

SB419

Relating to Alternative
Schools for Juveniles
Involved in the Justice
System

EDU/JDL, WAM



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/01/2013

Committee: Senate Education
Senate Judiciary and Labor

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: SB 0419 RELATING TO ALTERNATIVE SCHOOLS FOR JUVENILES INVOLVED IN THE JUSTICE SYSTEM

Purpose of Bill: Appropriates funds to the DOE for 2 additional alternative schools to facilitate the ongoing education of juveniles involved in the justice system. Effective 7/1/13.

Department's Position:

The Department of Education (Department) supports this bill as it presents an opportunity for the Department to expand programmatic services for at-risk youth in the juvenile justice system by ensuring that they have access to appropriate educational and support services in an alternative learning center.

Should the legislature choose to support this bill, the Department recommends that these centers not only be open to youth who are in the juvenile justice system but open to any youth, age 14 and older, who are not able to achieve in a traditional school setting. The Department should be allowed to develop enrollment criteria, along with a referral and placement process, to maximize success for identified students.

Instead of a grant-in-aid to the department of education, the Department also suggests identifying other sources of dedicated funding to ensure sustainability of these alternative learning centers. Sustainability and long-term success are dependent upon the Department's ability to maintain qualified and committed staff. Additionally, securing and maintaining an off-campus site will require operational costs.

The Department is willing to assist with crafting the language in this bill so it appropriately reflects the needs of alternative learning programs in the public education system.

Thank you for the opportunity to offer testimony on this important measure.

DEPARTMENT OF THE PROSECUTING ATTORNEY
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**THE HONORABLE JILL N. TOKUDA, CHAIR
SENATE COMMITTEE ON EDUCATION**

**THE HONORABLE CLAYTON HEE, CHAIR
SENATE COMMITTEE ON JUDICIARY AND LABOR**

**Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawai`i**

February 1, 2013

**RE: S.B. 419; RELATING TO ALTERNATIVE SCHOOLS FOR JUVENILES INVOLVED
IN THE JUSTICE SYSTEM.**

Chair Tokuda, Chair Hee, Vice-Chair Kidani, Vice-Chair Shimabukuro, members of the Senate Committee on Education, and members of the Senate Committee on Judiciary and Labor, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony in support of S.B. 419. This bill is part of the Department's 2013 legislative package.

There has been an increase in juvenile crime, prompting business groups to request assistance in curbing crime against their establishments. There are increasing incidents where the juvenile offenders are as young as 12 years old. Many of these juvenile offenders are being excluded from the public education system.

At the same time, the Family Court has begun a program called Juvenile Detention Alternative Initiative (JDAI) where juveniles are diverted from detention because of a philosophical belief that juvenile detention is inappropriate for juvenile offenders. However, there are not many alternative programs for juvenile offenders to be diverted to.

So, how do we address the safety of the businesses and community while the Family Court proceeds to divert juvenile offenders to detention alternatives that are lacking or non-existing?

The purpose of H.B. 237 is to provide funding for the Department of Education ("DOE") to operate two (2) additional "alternative schools" for at-risk youth. While the Department defers to

the DOE regarding exactly what would be entailed or necessary to implement these additional alternative schools, we recommend looking to the DOE's "High Core Program"—formerly known as Storefront School—which is located in Wahiawa.

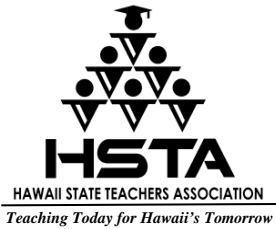
The High Core Program serves students who are identified by their home-schools as severely alienated or at-risk, with a goal to reduce or prevent student dropout in the school district. In addition to academics, High Core helps these at-risk students to develop appropriate socio-emotional competencies and other self-development through guidance and counseling activities.

Although the Department's primary role is to prosecute juvenile and criminal cases within the justice system, our overarching focus is on public safety for the community, and that starts with prevention and education. As such, the Department strongly supports the development and implementation of programs such as High Core, which can assist at-risk youth before they ever become part of the juvenile justice system, or the criminal justice system.

Alternative schools provide non-traditional education that addresses the individual student. There must be a committed and decisive effort to keep these at-risk youths in the education system though not in a school where the curriculum may be inappropriate or non-relevant. We need to divert these youths from the juvenile justice system and continue to provide them appropriate education.

Attached is the budget breakdown for one school, to give an estimate of the cost. This budget breakdown is derived from the Storefront / High Core budget. The total cost would be \$685,674 for one school. To fund two schools, the approximate cost would be \$1.4 million. This cost is a small price to pay for educating our at-risk youth and providing hope to a generation of youth that could end up in our adult correctional system.

For the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu strongly supports S.B. 419. Thank you very much for considering this matter.



