than a high school diploma. The program was developed and intended to provide services for students ages 18 years and older with Adult Basic Skills, English as a Second Language, and General Educational Development preparation classes.

Most county jails have had very limited educational services for offenders 18-21 years of age; however, 23 of the 37 county jails currently have programs run by the technical and community colleges for this population. Seven jail sites also provide offenders under age 18 some form of basic education through a school district or educational service district. Still, most jails are largely unprepared to house offenders under age 18 separately from the rest of the population and are not prepared to provide education to those under age 21.

This report is to identify the current educational services and the needs of offenders under age twenty-one in adult correctional facilities.

II. Basic Education and Special Education: Definition and Services

Basic Education: Definition

The Basic Education Act of 1977 details the requirements for educating children between the ages of 5 and 21 who are enrolled in community public schools. "Each school district's basic education program shall be accessible to all students ... and shall consist of a minimum of one hundred eighty school days per school year..." (RCW 28A.150.220). "Persons having custody shall cause the child to attend public school." (RCW 28A.225.010). Subsequent to the 1977 act, special statutes involving school districts in the education of offenders under age 18 were enacted.

The provision of education for offenders under age 18 held in JRA facilities is prescribed in chapter 28A.190 RCW. Counties and school districts are required to provide educational services for offenders under age 18 in county youth detention centers. Furthermore, the "division of duties, authority and liabilities" for that education are the same for local jurisdictions as detailed in chapter 28A.190 RCW for the JRA (RCW 13.04.145).

The four state learning goals of the 1977 Basic Education Act are:

1. Read with comprehension, write with skill, and communicate effectively and responsibly in a variety of ways and settings.
2. Know and apply the core concepts and principles of mathematics; social, physical, and life sciences; civics and history; geography; arts; and health and fitness.
3. Think analytically, logically, and creatively, and integrate experience and knowledge to form reasoned judgments and solve problems.
4. Understand the importance of work and how performance, effort, and decisions directly affect future career and educational opportunities (RCW 28A.150.210).

At this time, community public schools that include a district-wide annual average total instructional offering of 1,000 hours must provide a 180-day school year (RCW 28A.150.280). Students in Grades 9 through 12 should spend 60 percent of their time on basic skills: language arts, languages other than English, mathematics, social studies, science, music, art, health, and physical education. Students may spend a maximum of 20 percent of their time on work skills; the remaining 20 percent can include traffic safety or such subjects as the district determines appropriate (RCW 28A.150.220).

School districts providing educational services in JRA-operated or county youth detention centers operate 220 days per year (WAC 392.122.270). Like nonresidential schools, 25 hours of educational activity per week (WAC 392.122.225), typically five hours per day, is provided (not including the lunch break when offenders return to the living areas). Education provides a significant amount of the day's activities in both JRA-operated facilities and county detention centers.

Special Education: Definition

Special education is defined in the Individuals with Disabilities Education Act and in chapters 392-168 and 392-172 Washington Administrative Code (WAC) as including specially designed instruction and related services.

Special education is specially designed instruction to assist students with disabilities to take advantage of education services. It can include:

1. Individualized instruction
2. Physical education for developing motor skills, physical and motor fitness, including individual/group games and sports
3. Vocational education to prepare for employment
4. Related services, such as speech pathology and occupational or physical therapy

In preparation for instruction, special education staff assess the disability and prepare an Individualized Education Plan (IEP). The IEP should contain:

- a statement of present level of achievement;
- a statement of instructional goals and objectives;
- a strategy for evaluating outcomes;
- a statement on the nature, starting date, amount and duration of special education and related services being provided; and
- a statement regarding the extent to which the student will participate in regular education, physical education, and career education.

Disabilities, which may impact educational performance, are defined in chapter 392-172 WAC. To be served under Special Education funding, students must have one of the defined disabilities and be in need of specially designed instruction.

In Washington State, limited data has been collected to determine the prevalence of disabilities among the offender population under age 21 (but not necessarily the need of individual offenders for specially designed instruction).

Basic Education and Special Education: Services

Currently, offenders under age 18 are provided an education program five hours per day, 220 days per year for basic education, special education, and related services in county youth detention centers, JRA-operated facilities, and Department of Corrections' facilities. School districts and Educational Service Districts provide educational services in county youth detention centers and JRA facilities. County youth detention centers and JRA-facilities require offenders under age 18 to attend school. Jails are beginning to provide basic education for offenders under age 18; seven of the 37 county jails now have agreements with school districts. However, few of the seven offer a program five hours per day, 220 days per year. In 16 other county jails, only adult basic education or GED preparation and testing is available.

Recent surveys of offenders under age 18 in county youth detention centers or JRA facilities found that 15-34 percent in county youth detention centers and 44 percent in JRA facilities qualified for special education. Special education designation can be determined quickly by the correctional education program if the offender under age 18 has an Individualized Education Plan that was prepared in the offender's home district. However, if an initial assessment must be completed, it can take several weeks to determine if the offender qualifies for special education.

The education funding per full-time equivalent student varies, however, an approximate amount by facility type is as listed below.

County detention centers	\$6,800
JRA facilities	\$8,673
Department of Corrections' facilities	\$9,266

All basic education and special education must be provided within these funding levels.

III. Offender Profiles

Chapter 244 laws of 1998 required the Superintendent of Public Instruction and the Department of Corrections to conduct a study of the educational needs of offenders under age 21 in jails and prisons and collect specific information to describe the offender characteristics. This included all offenders detained in either a jail or prison facility whether arrested, charged, pending trial, or convicted. The requested profile included:

- Age
- Offense or offenses of commitment
- Criminal history
- Anticipated length of stay
- Number of serious infractions committed by the offender during incarceration and the number of times, if any, the offender had been placed in an intensive management unit
- The offender's custody level
- Whether the offender had a high school diploma or a GED certificate
- The last grade the offender completed
- Whether the offender, in an educational placement prior to incarceration, was identified as having a disability or having had an Individualized Education Plan
- Whether the offender would qualify for transition planning and services under 20 U.S.C. Section 1414 (d) (6)
- Whether the correctional agency had security or penological interests that warrant modification of an existing Individualized Education Plan or placement as provided by 20 U.S.C. Section 1414 (d) (6)
- Whether the offender has participated in any educational programs offered by the correctional agency
- Whether the offender may be eligible for special education and related services

Offender profile data collected as part of this report is included at the end of this section, on pages 12-14.

Data Collection

The Department of Corrections collected the data on offenders confined in prison facilities on April 14, 1998. The data collected was based on information available within the Offender Based Tracking System (OBTS), the Department's computerized offender information system. Juvenile offense history for offenders in Department of Corrections facilities is not reflected in OBTS, thus the analysis of criminal history is based only on adult felony convictions.

The Washington Association of Sheriffs and Police Chiefs (WASPC) collected a modified set of data on offenders housed in jails as of June 11, 1998, or booked between June 11, 1998 and July 31, 1998. The method used for prison data collection data was not identical to the jail data collection method. For example, the Department of Corrections' data on offenders under age 21, who may be eligible for special education or related services, was based on a match with data maintained by the Superintendent of Public Instruction on special education students and test results completed at reception. In contrast, the WASPC survey asked if detainees had been identified as having a learning disability or had an Individualized Education Plan.

Not all jails completed the WASPC survey; some provided no data at all. Of the responding jails, some provided data on all juvenile offenders, while others provided data on only a segment of the juvenile offenders. It is estimated that 50 percent of the offender data was collected.

Despite these limitations in the data collection process, what follows is a description of offenders under age 21 in adult correctional institutions and their educational needs.

Offenders Under Age 21 in Department of Corrections' Facilities

On April 14, 1998, there were 1,027 offenders under age 21 incarcerated in Department of Corrections' facilities. Just over 10 percent were under age 18 and thus potentially eligible for an education program as mandated by chapter 244 laws of 1998.

A majority of these offenders under age 21 were committed for a crime against persons. Crimes against persons include such things as murder, assault, rape, or robbery. The yearly admissions of offenders under age 21 have increased as a result of changes in sentencing laws (see Appendix B).

There is a higher percentage of offenders under age 18 with more than ten years to serve compared to the 18-21 year old population. Yet a greater percentage of the 18-21 year old population have less than two years to serve.

In terms of number of infractions, the majority of the offenders under age 21 have less than six infractions, with only a small portion having more than 20 infractions. Department staff view this as an indicator that offenders under age 18 have no more difficulty with breaking the rules than offenders ages 18-21. With regard to serious infractions, less than three percent of those under age 21 were housed in an intensive management unit.

Concerning custody levels, less than half of all offenders under age 21 were incarcerated in close or maximum custody, with the larger percentage in medium and minimum custody levels.

Twenty percent of those over age 18 have achieved a General Educational Development (GED) certificate, yet the majority of offenders under age 21 in prison have no high school diploma or GED. During the initial reception interviews, less than 20 percent of offenders under age 21 reported an eighth grade education or less, with many reporting having no high school education.

Information about the special education eligibility of offenders under age 21 is limited. Agencies use a variety of methods to track data on special education, disabilities and related services. The Washington School Information Processing Cooperative (WSIPC) tracks statewide student data, including disability status information. The Department of Corrections administers the Tests of Adult Basic Education Survey (TABES) and the Revised Beta IQ test to all offenders on admission to prison. (Using this data, they are able to identify offenders under age 21 who had Revised Beta IQ test scores of 80 or less.) Each school district tracks special education data on offenders who attended their district prior to incarceration.

In order to respond to the Legislature's request for a profile of all incarcerated offenders under age 21 by May 1, 1998, the Superintendent of Public Instruction and the Department of Corrections used two cross-matches of agency data to identify offenders who **may** be eligible for special education and related services.

