



Harris County Juvenile Probation Department

DisabilityRights
TEXAS

**Annual Report of the Disability Rights Texas
Education Advocacy and Support Services
Program in Partnership with Harris County
Juvenile Probation**

July 1, 2017 – June 30, 2018



Harris County Juvenile Probation Department



October 16, 2018

Executive Summary

Disability Rights Texas (DRTx) began its third year providing education advocacy and support services to Harris County Juvenile Probation Department (HCJPD)-involved youth, families and staff on July 1, 2017. JPOs are increasingly recognizing the benefit of our services to the youth and families they work with and submitted a record **456 referrals** between the beginning of July 2017 and end of June 2018. We **accepted 417 referrals – 91% of referrals received –** and were able to provide services in 300 of those cases.

Over the course of the year, DRTx provided assistance with a variety of education-related issues, including the eligibility process for disability-related services at school, truancy, need for improved behavioral supports and/or disability services, denial of enrollment, services for youth who are several grade levels behind, bullying, and homelessness. To address these issues, we not only provided direct services to probation-involved youth and families, but robust technical assistance to JPOs and caregivers of probation-involved youth to help them resolve school-related problems. To better equip JPOs with the tools needed to address these issues, **DRTx provided trainings to JPOs at their CUPS offices.**

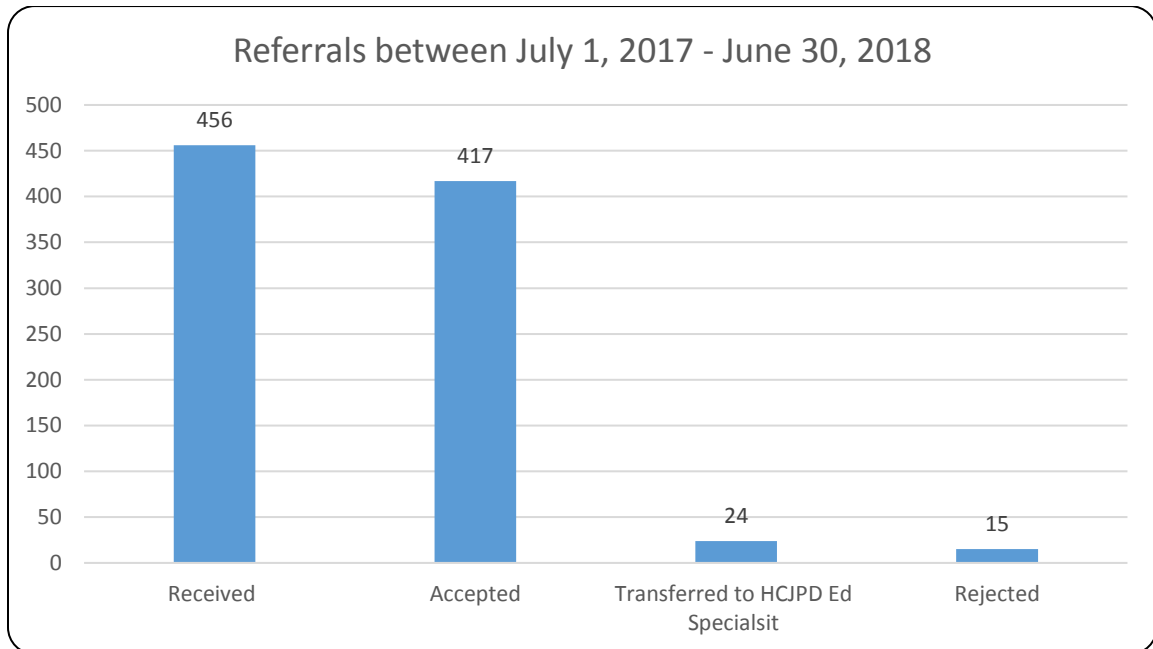
Included in our annual report are examples of the quality and depth of the advocacy and support services provided by each member of the DRTx Education Advocacy Team. During our third year, we **attended nearly 175 meetings with schools** and can report that **100% of our direct representation cases resulted in an offer of improved services from school districts.** In 76% of those cases, families overcame barriers to utilize those improved services and obtain favorable educational outcomes! We also found that **90% of cases where technical assistance and advice was provided** to the family during our second program year **were not re-referred** to our program for additional assistance the following year that those services have been effective in helping families and HCJPD staff resolve educational concerns.

This report also addresses the systemic victories we achieved over this past year, the increase in trainings provided to probation-involved youth and their families, and the efforts that have been made to respond to input from JPOs and administrators to continue enhancing satisfaction with our services.

I. Referrals

a. Referrals Continue to Increase

During our first year with the Harris County Juvenile Probation Department, DRTx received a total of 307 referrals. The following year, we received 445 referrals, accepted 296 of those referrals, and were able to provide services in 223 of those cases. During our third year, we received 456 referrals from Juvenile Probation Officers (JPOs). Of the referrals received this year, DRTx accepted 417 and transferred 24 to an HCJPD Education Specialist for assistance. Of the 417 referrals we accepted, 117 were closed without being able to provide services, bringing the total number of accepted referrals where services were provided to exactly 300. DRTx only rejected 15 referrals this past year.