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TESTIMONY BEFORE THE Senate COMMITTEE ON
EDUCATION and Senate Committee on Judiciary and Labor

RE: S.B. 419--RELATING TO ALTERNATIVE SCHOOLS FOR JUVENILES
INVOLVED IN THE JUSTICE SYSTEM

Wil Okabe
President

Karolyn Mossman
Vice President

Joan Kamila Lewis
Secretary-Treasurer

Alvin Nagasako
Executive Director

DATE: Friday, February 01, 2013

Person Testifying: WIL OKABE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Tokuda and Members of the Committee(s):

The Hawaii State Teachers Association (HSTA) **supports S.B. 419**, "Relating to Alternative Schools for Juveniles involved in the Justice System."

HSTA is the exclusive representative of more than 13,500+ public and charter school teachers statewide. As the state affiliate of the 2.2 million member National Education Association, the HSTA supports H.B. 237 which provides the means in the form of a grant-in-aid to the Department of Education for an alternative school in Leeward District.

HSTA believes in legislation that provides separate facilities for minors detained for criminal offenses from those detained for status offenses. As such, these facilities should be separate from those for adult offenders.

While it is easy to focus energy only on successful students, HSTA feels that an equally important part of nurturing a safe school environment is the development and viability of a wide range of alternative education programs which help troubled students find positive and constructive ways to deal with anger, frustration, or alienation.

Further, HSTA believes that all methods of behavioral interventions should be exhausted before resorting to the exclusion of students in a school setting. This does not preclude the removal of the offender from the school setting in order to protect other students and school employees.

As such, HSTA **supports S.B. 419**, "Relating to Alternative Schools for Juveniles Involved in the Justice System."

Thank you for the opportunity to testify.

TESTIMONY FOR HB 237 – Weds 1/30/13 @ 1400, RM. 309

TESTIMONY FOR SB 419 – Fri. 2/1/13 @ 1315, Rm 414

Aloha Chair _____, Vice Chair _____ and committee members. My name is Rick Campbell and I am the Director of the Hawaii National Guard Youth Challenge Academy. The Youth Challenge Academy's mission is to "intervene in and reclaim the lives of "at risk" youth in the State of Hawaii to help them become "good and industrious citizens."

I would like to testify on SB #419/HB #237. My comments are neither for nor against the passage of these bills. Rather my intent is to share the idea of using the Youth Challenge Academy as a viable alternative to the creation of two new alternative schools and to help facilitate the ongoing education of the young people of Hawaii.

Youth Challenge was founded in 1994 and has graduated 37 classes with a total of over 3000 young people since its founding. About 67% of the graduates have attained their high school diplomas through a partnership with the Waipahu Community School for Adults. YCA is a five and a half month quasi-military residential program, with a mentor lead 12 month follow up. After Graduation, the students' may select to go on to higher education or vocational/technical school, join the work force or enlist in their choice of a branch of the military.

The program is totally voluntary under a Cooperative Agreement with the Department of Defense that requires the Federal government to support YCA with 75% of the required funding and Hawaii making up the 25% through State General funds.

As I mentioned earlier I feel that YCA is already in place and being funded by both the Federal and State governments. It can meet a large portion of the State's demand and is capable of expanding if there is a need. Thank you for allowing me to testify on HB #237/SB #419.

Mahalo.

Committee: EDU/JDL
Room 414 2/1/2013
RE: SB419

Aloha Chairs Tokuda and Hee, Vice Chairs Kidani and Shimabukuro and Members of the Committees,

SUPPORTING THE INTENT on SB419, Relating to Alternative Schools for Juveniles Involved with the Justice System, which directs the DOE to establish 2 alternative schools for juveniles involved with the justice system and appropriates funds for that purpose.

- **The language of this bill may be overly broad and need to be focused in.** The targeted population of "juveniles involved in the justice system" is not specific.
- The Office of Youth Services January 2013 report "Disproportionate Minority Contact in the Hawaii Juvenile Justice System: 2000-2010" notes there is an escalating continuum of penetration for youth law offenders. **At each decision point, from arrest, referral, petition, adjudication to sanction, the number of youth offenders decreases. (PG 39)**
- **However, in the case flows analyzed, researchers found the percentage of Native Hawaiian and Pacific Islander youth contact increases at each decision point.**
- **Targeting which juvenile justice population** the proposed alternative schools would serve as well as specifying the outcomes of the "ongoing education" will help to narrow the focus of this proposal, help finding the right level of funding allocation and increase its efficacy.
- Further, if the findings of the DMC Report of OYS are taken into account, **"appropriate facilities, curriculum, supplies and the hiring of necessary staff" should all be geared toward providing programming specifically to the target Native Hawaiian and Pacific Islander Youth population who are disproportionately represented in the juvenile justice system.** Perhaps National Guard Challenge Academy is the right programming to effectively prevent and divert youth from further penetration into the deepest reaches of the juvenile justice system, which is secure confinement at Hawaii Youth Correctional Facility. Perhaps other culturally-based rehabilitation and placed-based educational opportunities that instill self-respect, knowledge of self, tests of endurance and courage, etc. should be considered, in addition to traditional learning outcomes such as GED, college credit, etc.
- **The legislature may want to give the DOE policy direction on the choice of appropriate facilities, curriculum, supplies and staff credentials.**

Mahalo for the opportunity to testify.

Shawn 'Alika James Leavey
Honolulu, HI