The first match was between Department testing scores (the Department found scoring on the Revised Beta IQ test which indicated a probable eligibility for special education and related services for 9 percent of the offenders under age 21) and the WSIPC system statewide data (showing 7%). This cross-matched 16 percent of the offenders who may be eligible for special education.

School districts offenders attended prior to incarceration identified three percent as disabled. School district data indicated that nearly all of these offenders qualifying for special education had been identified as having a learning or behavioral disability. Cross-matching the school district reports for previous attendance (3%) and Department test results (9%) suggest that 12 percent of offenders under age 21 may be eligible to apply for special education and related services.

Using the two methods of cross-matching, data indicates that 12-16 percent of the offenders under age 21 may be eligible to apply for special education.

Data was not available on which individual offenders received further testing, qualified for special education, or participated in those educational services. With the education programs now operating for the offenders under age 18 at Clallam Bay Corrections Center and the Washington Corrections Center for Women, the Department and school district staff are learning more about the potential special education eligibility of those offenders. After three months of providing services, they expect to identify possibly as many as 5 female and 20 male offenders as eligible for special education.

Offenders Under Age 21 in Jails

In response to chapter 244 laws of 1998, the Washington Association of Sheriffs and Police Chiefs (WASPC) asked all 37 county jails and 5 city jails to provide profile information; 30 county jails and 4 city jails responded. Several larger county jails reported very limited information. Reporting jails represented about three-quarters of the total county jails. This information will be identified as "WASPC profile data."¹

Information on all new admissions provided by the 30 county jails was not consistent. For example, King County reported only offenders remaining three days or longer. The jails that reported small percentages of total bookings may represent one quarter of the total admissions. We estimate that between non-reporting and underreporting, the survey represents about 50 percent of the offenders who might have been included had all jail admissions been counted.

WASPC sought profile data for offenders under age 21 who were in jail on June 11, 1998, and those entering between June 11, 1998, and July 31, 1998. The profile form was designed to capture the data requested by the Legislature. Some jails found it difficult to answer questions that required information outside the usual admissions questions; i.e., information on educational achievement is not a standard question at admission.

Jails house illegal aliens who will be deported. They are required to identify those offenders and limit services. Six percent of all offenders surveyed were illegal aliens, with eight percent of those under age 18. If an offender was known to be an illegal alien, the jail was not asked to supply additional information about the offender.

Some jails reported that they had not held a remanded offender under age 18. Either the county had not prosecuted an offender under age 18 as an adult or those offenders were held in the county's youth detention center.ⁱⁱ Some remanded offenders under age 18 remain in county youth detention centers, while other offenders under age 18 are detained as adults in jails. All jails hold offenders ages 18-21.

Just over five percent were under age 18. The survey results reported that the majority of these offenders were admitted prior to going to trial, however only two-thirds of the jail cases reported in this category. Of the total population in the jails under age 21, over half had committed a misdemeanor compared to 35 percent who committed a felony and 9 percent who committed other crimes.

Some jurisdictions provided no length of stay data. Some of the data may be affected by the truncated timeframe of the sample and by the varying lengths of stay reported. It is to be noted that the statewide average length of stay increased 15 percent between 1991 and 1995.ⁱⁱⁱ This trend continued through 1998. Jail managers continue to report increasing lengths of stay, therefore, it is expected that the average length of stay would be increasing in the future. (This is reflected in the offender profile data sheet.) The survey showed that offenders ages 18-21 had an average length of stay of 12.5 days, while the average length of stay for offenders under age 18 was 26.8 days.

With regard to custody levels, an equal percentage of offenders under age 21 in jails were incarcerated in maximum or medium custody, with the smallest percentage in minimum custody level.

Information on infractions and housing in a special management unit (questions more pertinent to prison management) was not collected. The WASPC survey did ask if the detainee had done anything that would have prevented him/her from attending school. Most jails give higher security classifications to offenders who have histories of violence or who are assaultive while in jail. Offenders with high security classifications are usually not permitted to participate in programs that would take them outside the living area.

Twenty percent of the 18-21 year old jail population reported having achieved a high school diploma or a GED. (The WASPC survey question did not distinguish between GED and high school diploma.) Jail staff gave offender self-reports for grades completed for this population. The mean grade completed was tenth grade for both groups.

The jails reported few offenders with learning disabilities. All information on learning disabilities from the jails is self-reported by the offenders without a high school diploma or GED. Greater than three times the number of offenders under 18 reported learning disabilities in comparison to those 18-21 years of age. Some jails did not report on learning disabilities.

Annual Admissions and Average Daily Jail Populations

Daily populations are a function of admissions and lengths of stay; more information is required to correct the profile data and to convert it into an estimate of annual admissions and daily jail populations (see Appendix C).

The WASPC routinely collects information on jail populations and daily population reports by offender type are submitted by jails. This provides WASPC with a statewide perspective on the number and types of offenders in the daily jail populations. Statewide daily average populations under age 18 varied little from 1994 to 1997. In 1994, the "other counties" in the table housed the majority of the offenders under age 18 in jails. By 1997, the distribution had shifted, so that the more urban, larger jails housed the majority.

In the 1997 WASPC population reports, the jails recorded a daily average of 66.2 offenders under age 18. Some were held temporarily before transfer to a county detention facility (an option available to small rural counties) and would not be there long enough to attend school. Most jails held very few offenders under age 18.

While the WASPC daily jail population reports provide a count of offenders under age 18, offenders ages 18-21 are not identified. In the WASPC survey, few counties reported sufficient data to estimate the daily offender under age 18 population; many suggested the numbers could be increasing.

The admissions reported in the WASPC survey are estimated as only half of the statewide admissions during the fifty days of the survey. If the number of admissions is corrected for underreporting, then the actual number of offenders ages 18-21 admitted each day may be doubled. Offenders under age 18 who are remanded as adults are admitted in smaller numbers. When corrected for underreporting, the actual number may be 3.5 offenders per day.

Admissions and average lengths of stay can be combined to estimate average daily populations. If the average length of stay is the actual length of stay reported by those responding to the survey, the statewide average daily jail population of offenders ages 18-21 is approximately 12 percent of the statewide jail population. The same method was used to estimate the 1998 offender under age 18 population.

The estimate is that on any given day, the county jails house 94 offenders and admit 3.5 offenders under age 18. These same jails house an estimated 1,075 offenders and admit 86 offenders between the age of 18-21.

Using these population figures, the number in the jail populations who require educational services can be estimated. Fifty-three offenders under age 18 do not have a GED or a high school diploma; five can report prior assessment or experience as receiving special education and related services. Seven hundred and thirty-two offenders aged 18-21 do not have a GED or high school diploma. Forty-four of them have been assessed or provided special education and related services.

Summary of Offender Profiles

The Department of Corrections' profile provided an actual count of offenders under age 18 confined during April 1998 and information on the number with high school diplomas and GED certificates. Knowing how many offenders under age 18 already had a high school diploma or GED certificate, the Department and its educational providers made plans for the 1998-99 school year. Additional data is required to accurately estimate the number of offenders in this population who may have disabilities.

The estimated average daily admission and population numbers of offenders in the jails are estimates developed using numerous assumptions. They offer a beginning point but should not be taken as final. Additional data is also required for accurately estimating who may be eligible for special education and this should be seen as preliminary.

Jail populations fluctuate from day to day and week to week. On a given day, 25 percent can be added to these averages. Lengths of stay and admission and release practices vary across the jails. Local jurisdictions have made different decisions about where to house remanded offenders under age 18. All these factors affect the numbers of offenders under age 21 housed in any one jail, making it difficult to predict how many may be eligible for educational services.

Offender Profiles: Under Age 21 In Department of Corrections' Facilities

	<u>Under Age 18</u>	<u>18-21 Years Old</u>
Total Offenders as of April 14, 1998	109	918

Status Upon Admission:

Gender		
Male	99.....	871
Female	10.....	47

Offense		
Person Crimes	88.....	545
Sex Crimes	8.....	59
Drug Crimes.....	3.....	124
Property/Miscellaneous Crimes	10.....	190

Length of Stay		
Less than 2 years	48.....	531
2-10 years.....	41.....	253
10 years and above	19.....	134
Unknown.....	1.....	0

Custody Level		
Minimum	3.....	373
Medium	4.....	229
Close.....	99.....	294
Maximum	3.....	22

High School Diploma or GED Certificate		
High School Diploma and/or GED certificate	3.....	206
No High School Diploma or GED certificate	106.....	712

Identification of Disability or IEP		
Identified in prior school.....	4.....	21
Department Testing Suggests Concern.....	6.....	75

During Incarceration:

Infractions During Incarceration		
None	36.....	405
1-5.....	53.....	308
6-10.....	12.....	117
11-20.....	5.....	57
More than 20.....	3.....	31

Offender Profiles: Under Age 21 In County Jails

Jails Responding to the WASPC Survey (Summer 1998).....	37
Never hold a remanded offender under 18	7
Sometimes hold a remanded offender under 18	16
Hold all remanded offenders under 18	14

	<u>Under Age 18</u>	<u>18-21 Years Old</u>
	135	2,479
Incarcerated		
In jail on 6/11/98.....	47	317
Admitted between 6/11-7/31/98.....	88	2,162
Age Distribution:		
15.....	8	
16.....	44	
17.....	83	
18.....	789	
19.....	836	
20.....	854	
Conviction Status		
Pre-conviction	90	1,265
Post-conviction	11	460
Unknown	34	754
Offense		
Felony	96	707
Misdemeanor	16	1,271
Other.....	3	214
Unknown.....	20	287
Actual and Expected Average Length of Stay		
Actual.....	26.8 days	12.5 days
Expected.....	29.5 days	19.4 days
Custody Level		
Minimum	19	211
Medium	37	784
Maximum	52	779
Unknown.....	27	705
High School Diploma or GED Certificate		
High School Diploma and/or GED certificate.....	18	454
No High School Diploma or GED certificate	102	1,864
Unknown.....	15	161