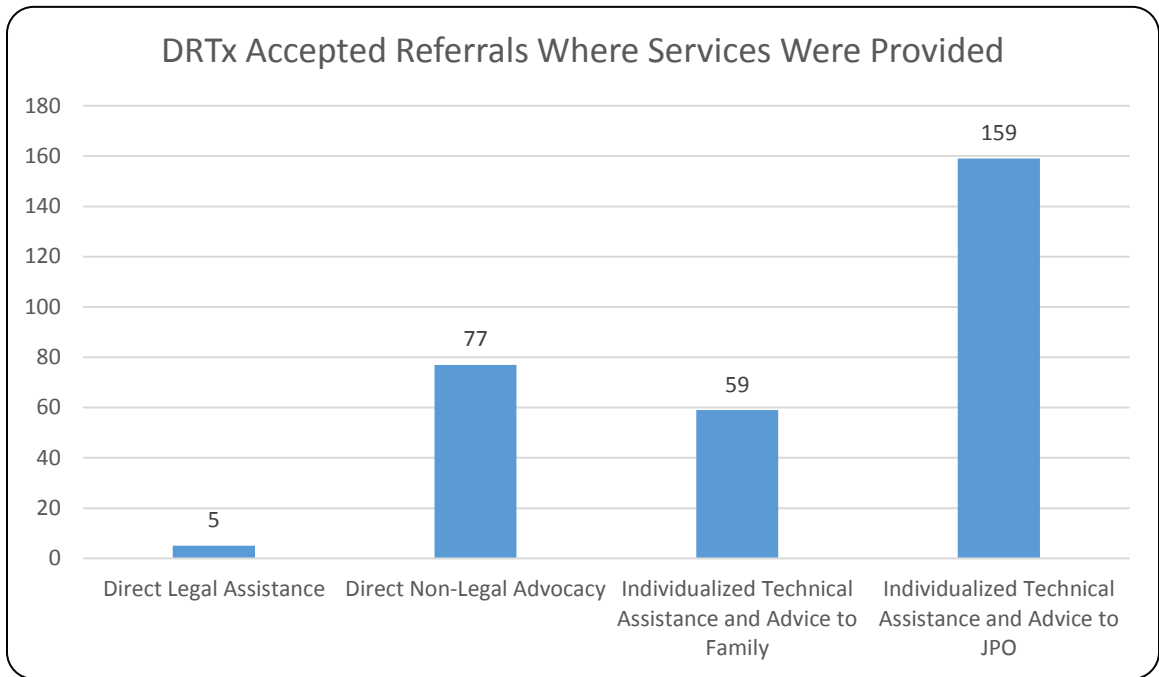
For the third year in a row, the most common reason why a case was closed without services being provided was because we were not able to make contact with the family to initiate services, or the parent failed to attend the initial client meeting. In fact, that was the case in 61 of the 117 cases that were accepted, but closed without services being provided. In 23 cases, the parent declined our services. Fifteen cases were closed without services because we were not able to initiate services before the youth was brought back into HCJPD custody or became absent without permission. In nine of the cases, the school-related problem was resolved prior to initiating services. Finally, in five of the cases, the youth terminated probation before we were able to initiate services and the other four were withdrawn by a JPO.

b. Achieving Tiered Services

We were able to accept the vast majority of referrals to provide some level of assistance, which moved us closer to our original model of tiered services with the bulk of JPOs and families receiving only technical assistance and advice. Of the 300 accepted referrals where services were provided, Individualized Technical Assistance and Advice to the JPO was provided for 159 referrals and Individualized Technical Assistance and Advice to the family was provided for 59 referrals. We are pleased to report that out of the combined 217 technical assistance to the JPO or family cases we handled during our second program year, 90% of those cases were not re-referred to us during our third program year. We attribute the low number of repeat referrals to the success of the technical assistance provided to officers and families in helping them resolve many of the problem their youth experience at school.

Direct Non-Legal Advocacy was provided for 77 referrals, and five referrals required Direct Legal Assistance. More often than not, when we provide direct representation in a case, we meet with school administrators, counselors, attend 504 and ARD meetings, and negotiate with district level staff to resolve youth and caregiver concerns. It usually takes more than one meeting to effect change within the school system. Over the course of the 2017 – 18 school year, we attended 117 meetings with school administrators, counselors, and district level representatives, and 57 ARD or 504 meetings to advocate for the rights of probation-involved youth and improve their educational outcomes.

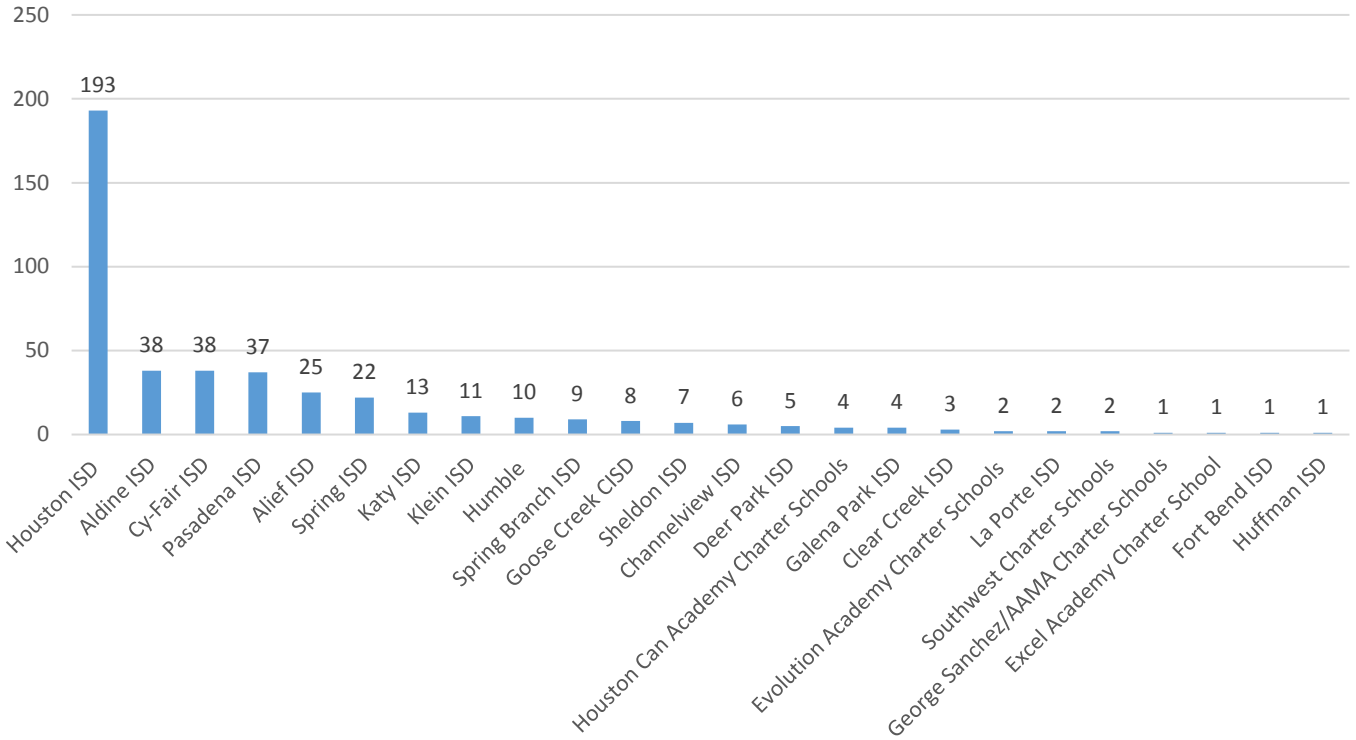
These nearly 175 meetings the five DRTx Education Advocacy team members attended this past year may help to explain some of the reason our team is taken away from the probation offices on a regular basis, but this number in and of itself does not reveal the complexity of our case work or the skill required to achieve positive, meaningful outcomes for our youth. Our team members must be able to review large quantities of varying types of records, know the education system well enough to identify and address problems not reflected in the initial referral, and have the negotiation and advocacy skills necessary to go toe-to-toe with experienced school district staff who have become ingrained in a culture of “no.” Although the time and effort it takes to achieve change in any given case cannot be quantified, the chart below reflects the number of cases handled at the different levels of assistance for the third program year.