Offender Profiles: Under Age 21 In County Jails (continued)

Last Grade Completed

Second.....	0.....	2
Third.....	0.....	1
Fourth.....	0.....	0
Fifth.....	0.....	1
Sixth.....	0.....	10
Seventh.....	1.....	11
Eighth.....	6.....	27
Ninth.....	7.....	99
Tenth.....	16.....	160
Eleventh.....	11.....	242
Twelfth.....	1.....	0
Unknown.....	75.....	1,472

Learning Disability

Self-reported by offenders with no High School Diploma or GED certificate.....	9.....	33
--	--------	----

Average Daily Admissions and Population

Average daily admissions.....	3.5.....	86
Average daily population.....	94.....	1,075

IV. Educational Services

Educational Services in JRA Facilities

Chapter 28A.190 Revised Code of Washington requires local school districts to provide a program of education with JRA-operated residential facilities. There are seven JRA facilities in the state of Washington; education is provided by the local school districts:

- Echo Glen Children's Center, Issaquah School District
- Maple Lane School, Rochester School District
- Green Hill School, Chehalis School District
- Naselle Youth Camp, Naselle-Grays River School District
- Mission Creek Youth Camp, North Mason School District
- Indian Ridge Youth Camp, Arlington School District
- Camp Outlook, North Franklin School District

As in other correctional facilities, JRA-operated facilities have a statutory obligation to provide classroom facilities, furniture, vocational equipment, transportation, utilities, maintenance, and clinical and medical services to incarcerated offenders. The programs operate more like alternative schools, specifically as related to credit, class offerings, and expected outcomes.

The offenders under age 18 are required to attend school. The curriculum includes basic and special education services where applicable. The majority of youth have significant educational deficiencies, either in terms of skills, credits, or both.

Funding

These school programs, offered in JRA facilities, are funded through the Superintendent of Public Instruction and are monitored by the Department of Social and Health Services, to assure a program of education is available to incarcerated youth. A site-based principal or site coordinator, hired by the local school district, administers education programs. The school programs operate 220 days per year, as in other correctional facilities.

Overall, the approximate statewide average reimbursement per student in JRA facilities is \$8,673. This funding formula provides for administrative and staff support positions; however, these schools cannot access other categorical funds, such as state vocational education, special education, or bilingual funds. School districts cannot use local levy funds for programs in JRA facilities. The higher rate of funding is intended to make up for these losses in categorical funds.

Educational Services in the Department of Corrections

All Department of Corrections' institutions, except for the work-release facilities, offer basic education programs for offenders. Under Department policy, offenders under age 22 who do not have either a high school diploma or GED certificate are required to be enrolled in education services. The Department has developed a well-established education system under contracts with community colleges to provide adult basic skills instruction resulting in a GED certificate rather than a high school diploma. Ten community colleges provide education to

offenders age 18 and above in fourteen correctional facilities. The college education providers and the facilities in which staff provide services are shown in Appendix D. The program was developed and intended to provide services for students ages 18 and above.

Until 1998, offenders under age 18 received educational services along with all other offenders. With the passage of chapter 338 laws of 1997, separate housing was mandated within adult correctional facilities for offenders under age 18; the Department of Corrections was directed to provide a program of education offering a choice of curriculum leading to either a high school diploma or a GED certificate. In the 1998 legislative session, chapter 244 laws of 1998 shifted the responsibility to solicit an education provider from the Department of Corrections to the Superintendent of Public Instruction. The Superintendent of Public Instruction, through a "Request for Proposal" process, selected two school districts (Cape Flattery and Peninsula) to provide an educational program to offenders under age 18. Under current law, offender students who have participated in the Department of Corrections' education program and turned 18 years of age may continue in the program with the permission of the Department of Corrections and the education provider.

Assessments

Newly admitted offenders are assessed at the reception centers, using the Tests of Adult Basic Education Survey (TABES) and the Revised Beta IQ test. Offenders who can not read well enough do not take the TABES and are given a tape-recorded version of the Revised Beta IQ test. For the initial appraisal of basic skills, the Department is in the process of adopting the statewide Comprehensive Adult Student Assessment System (CASAS), which will take the place of TABES. The CASAS is a competency-based test; that is, it evaluates the ability to perform common daily tasks, such as understanding time cards for work, reading a map, or completing job applications. Those offenders under age 18 may have additional assessments.

Access to Education

It is the responsibility of the Department of Corrections to provide access to an education program for all offenders under age 18. The Department is required to provide written notice each year to the Superintendent of Public Instruction and the education providers operating the program of any reasonably foreseeable changes in program operation or student enrollment. The Department is also required to provide space, equipment and fixtures, utilities, security staff, medical services necessary for the educational needs of the offenders, and reasonable support to conduct the program of education.

The Superintendent of Public Instruction is responsible to solicit for, and contract with, an education provider and allocate money appropriated by the Legislature to the education provider to administer and provide the program. This includes a high school diploma program sufficient to satisfy the minimum high school graduation requirements, and special education and related services for offenders who are eligible. These services, including basic education and special education, where appropriate, are available to offenders under age 18. The education providers may spend only those funds appropriated by the Legislature and allocated by the Superintendent of Public Instruction for the exclusive purpose of the prison education program. School districts are explicitly prohibited from using excess tax levy proceeds authorized for school district purposes to pay any prison education program costs

Faculty for offenders under age 18 are certified to teach high school diploma and other programs provided in that setting. School districts are expected to have appropriate levels of certified teachers with special education endorsements. Programs for offenders under age 18, like the college programs, are also provided in dedicated space. These programs are based on 220-days per year and five hours of instruction per day.

For the adult education population (offenders over age 18), community colleges contract with the Department to provide education programs such as: basic skills education, vocational skills training, and programs specific to changing offender behavior. Instruction in basic skills covers adult basic education, a general equivalency program that prepares offenders for the GED test, special education and related services for offenders who are eligible, job readiness, and learning assistance for offenders for whom English is a second language. Vocational skills training prepares offenders for work in prison jobs and for employment upon release. Offender Change Interventions address anger/stress management and victim awareness. Each facility is staffed with on-site community college program services faculty. The Washington State Employment Security Department's Corrections Clearinghouse provides specialized pre-employment and transition employment services at several correctional facilities.

The Joint Legislative Audit and Review Committee (JLARC), reporting on the performance of the Department of Corrections, stated that as of October 1997, 91 percent of the offenders in custody had been tested for academic skill levels. Forty-eight percent were assessed to need basic skills training. Of those assessed to need the training, 41 percent were enrolled in an education program and 11 percent were on waiting lists.^{iv}

Under current Department policy, those offenders under age 22 who do not have a GED or a high school diploma are required to enroll in education services. Changes were made recently to the Department's Offender Based Tracking System to track and record changes in basic skill levels and record offenders with a verified GED or high school diploma. Consequently, the information assists the Department to determine what portion of the offenders who need basic skills are enrolled in classes and who are on a waiting list. Offenders under age 18 are expected to enroll in the high school program.

Offenders can lose the opportunity to receive educational services in a classroom because of behavior problems; however, it is not known how many are not in class due to behavior problems. It is known, however, that in 1997, 409^v offenders refused to participate and earned infractions.

Administration

The Educational Services Unit at the Department of Corrections coordinates educational services. Their role is to ensure several specific systems within the Department identify offender educational needs, collect data, and report on educational services and offender achievement. The office monitors accountability measures, contract compliance, cost containment, and cost tracking.

The Educational Services Administrator works closely with the Office of Correctional Operation's management team, with Correctional Industries, and with the community college Presidents. She acts as liaison with the State Board for Community and Technical Colleges, as well as the Office of the Superintendent of Public Instruction.

Department of Corrections' superintendents are responsible for operation, implementation, monitoring, and management of offender educational services at the institutions. They maintain close contact with the President of the community college and with the Superintendent of the school district providing educational services, as well as with the on-site representative, the education director. Superintendents assess and plan for education services, approve the budget submitted for the institution, and recommend and oversee changes in education for the facility.

Funding

For offenders under age 18 within Department of Corrections' facilities, funds for education programs are appropriated by the Legislature and allocated to school districts based on the number of Annual Average Full Time Equivalent Student (AAFTES) projected for the school year. The programs are funded on the same basis as the school districts providing the JRA education program. The actual amount paid per student is dependent on the "staff-mix" of the program staff. Programs employing staff with more advanced degrees and experience are reimbursed at a higher rate to compensate for the higher employee salaries and benefits. Actual reimbursements to the school districts will vary depending upon the number of students served over the course of the year and the experience and education level of the staff.

As detailed in chapter 244 laws of 1998, section 5, in order to support each education program, the Department shall provide:

- Space for the education program that is secure, separate and apart from space occupied by offenders who are not receiving educational services
- Vocational instruction equipment and technology
- Facility support services, such as lights, telephone, and janitorial services
- Security staff in order to safeguard both education providers and offenders
- Clinical and medical evaluation services necessary to determine the educational programs for offenders
- Other support services and facilities as required

For offenders 18 years of age and older, in fiscal year 1997, the Department provided education programs to all offenders at a cost of \$11,800,000. Thirty-nine percent of these funds were for basic skills education, 23 percent for vocational education, 8 percent for crime-related and other educational programs and the remaining 30 percent was spent on administrative costs related to education.^{vi}

Educational Services in County Jails

Offenders under age 18 charged with felonies are generally held in county jails or county youth detention centers. In July 1998, there were 37 county jails. Under Washington law, city jails house persons not yet charged with a felony or awaiting trial or serving a sentence for a misdemeanor offense. Twenty city jails report population data for the annual report prepared by WASPC. Additional city jails hold offenders but are not included in the WASPC report.

All thirty county jail administrators and five city jail administrators provided information on current educational programs. Of these, twenty-eight county jails offer some type of education;

this compares with 1991 when 14 county jails and one city jail had formal programs. The current programs described in this report largely use unverified survey information. The only confirmed information on education for offenders under age 18 is specific to those jails reporting a relationship with a school district. Education providers in jails are shown in Appendix E.

Assessments

Eleven county jails reported that they use some type of educational assessment. These assessments include the Test of Adult Basic Education Survey (TABES), the Comprehensive Adult Student Assessment System (CASAS), and other tests.

Access to Education

Ten county jails indicated they restrict access to education services and gave the following reasons: minimum and medium security classifications only, non-violent offenders only, no sex offenders, offenders working to obtain GED certificates have priority, and offenders under age 18 only.

Twenty-one county jails reported they offer GED preparation and/or testing. Twelve reported they provide adult basic education; ten provide English-as-a-second language; ten provide tutoring for offenders; eight offer some special education; three offer vocational education. Seven county jails described relationships with school districts. In the case of some, this is a formal contractual relationship. The types of education program offerings at county jails are reflected on page 20.

With formal relationships, some reported they contracted with the local school district for one certified teacher to provide instruction and an Individualized Education Plan for offenders under age 18. Most programs are the equivalent of an alternative high school program and are funded accordingly. Other sites have larger populations and are able to use dayrooms in the living quarters for small group work, where an instructor is provided by the school district. The instructor then coordinates with the offenders' school district.

Sometimes a more conventional educational model, bringing offenders to the dayroom of one living unit, providing what is essentially a schoolroom with correctional officers as well as teachers. These programs have a computer learning center and work with the Employment Security Department on employment-related curriculum. In these scenarios, inter-local agreements allow the school district to provide education to offenders under age 18 in the jail and in the county detention center.

Innovative arrangements between agencies have been established to serve this population more effectively. Some examples include: the King County Jail, which established a relationship with the county detention center school staff to follow the offender from detention into the downtown jail. In the fall of 1998, they negotiated an agreement with the Kent School District to provide services at the King County Regional Justice Center. Walla Walla County Jail did something similar with the school districts whose students were in jail, asking the districts to provide alternative educational services in the jail. Yakima has a certified teacher who is also a correctional officer; he supervises another officer who has gang experience. The latter officer does most of the hands-on work with the offenders. They use a computerized curriculum. The offenders receive five hours of education per day, following the Yakima School District's curriculum requirements for a high school

diploma. The program is an adjunct of the Yakima School District's program and is funded with basic education dollars.

Just as with the Department of Corrections, offenders in the county jails are served by community colleges. Twenty-one jails report offenders receive educational services from colleges.

Despite the impressive list of jails that are working with school districts and colleges, few reported they had a certified teacher on staff; this may have resulted from a misreading of the survey question. Some reported they used non-certified teachers and yet others used both certified and non-certified teachers. Many use volunteers, sometimes in conjunction with the certified teacher and sometimes alone.

Twenty-two jails indicated the number of hours of instruction provided each month. Total hours range from 2-270 hours; the average is 73 hours per month. Assuming 22 school days in the month, this is 3.3 hours per school day. With 24 jails reporting, there is a monthly average of 35 offenders receiving educational services.

Types of Educational Programs By County Jail

ABE	Special Education	High School	GED	ESL	Vocational Education	Tutoring
Chelan	Chelan	Chelan	Chelan	Chelan	Lewis	Franklin
Clark	Kittitas	King	Clallam	Cowlitz	Stevens	Island
Cowlitz	Klickitat	Snohomish	Clark	Grant	Whatcom	Kitsap
Grant	Lewis	Spokane	Ferry	King		Kittitas
King	Spokane	Walla Walla	Grant	Klickitat		Klickitat
Kittitas	Stevens	Whatcom	Grays Harbor	Okanogan		Pierce
Pierce	Whatcom	Yakima	Island	Pierce		Spokane
Spokane	Yakima		Jefferson	Stevens		Stevens
Stevens			King	Whatcom		Thurston
Thurston			Kittitas	Yakima		Whatcom
Whatcom			Lewis			
Yakima			Mason			
			Okanogan			
			Pierce			
			Spokane			
			Stevens			
			Thurston			
			Walla Walla			
			Whatcom			
			Whitman			
			Yakima			

Administration and Costs

Four counties reported that they have education administrators who spend significant amounts of time teaching. Most jails do not pay for the education services received by offenders and consequently most did not report the cost of those services. Fourteen jails specifically mentioned the community college as the source of educational services and funding. Four jails pay for education services with monies from offender-generated funds, such as those from commissary revenues.

The method of providing service and staffing is just as diverse. Some jails house offenders under 18 and provide basic education coordinated with the school district. Other methods include using district personnel to provide the service, overseeing certified staff who work for the community college, and working closely with school districts to provide services.

The county jails surveyed made it clear there were as many varieties of education services as there were jails. In terms of the service design, 25 percent have educational services for offenders both under age 18 and over age 18, over 50 percent offer educational services for offenders over age 18 only, and 25 percent house remanded offenders under age 18 but provide no formal educational program for either population.

Some facilities serve those over age 18, but do not meet the requirements for basic education of offenders under age 18; others house remanded offenders under age 18 infrequently and do not have a formal education program. Seven small jails never house remanded offenders under age 18 and do not have a formal educational program.

Educational services for offenders ages 18-21 are limited to those with college programs and/or school district programs and only a few reported they had special education services. Conversations about education for offenders under age 18 suggest that what constitutes special education may vary by location.

Summary of How Education is Provided in Correctional Settings

The Superintendent of Public Instruction and the Department of Corrections contract with Cape Flattery and Peninsula School Districts to provide basic and special education to offenders under age 18 at Clallam Bay Corrections Center and the Washington Corrections Center for Women. These programs, funded through the Superintendent of Public Instruction, operate a minimum of five hours per day, 220 days per year.

Seven county jails have arranged for school districts or educational service districts to provide education for offenders under age 18 in jails. School programs in jails provide either five hours per day, 220 days per year or offer an alternative school model. The community colleges provide education for offenders over age 18 in both the Department of Corrections' institutions and 23 county jails. In some county jails, there is no formal education program. Almost all jail administrators report significant impacts if required to expand existing education programs.

V. Impact of Providing Education Services

The impacts on jails and prisons fall into four categories:

- Physical plant
- Staffing
- Security
- Funding

The education of offenders under age 18 and offenders aged 18-21 place additional demands on correctional institutions including physical plant, staffing, security, and funding issues. The Department of Corrections and the jails have experienced the impacts of these demands differently and the responses reflect those distinctions. The first section is specific to the Department of Corrections' offenders under age 18. The second section refers to the Department and its 18-21year old offender population. The final section is specific to the total offender population under age 21 in jails.

Impacts on the Department of Corrections for Offenders Under Age 18

It is useful to begin by considering the differences between the two populations. According to speakers at a 1997 workshop on offenders under age 18 in adult correctional institutions, that age group tends to be more impulsive and to have less sense of a future than those ages 18 and older. Offenders under age 18 are more likely to respond to the opportunity to gain privileges than to the loss of those privileges. They can be adversely affected by isolation, a common punishment with the general population, and may become suicidal. Offenders under age 18 often see little benefit in preserving good time.

Because adolescents are moving toward independence from adults, they may not listen well when adults give them an order. Offenders under age 18 are often socially immature; when given an order and they do not comply, it may not be because they are defiant -- they may not understand the order. Confrontational techniques used with or by adults can escalate any conflict.

Offenders under age 18 have a higher level of mental health problems than offenders over age 18 and they tend to have had poor health care. They require more structured activity, (i.e., full-time school). They will burn off excess energy with physical activity if in a directed activity such as a basketball game, but if left to their own devices on the basketball court may talk rather than exercise.^{vii}

Physical Plant Impact

With the passage of chapter 338 laws of 1997 and chapter 244 laws of 1998, the Legislature has established parameters for the placement of offenders under age 18 convicted as adults within the Department of Corrections. The law requires that offenders under age 18 be housed separately from offenders over age 18. In response, the Department has created housing for the female offenders under age 18 in a portion of an adult female housing unit at the Washington Corrections Center for Women. They are provided education services in a classroom within the Education Center also used by adults.

Male offenders under age 18 are housed in a separate housing unit at Clallam Bay Corrections Center. They provide space for educational programs in two separate buildings.

At Clallam Bay Corrections Center, offenders under age 18 must move through adult areas to the dining hall and to the classrooms. During the movement, movement for offenders over age 18 is stopped and they are locked out of all areas utilized by offenders under 18 years. This happens six times per day and requires shifting correctional staff from their usual posts to supervise the offender movement. In order to address this issue at Clallam Bay Corrections Center, the Department's capital construction plan is to provide additional program space closer to the living unit by adding another building. This building is not expected to be ready for occupancy for 18-24 months.

Staffing and Security Impacts

The Department's security staff is responsible for orderly operation of the facility as well as the safety of staff and offenders. Additional unit staff for offenders under age 18 are needed to provide supervision for education, special programs, visits, escorts, medical, hearings other activities. Specialized training is required for staff at facilities housing offenders under age 18. Most of the staff responsible for supervision of offenders under age 18 received specialized training and are assigned exclusively to that program. However, the security staff assisting with movement and those staff who provide relief coverage for offenders under age 18 have not necessarily had the extensive training of staff assigned full-time.

Since many offenders under age 18 have had negative experiences and/or dropped out of traditional classroom situations prior to incarceration, they typically do not come with a positive pattern of school attendance, which brings with it a high potential for classroom disruptive behaviors. Correctional managers at both institutions agree that selection of appropriate school district personnel make a big difference with this population. Still, discipline around school attendance and appropriate participation presents new issues for correctional staff. They have found that loss of earned time is not a meaningful sanction to an offender under age 18 without much thought for the future. The prospect of spending months in restricted custody (when turning 18 years of age) due to their infraction record, has much less impact than for the older population. Returning offenders to cells can be counterproductive; most offenders want to be involved with activities and out of their cells. The immediate loss of desired privileges or the opportunity to gain privileges has had the most beneficial effect on behavior.