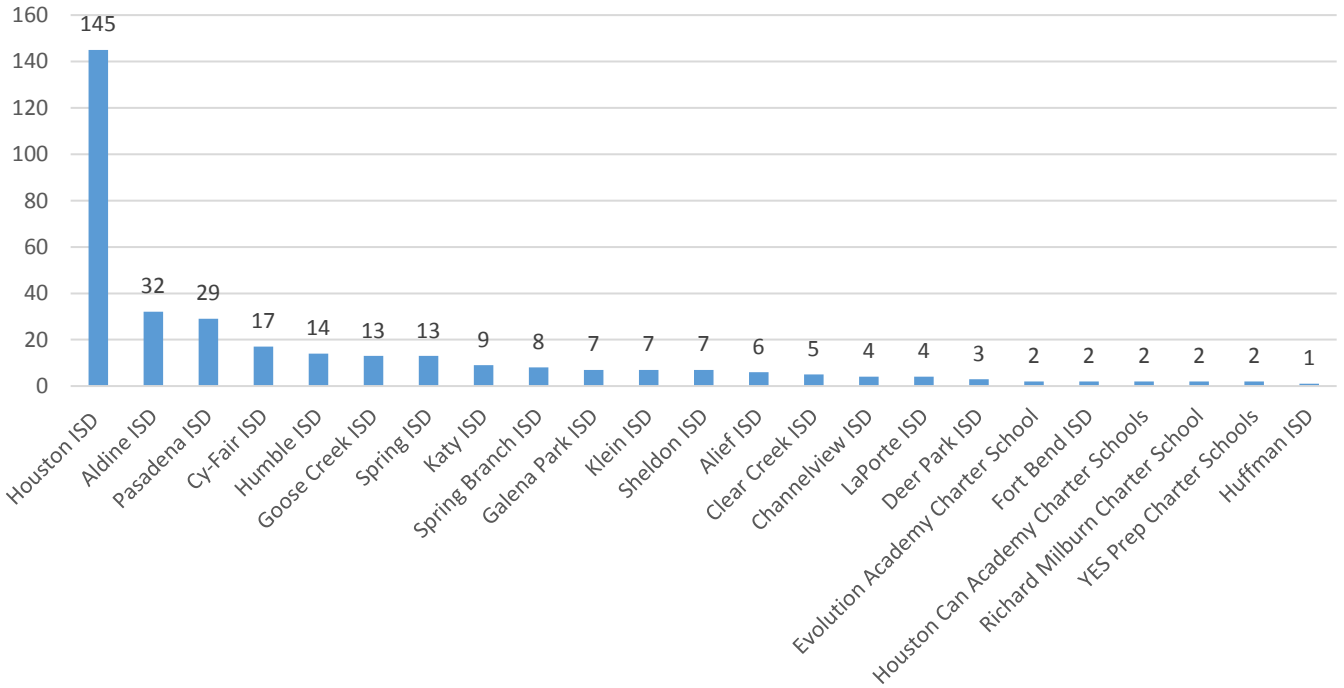
c. Referrals by School District

DRTx received referrals for 24 school districts and charter schools in Harris County during the third program year. The chart below illustrates the breakdown of those referrals. For a second year in a row, Crosby, Tomball, and Waller ISDs are not listed in the chart indicating that we did not receive referrals for youth who attend those districts. The chart from the previous year is included for comparison purposes. Notably, there was a significant increase in the number of referrals for youth attending school in Cy-Fair ISD this past year than the previous year, which we would expect given that they are the second largest school district in the County.

Referrals by School District - 2017 - 2018



Referrals by School District - 2016 - 2017

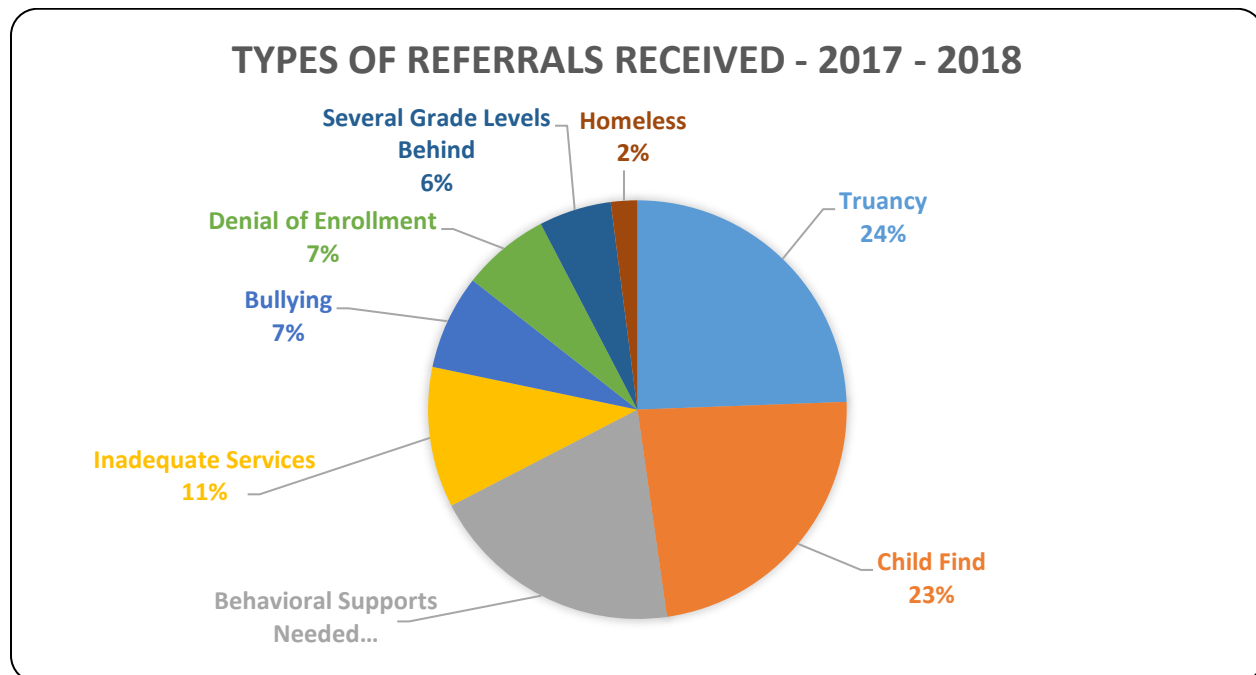


II. Types of Cases Handled and Outcomes

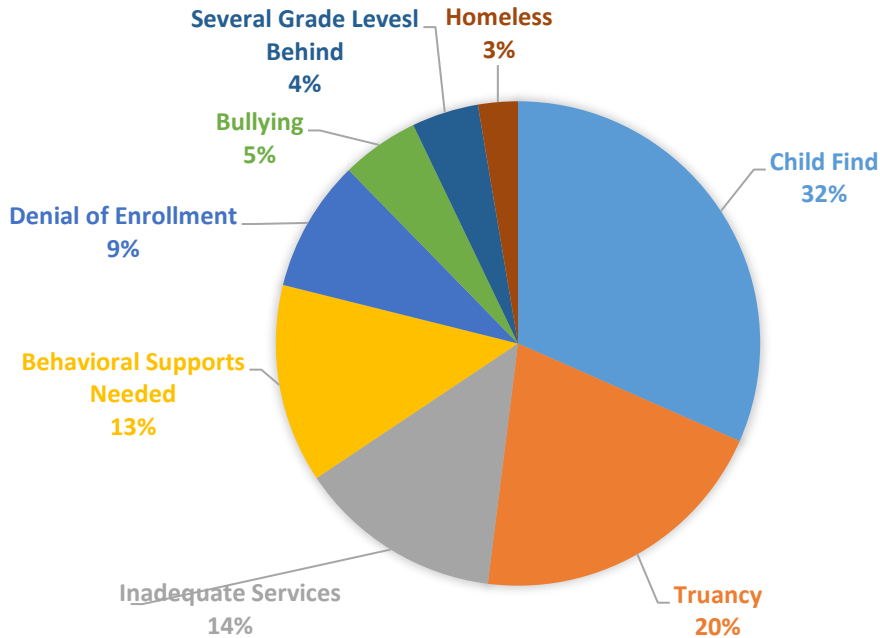
The types of cases DRTx received can be grouped into eight different categories. Most referrals contain more than one problem area to be addressed, making the total number of types of cases greater than the total number of referrals. For this reporting period, we made extensive efforts to capture our case outcomes. Since we are able to provide more specific outcome information in our direct representation cases, that information is included throughout the report for the various types of cases we handled during the third program year. We are pleased that 100% of direct representation cases resulted in an offer of improved services from school districts and in 76% of those cases, families overcame barriers to use the improved services and obtain favorable educational outcomes.

The reasons we were not able to fully resolve some cases were most often the result of the family's inability to prioritize their child's education at the moment. When a family is in survival mode and focused on how to meet their basic needs, or their child's mental health or substance abuse needs, it is not reasonable to expect them to be able to focus on improving their child's educational outcomes. Sadly, some probation-involved families are not in a position to be able to fully take advantage of our services and without a family member partnering with us, we may not fully achieve our goals for the case.

A chart showing the breakdown of the types of referrals our program received during the third program year is provided below along with a copy of the same chart from the second program year for comparison purposes.



TYPES OF REFERRALS RECEIVED - 2016 - 2017



The next section of the report contains a description of each category of referral that was submitted to us over the past year and examples of cases handled in those categories.

a. Truancy

Of the 456 referrals we received, 229 included a problem with truancy, an increase of 34% over last year making this the issue most often referred to our program. We believe the significant increase in referrals that contain a concern over truancy is twofold: First, our experience with truancy cases tells us that school districts are still grappling with how to properly implement the truancy laws that went into effect in September 2015. School staff still fail to take the time to meet with students who experience chronic truancy to identify the reasons they do not attend school. Even if school staff do properly identify the underlying cause of a student's chronic truancy, they often lack familiarity with district and community resources and programs to be able to put meaningful truancy prevention measures in place to help the student improve their attendance. Second, we understand HCJPD made a decision in the second half of the 2017 – 18 school year to not recommend a violation of probation for a youth struggling with chronic truancy, but who is otherwise generally in compliance with the conditions of their probation and instead refer them for education advocacy services. We received nearly three times the number of referrals for truancy in mid-late Spring as we did in the Fall so believe this change in HCJPD policy contributed to the significant increase in referrals for this issue.

DRTx was able to provide assistance in 157 of those referrals with the main service level being technical assistance to the JPO. We developed new resources outlining the requirement of schools to put truancy prevention measures in place once a student accumulates enough absences to trigger that requirement, as well as a sample Attendance

Intervention Plan that can be provided to schools to help them determine the reason a student is missing school and what services may be needed to help improve their attendance. In most cases, we provided technical assistance to the JPO who made the referral. We distributed the resources we developed and guidance about how to request a copy of the truancy prevention measures being provided to a student to all field staff during our round of trainings in the Spring of 2018. Unfortunately, we found in only one case that a school district had tried to provide a student with what we would agree is an appropriate truancy prevention measure. It is evident to us that there is still quite a bit of work to be done to improve the way school districts in Harris County address chronic truancy, but below we provide a few examples of positive outcomes we achieved for youth referred to our program for assistance.

A.N.

A.N. is a 17 year old 9th grade student. When we received the request for assistance, A.N. was struggling with a severe anxiety disorder and was not attending school. She was also not receiving any disability services or truancy prevention measures so was essentially a dropout. The referral was assigned to a DRTx Education Specialist for Direct Non-Legal Advocacy. The Education Specialist assisted the parent, whose native language is Spanish and who was caring for her young child with a developmental disability, with requesting disability services. The school district agreed to evaluate A.N. for special education services, but claimed that they were unable to do so because A.N. did not attend school. The Education Specialist advocated for the district to evaluate her at home since A.N.'s severe anxiety prevented her from being able to attend school. The school district completed the evaluation and found A.N. eligible for special education services, but when the DRTx Education Specialist advocated for the school district to provide A.N. with smaller classrooms and a partial day schedule to help ease her back into school, the district insisted A.N. had to attend a full school day in large, regular classrooms. When A.N. continued to fail to attend school, the Education Specialist again advocated for the district to put appropriate truancy prevention measures in place. The district argued that the special education committee was not responsible for providing truancy prevention measures, but when the Education Specialist provided them with copies of the rules issued by the Texas Education Agency, the district finally agreed to provide A.N. with homebound services and a plan to gradually add classes in a smaller classroom setting at the high school so she could begin attending school again with the supports and services in place that will help her be successful.