Funding Impacts

The Peninsula School and Cape Flattery School Districts responded to the Superintendent of Public Instruction's request for proposals to provide education services to incarcerated offenders under age 18. The Peninsula School District serves a growing district with a moderate school population and serves the area in which the Washington Corrections Center for Women is located. Cape Flattery School District, a small rural school district, serves the Clallam Bay Corrections Center area. As of December 31, 1998, the Washington Corrections Center for Women had a population of 9 females under age 18, and the Clallam Bay Corrections Center had a population of 96 males under age 18.

The two contracting programs are funded through the Office of the Superintendent of Public Instruction. The Department is required to provide educational equipment and facility

support for districts. Changes in the physical plant and equipment purchases will be capital expenditures. The Department budget estimates for these costs are unknown at this time.

Impacts on the Department of Corrections for Offenders Ages 18-21

The Department of Corrections has made basic skills a priority for offenders. Some offenders ages 18-21 are already in a basic skills program; others are on waiting lists. The measure of impact on the correctional institutions depends on the number of eligible offenders ages 18-21 who would participate in a high school diploma program.

For example, on April 30, 1998, there were 918 offenders between the ages of 18-21 incarcerated in the Departments' facilities. Forty-seven were female and 871 were male. Twenty-seven had a high school diploma and 206 had already received a high school diploma or had a GED. This leaves 705 possible candidates for basic or special education. (However, it would be possible that a portion of the 206 offenders who have GEDs would want to complete a high school diploma as well.) Twenty-one of these offenders had previously been identified as having a disability qualifying them for special education, and another 74 had test scores indicating the need for further assessment. This suggests that on April 30, 1998, no more than 95 possible offenders aged 18-21 may have been eligible (following further assessment) for special education. This is 14 percent of the 705 who have not received a high school diploma or GED.

National experts offer widely varying opinions about the number of offenders ages 18-21 who may qualify for special education. Although some experts believe that 80 percent of the institutionalized population may have learning disabilities, these disabilities may not be severe enough to meet the federal threshold for special education. Other states have found that between 10 and 30 percent of offenders ages 18-21 without a high school diploma or its equivalent qualify for special education.

However, without further testing and a more careful screening of new admissions, it is not possible to obtain an exact count of offenders who may be eligible for special education and the impact of providing these services in Department facilities. If a program of basic education including special education were offered as an option to offenders ages 18-21, some offenders would opt out, preferring instead to continue to receive educational services currently provided by a community college.

Impacts on Jails for Offenders Under Age 21

Most county jails are providing the same educational services to offenders under age 18 as they are to offenders over age 18. Most jail administrators agree they would rather not house offenders under age 18 at all, especially if they have to treat them differently than they do offenders over age 18.

From 1994 through 1997, the average daily population of offenders under age 18 in jails has remained constant. The survey for this report suggests that the 1998 population of offenders under age 18 may have been higher. Nonetheless, most information suggests that, if the approach to education remains as it is today, the number of offenders under age 18 in jails will remain well below the level of normal economic viability for programs in all but the very largest

jails in the state. There is an estimated daily average of 1,075 offenders ages 18-21 spread throughout the 37 county jails. However in a large jail (King County), the daily average could be 250. In a small jail (Adams County), it could be 2.

Physical Plant Impact

In response to the WASPC survey, 30 county jails said they would need additional space if required to provide or expand educational programs. Of the seven jails that **would not require** more space, one has a volunteer educational program and three have school districts providing educational programs for offenders under age 18. The others have college programs.

Staff and Security Impact

Twenty-seven jails reported that, if services were expanded for offenders ages 18-21, they would require additional correctional staff to supervise offenders in educational programs. Those **not requiring more staff** range from King County (where both the school district and the community college provide educational services) to San Juan County (where offenders stay very short periods and there are no educational services available). Those jails with college programs report that they would not require more staff.

Funding Impacts

Jails were also asked if they would need assistance finding an educational provider. Twenty-five jails said they could use assistance; the majority indicated they were already working with school districts and college staff.

Regarding the need for additional funding, most jails anticipated requiring more funds to provide educational services. In 1998, it is estimated that 809 offenders ages 18-21 in jails had not completed high school. If they were all to participate in education programs, the impact would be great. Only six jails said they would **not** require additional funding to provide expanded educational services.

In 1997, the 11 jails housing the majority of the offenders under age 18 had an average daily population of 4 offenders. Only one jail held at least ten offenders under age 18. At this level, no single jail facility has many offenders under age 18 who may be eligible for basic or special education. For these offenders who may be eligible for special education and related services, county jail managers are making arrangements with school districts to provide services; seven jails have already done so. Community colleges provide educational services for another 16 county jails.

Summary of the Impact on Jails and Prisons

Department of Corrections' institutional staff reported that the greatest impact is in housing offenders under age 18. They cannot estimate the impact of providing education to offenders ages 18-21 because they do not know the number eligible for special education, whether they are already receiving adult basic education services, or how many would choose a high school diploma over a GED program. Jail administrators report major impacts if they expand educational services, including more space and correctional staff, new educational providers, and funding.

VI. Ability to Provide Education Services

The advisory members selected for this study (including numerous current providers of educational services, jail administrators, teachers, and school district staff) contributed to this perspective on educational providers.

The Department of Corrections has community college programs in all its institutions, with the exception of the work release facilities. Education programs focus on adult basic education. Offenders ages 18-21 without a GED or high school diploma, are prioritized for placement in those programs. Twenty-three of the 37 county jails have community college programs; seven have school district programs.

Although under the criminal code, offenders become adults at age 18, many offenders in this age group have not completed a high school education by that date. In the community, many high school dropouts return to adult basic education classes in preparation for taking the GED examination. In addition, school staff in some community settings continue to provide high school educational programs to these dropouts after their 18th birthday.

According to the State Board for Community and Technical Colleges, community college staff may have neither the time nor the expertise to make a determination of eligibility for special education. Only one jail reported that its community college teacher provided special education and that teacher was already certified for special education.

School districts providing education to offenders under age 18 in Department of Corrections' facilities provide special education services. In the jails, the setting and resources can make providing special education difficult; however, school district providers responded that when they have an offender who is eligible for special education they provide the program.

The number of offenders under age 18 clearly impacts a school district's ability to serve this population. With even a moderate-sized jail, with a monthly count of offenders under age 18 fluctuating from 1-3, school districts have trouble generating enough state education funding to provide services. Even at the largest jail in the state, which divides its offenders under age 18 between two sites, the average number of offenders under age 18 in 1997 was 11. The Department of Corrections can expect more stability in its numbers.

Most of the preceding discussion has separated offenders under age 18 from offenders ages 18-21. This makes less sense when talking about providing educational services, especially to populations with low numbers. In practice, as already noted, some jail and prison education programs provided by school districts ignore the offender's 18th birthday and instead look at educational achievement. An offender in special education who requires more assistance and time receives it. An offender who turns 18 during the school year can continue. Promoting this practice at all jails and prisons could nearly double the number of offenders receiving educational services.

Program Requirements

Program requirements also affect a school district's ability to provide services. County detention centers, JRA-operated facilities, and Department of Corrections' school programs offer a five-day-per-week program. The curriculum is designed to enable the offender to acquire a high school diploma. There is some flexibility in providing these programs. For example, schools can now count up to two hours of study time. One hour of work training can convert to 0.4 hours of school. Each of these issues must be tracked by the provider and these program requirements take valuable staff time.

Funding

Funding may be the single most important factor in determining ability to provide educational services. The funding formula for school district services is based on an annual average for student population for the 11 "count days": the number of students attending on specific days of the year. If student populations are low on the specific days, funding may not be sufficient for the services provided.

This institutional formula provides funding for one institutional staff per 9.3 AAFTE (Annual Average Full-time Student Equivalent) for JRA and Department facilities, and 1:10 for county detention centers. For the two Department of Corrections' programs for offenders under age 18, this generates \$9,266 per student. For the JRA-facilities, this generates \$8,673 per student. **This per student amount is driven by the institution's individual staff mix.** In the case of Peninsula and Cape Flattery School Districts, the allocation is based on the maximum staff mix. Therefore, it takes a population of 9.3 offenders receiving educational services to ensure enough funding to hire one teacher. Another factor is that the formula is an allocation only and districts managing programs at county detention centers and JRA-operated facilities are expected to fund instructional materials, instructional aides, administrators, and other incidentals from this formula. In practice, it takes an enrollment level of more than 9.3 offenders to generate sufficient funding to hire one teacher and pay the other program costs.

The institutions are required to offer a program of five hours per day over 220 days per year. When the school district offers less than a full day of school (i.e., uses the alternative school model), the cost may decrease but the funding per offender receiving educational services also drops. The decrease is based on the percentage of time out of a potential 25-hour week that the offender receives educational services. Thus, when the teacher spends two hours for two days per week with offenders receiving educational services, rather than five hours per day, there is a commensurate drop in funding provided.

In comparison, county youth detention center schools received an average of \$6,800 per AAFTE in the last school year. They are required to offer a program of five hours per day over 220 days per year. Although the county youth detention center school's funding is also affected by variation in the monthly counts, the larger detention populations are more stable than the very small jail population under age 18. If under age 18 jail populations are added to the larger, more stable detention population (i.e., if the county youth detention center school serves both its offenders and jail offenders), then the instability of the jail population is moderated. This has prompted several county jails to request services from a county detention center school and indirectly from the school district or educational service district providing services to detention.