S.O.

S.O. is a 16 year old 10th grade student who experienced chronic truancy during the 2017 – 18 school year. S.O. also exhibited behaviors at school that resulted in several out-of-school suspensions. In mid-Spring, a DRTx Education Specialist was assigned to provide Individualized Technical Assistance and Advice to the JPO. As a result of this assistance, the JPO successfully empowered S.O. to negotiate with school administration to reduce the number of absences on her record if she agreed to attend school for the remainder of the year. S.O. improved her attendance and she was promoted to the next grade level for the 2018 – 2019 school year.

b. Child Find

Under the Individuals with Disabilities Education Act (IDEA), the federal special education law, school districts must identify, locate and evaluate all children with disabilities within their jurisdiction. This requirement is known as “Child Find.” Child find applies to highly mobile children, such as migrant and homeless students, and to students advancing from grade to grade, as well. Probation-involved youth often fall into the category of highly mobile and school districts frequently fail to identify the need to evaluate these youth for disability services.

Furthermore, the majority of youth referred to our program already have a diagnosed disability so should be eligible to receive basic accommodations under section 504 of the Rehabilitation Act of 1973 at school. Most youth referred to our program for assistance are not yet receiving any disability services at school so a significant portion of the work we do consists of assisting with requesting disability services under Section 504 and/or an evaluation for special education services.

During our third program year, 216 of the 456 referrals we received were for youth who we believe should be evaluated for disability services at school. Of the 216 Child Find referrals, all but one were assigned to an Education Specialist for assistance. In most cases, we provided Individualized Technical Assistance and Advice to either the family or JPO. Of the 216 Child Find referrals assigned for assistance, we were able to provide services in 152 of those cases. Where Direct Non-Legal Advocacy or Legal Assistance was provide, 80% of those cases resulted in the district agreeing to evaluate the youth for services. Below are a few examples of successful cases.

J.H.

J.H. was a 17 year old 8th grade student who was suspected of having a developmental disability, most likely Autism. He had failed to pass his classes in middle school or meet standards on state assessments, yet the district had not identified him as a student who should be evaluated for disability services. The DRTx Supervising Attorney provided direct legal assistance to advocate for the district to promote the youth to high school for the 2017 – 18 school year and conduct an expedited evaluation for special education services. A DRTx Education Specialist then provided Direct Non-Legal Advocacy services and accompanied J.H.’s mother to a grade placement committee meeting in September 2017 where she successfully advocated for him to be promoted to high school. The Education Specialist then worked with staff at the high school to facilitate the school’s meeting with J.H.’s mother at a local hospital where she was receiving treatment for her medical conditions to ensure consent for the evaluation was signed. Finally, the Education Specialist ensured that the high school provided J.H. with the academic supports he needed to be successful in school while the evaluation was pending.

T.B.

T.B. is a 17 year old 9th grade student diagnosed with ADD and Mood Disorder. T.B. is a foster youth who lived in several different states prior to moving into Harris County. Consequently,

she only had four high school credits on record with school district and was several grade levels behind. DRTx Education Specialist accompanied T.B.'s foster mother to a meeting with the school counselor where she successfully advocated for the school to audit T.B.'s transcripts to find additional credits from other states and assisted with submitting documentation of T.B.'s diagnosed disabilities so that 504 services could be put in place. The DRTx Education Specialist also successfully advocated for the district to evaluate T.B. for special education services. The evaluation was completed at the start of the 2018 – 19 school year and T.B. was found eligible for special education services. Additionally, T.B. attended summer school where she earned enough credits to be promoted to the next grade level for the 2018 - 19 school year.

K.H.

K.H. is a 14 year old 7th grade student. K.H.'s JPO suspected he had a disability that was not being properly addressed, and therefore causing him to fall behind in school, so requested assistance with having K.H. evaluated for disability services. The DRTx Education Specialist drafted a letter for the JPO to provide to K.H.'s parent and submit to the school district. The Education Specialist provided the officer with specific instructions regarding who the letter should be submitted to and how to help the parent make sure the letter was submitted. The Education Specialist then followed-up with the officer after the 15-school day deadline by which the district had to respond to the request and was advised that the district agreed to evaluate K.H. for special education services. Shortly thereafter, K.H. successfully completed his time with probation and was released.

c. Behavioral Supports Needed

Last year, we received 110 referrals indicating a need for improved positive behavioral supports and services at school. This year, 183 of the 456 referrals submitted indicated a need for improved behavioral supports at school. This constitutes an increase of 66%! Very often, youth who exhibit behavioral challenges at school because the school has failed to identify that a youth has a disability and is in need of services, or the youth is receiving disability services, but those services are not being implemented appropriately or are not sufficient to meet the student's needs. We have found this to be true for the majority of cases where the need for behavioral supports arises so there is significant overlap between these cases and "Child Find" and "Inadequate Services" cases. We successfully obtained improved behavioral support services in 65% of direct representation cases.

D.W.

D.W. is a 15 year old 9th grade special education student diagnosed with ADHD and Bipolar Disorder. D.W. was on the Mental Health Unit caseload and frequently experienced psychiatric hospitalization. She exhibited significant behavioral challenges including regularly eloping from school grounds and physical and verbal aggression. As a result, the school district placed her at a separate campus specifically for youth who have an emotional disturbance and need significant behavioral supports at school. The DRTx Education Specialist worked tirelessly with school district staff to help D.W. transition from the separate school to her regular high school campus. The Education Specialist accompanied the parent to multiple ARD committee meetings to advocate for the district to revise D.W.'s

special education plan to ensure she was being provided appropriate behavioral supports and interventions. By the Spring of the 2018 – 19 school year, D.W.'s behavior had stabilized enough that she began requesting additional academic support so she could improve her performance and be promoted to the next grade level. D.W. successfully terminated probation in June 2018.

T.H.

T.H. is a 17 year old 9th grade student. The high school regularly called T.H.'s mother to pick him up from school early due to inappropriate behaviors. T.H. acted out at school due to an underlying learning disability that was not being addressed at school. The informal out-of-school suspensions caused him to miss a significant amount of academic instruction which only exacerbated his frustration causing him to act out more frequently. The DRTx Education Specialist provided Direct Non-Legal Advocacy services to help T.H.'s parent request an evaluation for disability services. The school district expedited the evaluation and the Education Specialist accompanied the parent to an ARD committee meeting where she successfully advocated for the youth to be provided the appropriate behavioral interventions and supports he needed so school administration would not be so tempted to send him home all the time. The Education Specialist also obtained agreement for T.H. to be provided with additional academic supports to help him catch up on missing credits. He successfully terminated probation in June 2018.

d. Inadequate Services

Many of the referrals we received were for youth who were already receiving disability-related services either through Section 504 of the Rehabilitation Act of 1973 (504) or through special education services under the Individuals with Disabilities Education Act (IDEA). In these cases, the 504 or special education services being provided were not sufficient for the youth to make progress at school. This was true for 101 of the 456 referrals we received. In these cases, youth experienced failing grades, exhibited significant behavioral problems that often led to placement at DAEP and other alternative education settings, struggled with chronic truancy, or all of the above despite having a team of school staff who were responsible for monitoring the youth's progress.

Some of the youth who are referred to our program are recipients, or should be recipients, of English Language Services at school. Additionally, we have worked with more youth in need of pregnancy services. This year, the "Inadequate Services" category captures our work to address the needs of English Language Learner and pregnant and parenting students since approximately 7% of our casework involved efforts to obtain improved services in those areas in addition to improved disability services. Overall, where we provided direct representation to the family, we successfully obtained improved services in 90% of our cases.

T.T.

T.T. was an 18 year old 12TH grade special education student with an emotional disturbance. T.T.'s mother filed litigation against the district claiming they had failed to provide him with appropriate behavioral supports and interventions which led to multiple physical and verbal altercations with other students and staff. The DRTx Supervising Attorney provided legal assistance and attended mediation with the parent where we successfully resolved the dispute. A DRTx Education Specialist then accompanied the parent to ARD committee meetings where she ensured that the district properly implemented T.T.'s special education services and audited his transcript to ensure he had the credits he needed to graduate this school year. We are so pleased to report that T.T. graduated this school year and successfully completed probation! T.T. and his mother have both expressed gratitude to DRTx for our assistance with helping T.T. make it through the 2017 – 18 school year and achieve his goal of becoming a high school graduate. T.T. graciously provided his consent for us to include his graduation picture with this annual report.



Z.D.

Z.D. is a 16 year old 9th grade student who was receiving 504 services, but still failing most of his classes. Feeling frustrated with not understanding the curriculum, Z.D. skipped school and was struggling with chronic truancy at the time we received a referral. The DRTx Education Specialist provided Direct Non-Legal Advocacy services and accompanied the family to a 504 meeting where she successfully advocated for the district to evaluate Z.D. for special education services. The Education Specialist then accompanied the parent to the special education committee meeting once the evaluation was completed. Z.D. was found eligible for special education services and a plan was put in place to help improve his attendance. Z.D. began doing well in school and was moved from an intensive unit of supervision to regular community supervision.

K.P.

K.P. is a 16 year old 9th grade student. The JPO who referred K.P.'s case to us was concerned that the youth spoke very little English and believed that contributed to her failing grades and chronic truancy. K.P.'s case came to us approximately two weeks before she was scheduled to terminate probation. The DRTx Education Specialist was able to provide Direct Non-Legal Sdvocacy services to meet with the English Language Services Chairperson at K.P.'s high school and successfully advocated for her language services to be increased before her she terminated probation.

J.P.

J.P. is a 17 year old 10th grade special education student who experienced a high risk pregnancy during the 2017 – 18 school year. When she and her mother requested homebound instruction so that J.P. could continue with her education while on bed rest, the district refused to provide those services. The DRTx Education Specialist provided Direct

Non-Legal Advocacy to ensure J.P. was provided the services she was entitled to. Although the Education Specialist was successful in obtaining homebound instruction for J.P., the teacher failed to provide J.P. with the accommodations she needed as part of her special education plan. The DRTx Education Specialist advocated again to ensure J.P. was provided with the disability services she needed and is entitled to so that she would be successful while receiving homebound instruction. Once J.P.'s baby was born, the Education Specialist successfully advocated for the district to continue with homebound instruction for an additional six weeks and then assisted with connecting J.P. to a program in the school district that would provide child care while J.P. attends school. J.P. successfully terminated probation at the end of April 2018.

e. Bullying

More officers reported concerns over probation-involved youth being bullied at school than in the past two years. We received 68 referrals that included a concern about bullying compared to only 43 last year, which constitutes a 58% increase in referrals for this issue. The bullying youth experienced came not only from fellow students, but from school staff as well. When a student experiences bullying at school, there are a number of interventions the school can put in place to protect the student from further harassment including having both parties to the bullying sign a Stay Away Agreement, extra supervision or an escort during unstructured times, and even transfers to different classrooms or another campus. We successfully resolved 70% of bullying cases where direct assistance was provided.

E.O.

E.O. is a 13 year old 8th grade student who attended a local charter school. E.O. was being called names by her math teacher so she stopped attending that class. When E.O.'s mother attempted to address the bullying with the school administrator, the teacher did not deny the claims, but refused to apologize and the administrator recommended that E.O. withdraw from the school since she had skipped that class so many times she was at risk of failing that subject. The DRTx Education Specialist offered Direct Non-Legal Advocacy services and accompanied the parent to another meeting with school administration. The Education Specialist successfully advocated for the school to rearrange E.O.'s class schedule so she could attend math class with a different teacher and for the school to provide opportunities for E.O. to make up missed assignments. E.O. successfully completed probation at the end of March 2018.

E.G.

E.G. is a 16 year old 9th grade student who was attending the school district's disciplinary alternative education program (DAEP). E.G. stopped attending school after experiencing physical and verbal aggression from other students at the DAEP. E.G.'s mother was concerned for her safety, especially because E.G. was pregnant. The DRTx Education Specialist provided Direct Non-Legal Advocacy so she could intervene with the school and ensure E.G. would be free from bullying and harassment. The Education Specialist successfully advocated for agreement from the school administrator for E.G. to only serve six more weeks at the DAEP if she attended school every day. The administrator guaranteed her safety while attending school at the DAEP. The Education Specialist also obtained

agreement for E.G. to then attend the district's career and credit recovery program following the birth of her child. E.G. successfully terminated probation in June 2018.