Time Constraints

Time constraints are an impediment as well. The process for assessing special education eligibility is a lengthy one. WAC 392-172-104 sets an evaluation timeline that can extend to 12 weeks. Development of an Individualized Education Plan (IEP) can take another month. Being proactive, the King County Detention Center established an accelerated timetable for its "short stay" facility; they hired special education specialists and assigned one staff person to call school districts daily asking about special education records of newly admitted offenders under age 18.

Short lengths of stay also can adversely affect funding. For example, federal Title I funding is not available unless the offender stays for 30 days. Since most jails have an average length of stay of 13 days, Title I funding is unlikely for offenders aged 18-21. However, WASPC profile data suggest that offenders under age 18 may average 27 days before release. With an average this high, at least some offenders under age 18 are staying longer than 30 days and could possibly qualify for Title 1 funding.

Correctional Constraints

Correctional constraints on education affect the ability of educators to work in the prison or jail environment. Two issues are paramount here:

- security and safety are the central mission of these facilities; and
- the need to respond to the demands of the courts.

The correctional mission takes precedence over education or any other program. One example is the disruption of moving offenders under age 18 to classrooms and the dining room out of the sight of the offenders over age 18. A second example is when jail offenders are summoned to court or to meet with attorneys with no consideration of attendance in school. In either location, when offenders are in a lock-down situation (where all offenders are locked in their cells), an automatic loss of school time results.

School employees working in correctional facilities need to be clearly aware of what is allowed in a particular facility and what is not. Often, items which a standard teacher would take for granted (such as staples, paper clips, maps, and many art projects) are not allowed in institutions. Those teachers who fail to respect the same security procedures as correctional officers risk being banned from re-entering the facility.

In jails, an even bigger consideration may be the lack of space. Only four county jails reported having a classroom. There is little storage space for educational materials or equipment. Many sites have become creative in the use of educational space: one jail converted storage space to a classroom; twenty jails use a multipurpose room; four jails use dayrooms; a few use more than one kind of space such as dayrooms, multipurpose rooms, recreation areas, and individual learning spaces.

VII. Costs of Education Services

Offenders Under Age 18 in Department of Corrections' Facilities

The Department of Corrections has recently entered into contracts with two school districts for education services for offenders under age 18. The Peninsula School District provides these services to female offenders under age 18 housed at the Washington Corrections Center for Women; the Cape Flattery School District provides services to male offenders under age 18 housed at the Clallam Bay Corrections Center. The first year cost of these two contracts is approximately \$1,200,000.

The Department of Corrections intends to request capital funding for additions and modifications to these institutions in order to: 1) maintain separation between offenders under age 18 and those over age 18; and 2) provide improved educational services to offenders under age 18. The cost of these improvements is not known at this time.

Estimated One-Time Capital Cost for Offenders Under Age 18 in Jails

While the majority of jails in Washington State provide some educational services to offenders, only four jails indicated they had a dedicated classroom for this purpose. Due to separation requirements for offenders under age 18 and the lack of surplus space, additional classrooms and support space for providing education services is a necessity for county jails. It is unlikely that other programs can be displaced to make room for education, since in many jails appropriate space is now used to house offenders or is already utilized for education.

An accurate estimate of capital costs would require a case-by-case study of each of the jails in the state that house offenders under age 18. It is expected that some jails may be able to add classroom space as an addition to an existing building or as a freestanding building on the site. A few may be able to remodel existing space into classroom space. Still others may find it better to relocate existing functions into new space and convert the vacated space into a classroom. Some may have no economically viable way of adding classroom space at all.

A case-by-case study of each jail is beyond what can be accomplished at this time. A set of assumptions approaching a worst-case scenario follows:

- Every jail that houses offenders under age 18 should have at least one classroom plus associated support space for a teacher's office/workroom and classroom storage.
- The minimum area required for a classroom and support space is 500 square feet.^{viii}
- A jail that never has more than ten offenders under age 18 should have one classroom.
- A jail that has 11-20 offenders under age 18 should have two classrooms.
- It is not expected that any jail will require more than two classrooms for the foreseeable future.
- Construction costs (in 1998 dollars) are estimated at \$110 per square foot. Other project costs (fees, taxes, contingencies, etc.) are assumed to add another 35 percent. The total average cost per classroom is therefore about \$75,000 ($500 \times 110 \times 1.35 = \$74,250$).

These assumptions and data collected from the WASPC survey of the number of offenders under age 18 held in jails can be used to estimate total capital costs. While only one jail (King County) regularly holds more than ten offenders under age 18, peaking factors are expected to cause up to six jails to require two classrooms.

Estimated Annual Operating Costs – Offenders Under Age 18 in Jails

There are two ongoing costs associated with providing educational services to offenders under age 18 in jails: the cost of the educational services themselves and the cost of providing correctional supervision of the classrooms.

The funding formula for county detention center programs is based on ten offenders receiving educational services per teacher, plus additional funds for non-employee related costs and indirect costs.^x In the 1998-99 school year, the detention funding formula includes \$245 per offender receiving educational services for non-employee-related costs and 4.7 percent for indirect costs. Using this formula, programs with fewer than ten offenders receiving educational services do not generate enough formula funding to hire one full-time teacher. It is often difficult to hire part-time teachers, and enrollment levels that vary from day to day likely require teacher capacity to provide intake and assessment with little or no notice. The worst-case scenario to consider when funding jail education programs would be that every jail that houses offenders under age 18 would require one full-time teacher for up to ten offenders receiving educational services.

According to the WASPC survey, there are 29 jails in Washington State that sometimes, or always, house offenders under age 18. The worst-case scenario for funding educational services in these counties is summarized below.

**Estimated Annual Cost of Providing Educational Services
To Offenders Under Age 18 in Jails**

Maximum Number of Offenders Under Age 18	Number of Counties and Programs	Formula Generated Costs for Certificated Staff	Formula Generated Costs of Non-Employee Related Costs	Indirect Costs	Total Costs
0	9	0	0	0	0
10	23	1,455,118	56,350	68,908	1,580,376
15	6	569,394	22,050	26,964	618,408
230	38	\$2,024,512	\$78,400	\$95,872	\$2,198,784

By requiring one teacher for each program with fewer than ten offenders receiving educational services and estimating an average of 15 for the six programs that would likely have 11-20 students, the funding level described above will cover costs associated with 320 offenders under age 18. In very small programs with only one or two offenders receiving educational services, sometimes with short-stays in the jail, an ongoing teacher may be unwarranted. In such cases, a part-time teacher or arrangement with a county detention center for part-time instruction may be justified.

Also, transporting offenders under age 18 from a jail to a county detention center for daily instruction may be more cost-effective and accomplish the same learning goals for the offender. Innovative use of technology for learning might also be used in smaller jurisdictions. This would, however, require an up-front investment in technology equipment. It is also possible that educational services in smaller jails might be provided by a regional entity, thereby spreading the cost of a full-time teacher over several counties. The requirements and implications of these and other promising alternatives have not been investigated.

All offenders in jail require some level of correctional supervision. In general, the custody level of the offender (i.e., the more risk the offender presents for escape or harm to others), affects the level of supervision that is required. The assignment of a correctional officer to monitor classrooms whenever there are offenders under age 18 present is estimated at \$65,000 per year.

Unless there are circumstances where two classrooms are separated by security barriers of a considerable distance, it is likely that one correctional officer could supervise two classrooms. Under the standard educational model, this would require 25 correctional officer hours per week for each jail that has offenders under age 18. This is equal to .625 FTEs. The worst-case scenario cost is estimated at \$1,183,000 per year.

The per-facility cost of correctional supervision could be reduced in larger jails which already have correctional officers assigned to "response and movement" and where an alternative way of continuously monitoring activity in the classroom can be provided. Alternative monitoring might be by video camera or by line-of-sight supervision by a correctional officer in a control room. However the monitoring is accomplished, the key factors are rapid detection and response whenever there is a problem.

Total operating costs per year (\$3,381,784) are equal to the sum of cost for providing direct educational services (\$2,198,784) plus the cost of correctional supervision (\$1,183,000) in the classrooms. It should be noted that, while the demand is much lower, this scenario provides capacity for up to 350 offenders under age 18.

Alternatives for Jails

The primary factor driving the high costs of educational services for offenders under age 18 being tried and held as adults is the decision to incarcerate them in jails. This suggests two alternatives.

One: Some jurisdictions have elected to keep offenders under age 18 remanded to adult court in county detention centers where educational services already exist. By doing this, they avoid all of the capital and correctional supervision costs associated with providing the services in the jail. The cost of educational services is also reduced because the cost is now the marginal cost of a few more offenders in detention school rather than the total cost of duplicating this service elsewhere. While there are a few offenders under age 18 for whom this would not work, this is an obvious alternative for any jurisdiction with sufficient capacity in its existing county detention center to handle offenders under age 18 remanded as adults.

It should be noted that if sentenced offenders under age 18 are required to serve sentences of less than one year in jail, only the size of the under age 18 population in jail is reduced – the task of providing educational services in the jail remains the same. Offenders under age 18 sentenced to terms in excess of one year under adult criminal statutes are transferred to the Department of Corrections where they continue to receive educational services.

Two: A second alternative is to transport offenders under age 18 from the jail to the county detention center for school. This alternative avoids the capital cost of providing classroom space in the jail. For the jail, adding a few offenders to an already existing county detention center school reduces the overall cost of educational services, given existing county detention center teaching staff and educational resources.

The second alternative may change, but not eliminate, the cost of correctional supervision of offenders under age 18 being tried as adults. Under this alternative, it takes one to two correctional officers to transport offenders under age 18 to and from county detention center school each day. If appropriate search and shakedown procedures are used, this could take up to two hours per day per correctional officer. It is possible that some jails would also want a correctional officer to stay with the offenders while they are in county detention center school. If two officers are used for transports and shakedowns each day, this alternative requires .5 FTE correctional officers, or about the same as the .625 FTE correctional officers required to supervise a county detention center classroom. If a correctional officer also supervises county detention center school, the FTE is increased from .625 FTE to 1.125 FTE. It should be noted that the presence of a correctional officer may reduce county detention center officer supervision time at the county detention center school.

Estimated Cost of Providing Education to Offenders Ages 18-21 in Jails

The cost of providing an education program to offenders ages 18-21 in jails can be calculated using a method similar to that used for offenders under age 18. The costs assume that education programs for offenders over age 18 would be segregated from offenders under age 18. This is the worst-case scenario. To the extent that policymakers, educators, and the corrections community can identify criteria to safely integrate offenders under age 18 with offenders over age 18 for education programming, the operating and capital costs discussed in this report can be reduced through economies of scale.

Estimated Annual Cost of Providing Educational Services To Offenders Ages 18-21 in Jails

Maximum Number of Offenders Ages 18-21	Number of Counties and Programs	Formula Generated Costs for Certificated Staff	Formula Generated Costs of Non-Employee Related Costs	Indirect Costs	Total Costs
10	21	1,328,586	51,450	62,916	1,442,952
20	9	1,138,788	44,100	53,928	1,236,816
30	1	189,798	7,350	8,988	206,136
40	0	0	0	0	0
50	4	1,265,320	49,000	59,920	1,374,240
60	0	0	0	0	0
70	0	0	0	0	0
110	1	695,926	26,950	32,956	755,832
200	1	1,265,320	49,000	59,920	1,374,240
Total	37	\$5,883,738	\$227,850	\$278,628	\$6,390,216

VIII. Summary of Findings and Recommendations

Chapter 244 laws of 1998 requested information on educating offenders under age 21 incarcerated in jails and prisons. This report was a collaborative effort of the Office of the Superintendent of Public Instruction and the Department of Corrections. Representatives of the associations listed in chapter 244 laws of 1998 met twice: once to review the approach to this study and again to discuss the findings and recommendations.

The report provides the currently available data requested in chapter 244 laws of 1998. It includes:

- A profile of the offenders under age 21,
- An identification of the issues surrounding the educational needs of offenders,
- An assessment of the barriers of providing educational services.
- A determination of the ability and interest of educational agencies to provide education, and
- An estimate of the cost of providing the education services.

Historically, in the State of Washington, offenders under age 18 were confined and educated in county youth detention centers and state institutions for juveniles. As new legislation was passed, a restriction was placed on the determination of when a person under age 18 would be tried as an adult. The change in the law increased the number of accused and convicted persons under age 18 in both jails and prisons. These changes were followed by mandates for separate housing for offenders under age 18 in jails and prisons and directions for the Department of Corrections to provide educational services to offenders under age 18 leading to high school diplomas.

Offender Profiles

Remanded offenders under age 18 who are sentenced to state custody are currently placed in a Department of Corrections institution if their sentence is greater than one year. It is not clearly outlined where they are to be detained while in pre-trial status nor where they would be confined if sentenced for less than one year. Not all jails house remanded offenders under age 18. Currently, some counties choose to detain offenders under age 18 in county detention centers and some in jails, while others never hold remanded offenders under age 18 at all.

The estimate is that on any given day, county jails house 94 offenders and admit 3.5 offenders under age 18. These same jails house an estimated 1,075 offenders and admit 86 offenders between the ages of 18 and 21.

Most offenders under age 18 were incarcerated in just over one-third of the county jails, with the largest urban county jail averaging about 11 offenders per day. The remaining jails held very few offenders under age 18. In 1997, sixty-six offenders under age 18 were held in jails.

Most offenders under age 18 in jails and prisons have not completed a high school education. Most, but not all, jails offer some level of educational services. Until recently, these services

have usually been provided by community colleges. The number of offenders receiving educational services is usually a small percentage of the total jail population. The offenders in the jails are provided educational services through a wide variety of providers and methods. Some county detention center schools have added jailed offenders under age 18 to the school count and provide services to them in the jails. Some jails use school district's alternative school staff, staff of the county detention center school, or by school district staff supervising teachers or community college staff.

Information reported for the jails was somewhat incomplete. For example, it is estimated that roughly 50 percent of the jail admissions were reported and admissions do not indicate the number in the daily populations.

There were 1,027 offenders under age 21 incarcerated in the Department of Corrections' facilities on the report date of April 14, 1998. The Department, in concert with the community colleges, provides educational services for offenders over age 18 in its institutions and has for some time. As required by statute, offenders without basic education receive priority.

The Department of Corrections incarcerates offenders under age 18 at Clallam Bay Corrections Center and the Washington Corrections Center for Women. Cape Flattery and Peninsula School Districts have signed contracts to provide both basic and special education services to offenders under age 18. These contracts are funded through the Superintendent of Public Instruction. The area of Clallam Bay Corrections Center where those under 18 receive education services will be modified to provide additional educational space. There is no estimate of capital costs at this time.

Issues and Impacts

The Department of Corrections' staff report several impacts of incarcerating offenders under age 18 but few impacts from educational programs for this population. The most notable exception is the issue of discipline with a young population not accustomed to attending school and not affected by sanctions.

Jail administrators report significant impacts if they must provide additional educational services. If given the choice, almost 90 percent would rather not hold remanded offenders under age 18 who may be eligible for educational services.

Barriers

The correctional environment is limiting because court case processing and security come first. The crowding and limited office/program space gives teachers little room to work or to store supplies and equipment.

Interest in providing assessment or education for offenders ages 18-21 in county jails or Department of Corrections' facilities who may be eligible for special education or related services was not solicited. Assessment of potential special education eligibility is a careful and precise process. Current measures, grades completed, self-reported and special education

designation, do not allow educational providers to make valid decisions regarding the potential eligibility of offenders for special education and related services.

Costs

Peninsula and Cape Flattery School Districts provide basic and special education for offenders under age 18 in Department of Corrections' facilities. Funding for these two programs totaled approximately \$1,200,000 for the 1998-99 school year.

In the jails, the typical approach is costly, especially to the educational provider. Since few jails average more than ten offenders receiving educational services, districts are providing very limited services or may be incurring costs beyond what they receive in revenue. With this small and unstable number of offenders receiving educational services, the funding formula offers no protection from this instability of the count. The formula is not very workable with these populations that turn over quickly.

The cost of adding space depends on many unknown variables: the specific facility, the number of offenders eligible for educational services, the current building configuration, and the availability of space that could be converted. The location and configuration of new space affect the number of correctional staff. Because of these reservations, a worst-case scenario for operating and capital costs of providing services to offenders under age 18 was estimated. The cost of providing special education to offenders ages 18-21 was not estimated.

Since the funding per offender for correctional educational services is too low to support a teacher with less than ten in the class, many assumptions were made in order to arrive at a worst-case scenario for costs. The costs for education services in jails came to \$8,589,000. New technology, such as distance learning, may modify this constraint and reduce the cost at a future date.

Using the same kind of assumptions, the costs for correctional supervision of the classrooms in the jails came to a worst-case scenario total of \$1,183,000. This scenario allows for many assumptions and estimations of the costs of providing security for educational services.

Additional Considerations

The decision to confine remanded offenders under age 18 in jails became a large part of the discussions surrounding education for offenders. If this decision were amended, so that those offenders were housed in county detention centers, it could reduce the education costs. All local jurisdictions could follow the example of some jurisdictions that keep remanded offenders under age 18 in the county detention center where educational services already exist. There will always be exceptions, such as the few remanded offenders under age 18 whose behavior makes their stay in detention unmanageable.

Still, moving all remanded offenders under age 18 back to county detention centers would not reduce the education costs significantly. The primary factor driving the high costs of education in jails is the number offenders ages 18-21 who do not have a GED or high school diploma. This accounts for 78 percent of the projected cost for education in jails.

Recommendations

After reviewing these findings, the advisory group made no recommendation about the education of offenders under age 18 in Department of Corrections' facilities but did make a recommendation regarding the education of this population of offenders held in jails:

Local jurisdictions should continue to have the discretion to decide whether to house remanded offenders under age 18 in county detention centers or jails. If the offenders under age 18 are housed in the jail, the county has two options: temporary transfer to county detention center during school hours or arranging for basic and special education in the jail. If the county decides to provide education in the jail, the provider and jail administration may either adopt the full program or alternative program model.

The members agreed too little was known about the number of offenders ages 18-21 and the potential special education eligibility. They discussed the value of initiating the special education assessment process, specifically of obtaining existing individualized education programs for offenders in jails and prisons, as a means of learning more about the potential or actual educational status of this population.