A.H.

A.H. is a 16 year old 8th grade special education student. Following a break-up with her boyfriend, A.H. was harassed, threatened, and "jumped" by several females – some students at her middle school, some much older – on a regular basis as she entered and exited the school. A.H.'s mother had attempted to address the situation with the school administrator, but was told that since the bullying and harassment was not happening on campus, it was not the school's responsibility to address it. A.H. was so distraught over the situation that she was cutting to cope with her emotions. The DRTx Education Specialist accompanied the parent to a special education committee meeting and successfully advocated for the district to address the bullying. The plan was reviewed with all administrators and A.H.'s teachers so they would be prepared to protect her while she was at school, as well as when she was entering and leaving campus. The Education Specialist also obtained agreement for services to be provided to help A.H. begin to catch up academically and be promoted to high school for the 2018 – 19 school year. A.H. successfully terminated probation in May 2018.

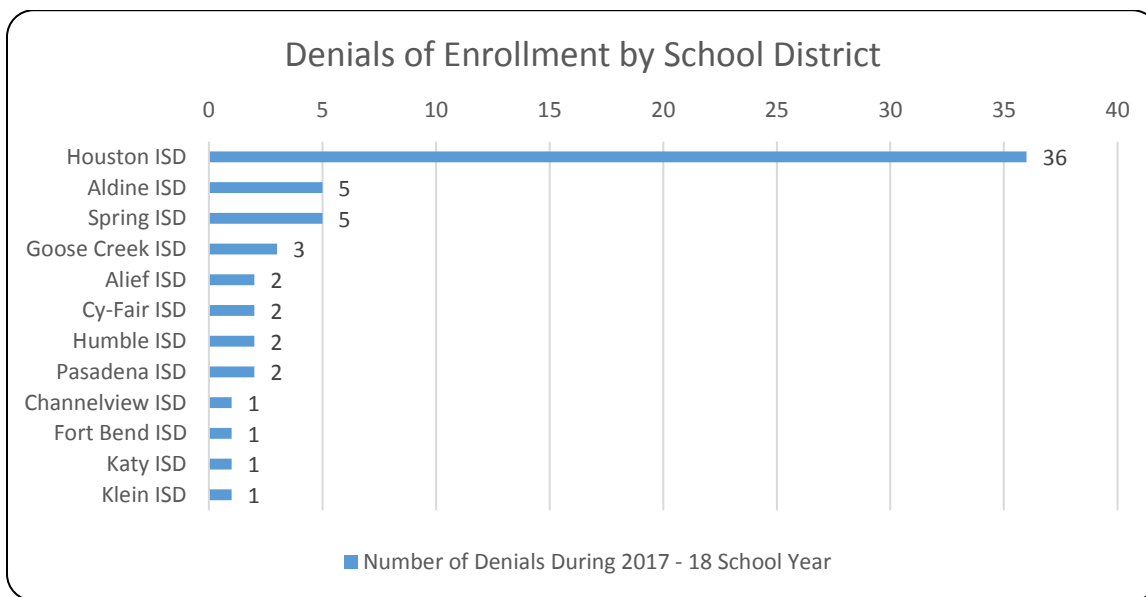
f. Denial of Enrollment

The number of requests for assistance with denial of enrollment decreased this past school year by 13%. Last year, we received 73 requests for assistance with denial of enrollment. This year, we received 63 requests. We are pleased to see a decline in this number and attribute it to two factors: First, we believe that through the trainings DRTx has provided to all JPOs since the start of our contract, officers are now better equipped to address this issue without our assistance so do not reach out to us as much as they did in previous years.

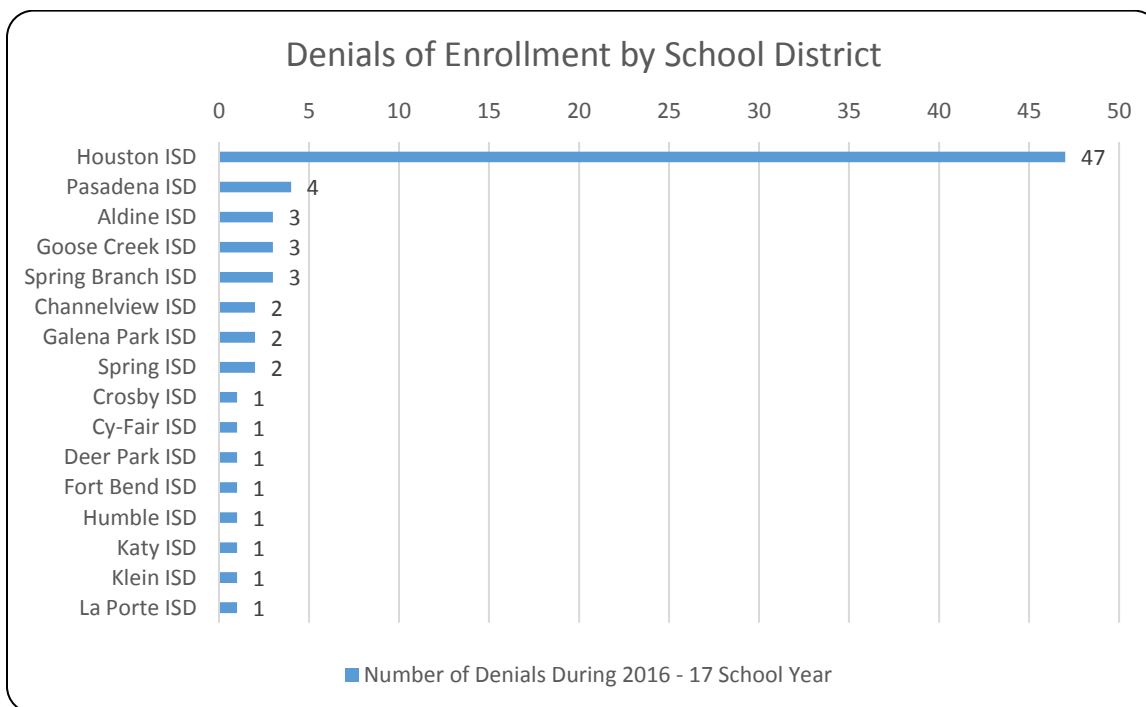
Second, we believe our efforts to bring this problem to the attention of school districts is making a difference in the practices of those districts. We have had several meetings with Houston ISD administrators to bring this problem to their attention and learned at the start of the 2018 – 19 school year that they incorporated instructions in their Operating Guidelines for the immediate enrollment of all students to try to reduce the frequency with which students are denied enrollment and be better able to enforce rules pertaining to enrollment when a denial does happen. We have also met with Pasadena ISD about the problem since they are the second "worst offender" of denials of enrollment. You will see from the chart below that only two denials of enrollment were reported from Pasadena ISD as compared to four the previous year. Spring ISD is right behind Pasadena ISD in the numbers of denials of enrollment and are on our list of districts to reach out to about this problem next. Despite the progress that has been made to tackle this issue, we continue to take it very seriously since, when youth are denied enrollment, the likelihood that they will dropout increases significantly.