Advisory Group Members

Barbara Mertens and Mike Boring, Washington Association of School Administrators

Terry Werner, Peninsula School District

Ken Anderson and Jim Longin, Cape Flattery School District

Michael Tate, State Board for Community and Technical Colleges

Candy Curl and Jerry Minaker, Residential School Program, Juvenile Rehabilitation Administration of the Department of Social and Health Services

Rod Herling, Juvenile Court Administrator

Skip Patterson, Office of the Attorney General

Pat Arthur and David Fathi, Columbia Legal Services

Tom McBride, Washington Association of Prosecuting Attorneys

Robbie Johnson, Naselle-Grays River School District

Mark Bolton, Thurston County Sheriff's Office, and Debbie Latimer, Chelan County Regional Jail (Washington Association of Sheriffs and Police Chiefs' Corrections Subcommittee)

Rosalie McHale, Governor's Juvenile Justice Advisory Committee

Gene Cotton, Washington Association of Sheriffs and Police Chiefs

Jim Jungers, Educational Service District 101

Joan Lyderson, Everett School District

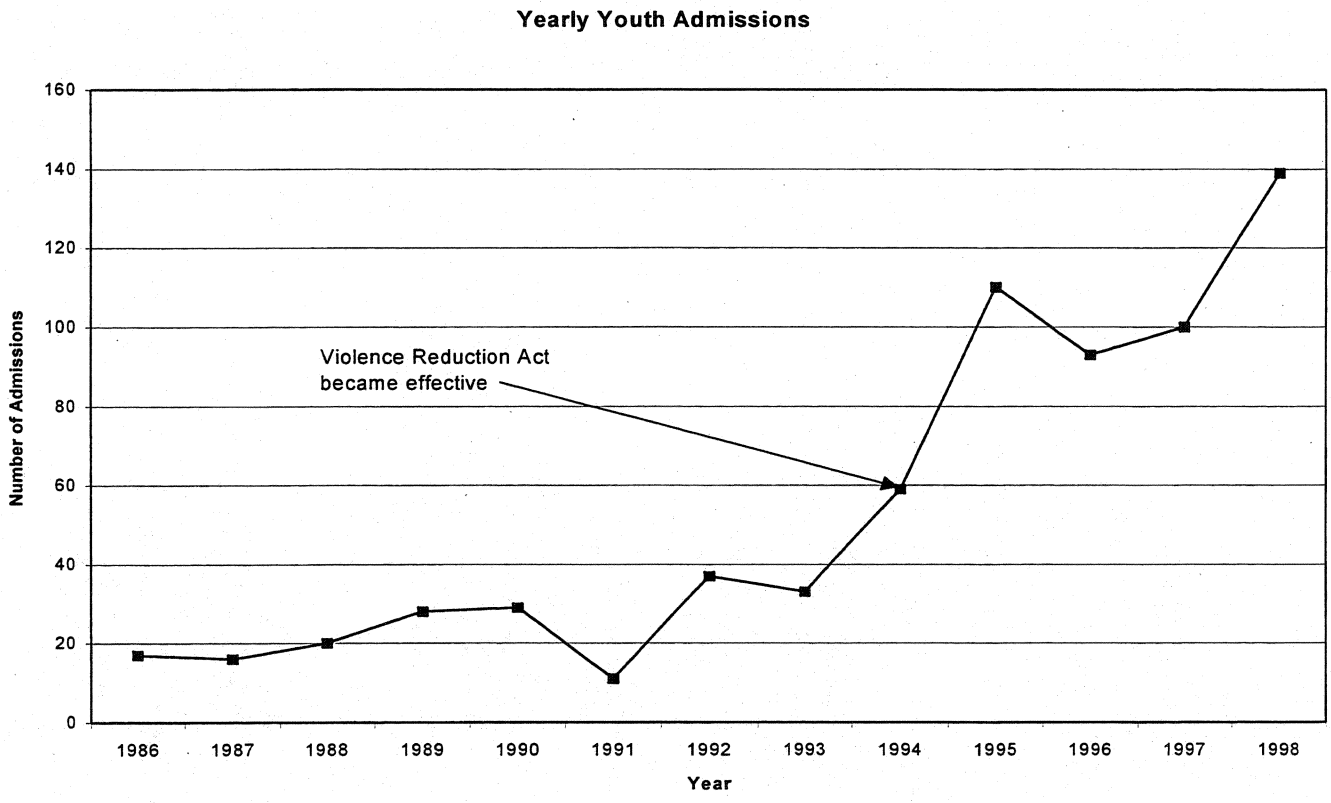
Carol Kovarnik, Olympic Educational Service District 114

Doug Jacques, Employment Security Department

Jean Stewart and Marianne McNabb, Department of Corrections

Allen Jones, Calvin Brodie, and Wayne Johnson, Office of the Superintendent of Public Instruction

Department of Corrections Yearly Youth Admissions



**Average Daily Jail Population
Of Offenders Under Age 18
From 1994 Through 1997**

Holds all remanded offenders under age 18, none in detention

Jail	Average Daily Population			
	<u>1997</u>	<u>1996</u>	<u>1995</u>	<u>1994</u>
Clark County	6.2	7.5	5.7	5.4
Cowlitz County	3.9	3.7	3.6	2.4
Pierce County	7.0	8.5	3.0	0.2
Snohomish County	3.2	8.5	4.0	3.2
Spokane County	8.5	4.8	4.3	3.0
Walla Walla County	1.2	2.7	1.6	0.1
Yakima County	5.9	4.8	2.2	0.0

Holds some remanded offenders under age 18, others in detention

Jail	Average Daily Population			
	<u>1997</u>	<u>1996</u>	<u>1995</u>	<u>1994</u>
Clallam County	2.3	1.0	0.5	0.3
Grant County	2.8	1.6	0.5	1.2
King County	10.8	6.2	6.8	5.7
Whatcom County	2.9	2.1	0.0	0.0

No longer holds remanded offenders under age 18, all in detention

Jail	Average Daily Population			
	<u>1997</u>	<u>1996</u>	<u>1995</u>	<u>1994</u>
Chelan/Douglas	3.1	3.0	2.4	2.3

Note: Chelan/Douglas County held remanded offenders under 18 until the summer of 1998 when the county opened a new county detention center facility.

Mixed practice regarding holding remanded offenders under age 18

Jail	Average Daily Population			
	<u>1997</u>	<u>1996</u>	<u>1995</u>	<u>1994</u>
All Other Counties	8.4	11.8	31.4	41.3

**WASHINGTON STATE DEPARTMENT OF CORRECTIONS
EDUCATIONAL SERVICE PROVIDERS IN FISCAL YEAR 1999**

<u>Facility</u>	<u>Educational Provider(s)</u>
Ahtanum View Correctional Complex	Yakima Valley Community College
Airway Heights Corrections Center	Community Colleges of Spokane Corrections Clearinghouse Job Resource Center Spokane Home Builders Association
Cedar Creek Corrections Center	Pierce College
Clallam Bay Corrections Center	Peninsula College Cape Flattery School District
Coyote Ridge Corrections Center	Columbia Basin College Corrections Clearinghouse
Larch Corrections Center	Clark College
McNeil Island Corrections Center	Pierce College
Monroe Correctional Complex	Edmonds Community College
Olympic Corrections Center	Peninsula College
Pine Lodge Pre-Release	Community Colleges of Spokane Corrections Clearinghouse
Tacoma Pre-Release	Pierce College Corrections Clearinghouse
Washington Corrections Center	Centralia College
Washington Corrections Center for Women	Tacoma Community College Corrections Clearinghouse Peninsula School District
Washington State Penitentiary	Walla Walla Community College

Education Providers For Offenders Under Age 18 in Jails

Educational Provider	Always	Sometimes	Never
Both college and school district (7 jails)	Snohomish Spokane Walla Walla Yakima	King Whatcom	Chelan/Douglas
College (16 jails)	Clark Cowlitz Grays Harbor Jefferson Mason Okanogan Pierce Stevens	Benton Clallam Ferry Grant Kittitas Lewis Pend Oreille Thurston	
Noncertified teacher (1 jail)	Klickitat		
Custody staff (1 jail)		Whitman	
Volunteers (3 jails)		Franklin Island Kitsap	
No provider (9 jails)	Skamania	Pacific	Adams Asotin Columbia Garfield Lincoln San Juan Wahkiakum

Glossary

ABE	Adult Basic Education – Programs designed for adults functioning at or below the eighth grade level
CASAS	Comprehensive Adult Student Assessment System – One of the national evaluation systems, designed to assess a number of specific skills
ESL	English as a Second Language – Instruction designed to teach English to non-English speakers
GED	General Educational Development – Awarded upon successful completion of a battery of tests; nationally scored, a GED certificate is usually awarded to those who drop out of high school
IEP	Individual Education Plan – Specifically designed annual educational program and services focusing on a student's current level of performance and identifying the student's special education needs
JRA	Juvenile Rehabilitation Administration – A division of the Department of Social and Health Services
TABES	Tests of Adult Basic Education Survey

-
- ⁱ Not all city jails report to the Washington Association of Sheriffs and Police Chiefs. Staff there are unsure how many city jails hold adult offenders beyond 72 hours. City jails should not hold juveniles, although some do for short periods, i.e., under 24 hours. Estimating the number of city jail offenders ages 18–21 cannot be done using the information provided by the four city jails responding to the survey.
- ⁱⁱ This does not mean that the jail never held a juvenile temporarily before transferring this juvenile to a juvenile detention center on a juvenile court charge. Small rural counties qualify as removal exception counties and may hold juveniles in the adult jail for less than 24 hours.
- ⁱⁱⁱ Christopher Murray and Associates and MM Bell, Inc., 1991 Capacity Study: Offender Placements in Washington State and 1995 Capacity Study: Offender Placements in Washington State. Department of Corrections, Olympia, WA.
- ^{iv} Joint Legislative Audit and Review Committee. Department of Corrections Performance Audit, Preliminary Report. June 23, 1998.
- ^v Joint Legislative Audit and Review Committee. Department of Corrections Performance Audit, Preliminary Report. June 23, 1998.
- ^{vi} Joint Legislative Audit and Review Committee. Department of Corrections Performance Audit, Preliminary Report. June 23, 1998.
- ^{vii} Remarks by Sue Burrell, National Youth Law Center; Dr. Jim Farrow, Adolescent Medicine, University of Washington School of Medicine; Dr. Bill Womack, Child Psychiatry, University of Washington School of Medicine. Juveniles in Adult Jails. Workshop sponsored by the Governor's Juvenile Justice Advisory Committee. October 23, 1997.
- ^{viii} This includes a 250-square foot classroom (25-square feet per student for up to ten students); 150-square feet for the teacher's office/workroom and storage area; and a 25 percent allowance for connecting hallways, wall area, utility closets, etc. It is based on information developed by Christopher Murray and Associates for the Oregon Department of Corrections.
- ^{ix} The instructional median staff mix factor of 1.75688 was used.