The service most often provided in denial of enrollment cases was technical assistance and advice to the probation officer. Given the nature of providing only technical assistance in a

case, we are not always told whether our advice has worked to resolve the issue. In every denial of enrollment case, we followed-up with the officer and attempted to find out whether the youth was enrolled in school. This year, we were able to learn that over 75% of the denials of enrollment referred to our program were successfully resolved!



The chart showing denials of enrollment by district from the 2016 – 17 school year is also included for comparison purposes. Worth noting is that we received referrals for denial of enrollment from sixteen districts last year, but only twelve this year.



E.S.

E.S. is a 15 year old student who was denied enrollment approximately one week prior to the last day of the 2017 – 18 school, effectively preventing him from being able to attend summer school. The DRTx Education Specialist provided Direct Non-Legal Advocacy so we could make sure the youth was enrolled before the last day of school. At first, the school refused to enroll E.S., but after a few hours of persistent advocacy, the Education Specialist's determination paid off and E.S. was enrolled one day before the school year ended. The Education Specialist also obtained agreement from the school for E.S. to attend summer school and received confirmation that E.S. has been promoted to high school for the 2018 – 19 school year.

T.T. and S.T.

T.T., a 17 year old 8th grade student, and his brother, S.T., a 15 year old 7th grade student, were both denied enrollment after being displaced by Hurricane Harvey. After the disaster, they were zoned to a different middle school from the one they had previously attended, but when they attempted to enroll there, they were denied due to their ages and being so far behind in school. The DRTx Education Specialist provided Direct Non-Legal Advocacy, to ensure both youth were enrolled in school. When the Education Specialist could not get a response from the registrar, she reached out to the school district's Director of Dual Status and Adjudicated youth who was able to resolve the denial of enrollment. Once T.T. and S.T. were enrolled in school, the Education Specialist was able to ensure the school provided the brothers with opportunities to catch up on credits so they could make progress toward their correct grade level.

g. Several grade levels behind

Many probation-involved youth are several grade levels behind in school. Many are 17 and in the 9th grade, or worse yet, 15 and 16 and still in middle school. While most districts offer programs to assist youth who are several grade levels behind, these programs are usually only for youth at the high school level. For over-aged middle schoolers, their best hope to move forward with their education is to be promoted to the 9th grade, which may mean missing vital instruction from an entire grade level, most often 8th grade. For many of these youth, the GED becomes an appealing option even though that exam is only recommended for those who have successfully *completed* at least a 10th grade education. Of the 456 referrals we received, 52 included youth who are several grade levels behind in school. We provided services in 40 of those referrals, most often at the technical assistance and advice level.

J.H.

J.H. is a 15 year old special education student who began the 2017 – 18 school year as a 6th grader. The Supervising Attorney accompanied the family to an ARD meeting and successfully advocated for J.H. to be promoted to the 7th grade and for the district to develop a plan to ensure he was able to work on 7th and 8th grade level instruction during the year so he could be promoted to the 9th grade for the 2018 – 19 school year. J.H. made sufficient progress during the year and on the last day of school, the school district agreed to promote him to high school.

J.H.

J.H. turned 18 during the 2017 – 2018 school year and should have been eligible for graduation, but he started the school year as a 10th grader. He was not being given access to programs in the district that would allow him to get caught up so he could graduate closer in time to when he should have graduated. The DRTx Education Specialist researched programs near J.H.'s home and determined that a local charter school would be a good fit for him. The Education Specialist assisted J.H. and his mother with completing the enrollment process at the charter school, met with school staff to conduct a transcript audit to ensure J.H. would only have to take classes for which he needed credit, and secured a job coach to assist J.H. with finding and keeping a job so he could begin to earn income.

h. Homelessness

Fortunately, even despite the increase in eligibility for homeless services under the McKinney Vento Homeless Assistance Act due to Hurricane Harvey at the beginning of the 2017 – 18 school year, homelessness was not a problem most of the youth referred to our program experienced. When youth did experience homelessness, however, it resulted in significant problems, most often denial of enrollment, but also truancy and failure of districts to evaluate youth for special education services. Only 22 of the referrals we received were for youth who were identified as McKinney Vento eligible. We were able to provide services in 14 of those referrals, most often at the technical assistance and advice level.

R.J.

R.J. is a 12 year old special education student who was not being provided adequate special education services. A DRTx Education Specialist accompanied the family to an ARD meeting and successfully advocated for more appropriate academic and behavioral supports and R.J. was promoted to the 7th grade for the 2018 – 19 school year. At the end of the 2017 – 18 school year, however, the family's housing situation changed and they became homeless. R.J. was no longer zoned to the school he attended during the 2017 – 18 school year. The DRTx Education Specialist immediately connected the family to the Homeless Liaison for the school district to ensure there would be no issue with enrollment or transportation for the 2018 – 19 school year. As a result of the Education Specialist's efforts, R.J. had a smooth transition to a new school.

III. Systemic Victories

a. More Individualized Discipline Practices in Klein ISD

In the Spring of 2017, JPO Don Ashley, who works with the Sex Offender Unit, reached out to Supervising Attorney, Sarah Beebe, to express concern that Klein ISD fails to enroll youth with sex offenses in a timely manner, and that once they are enrolled in school, places them at DAEP or JJAEP for the entire time they're on probation with no review process in place

to determine whether they should return to a regular campus before termination of probation. This meant that many of these youth were spending a year or more in these highly restrictive educational settings. Mr. Ashley explained that no other district he works with does this; they all place the youth at the DAEP or JJAEP for 30 - 45 days, but if the youth demonstrates good behavior, they're allowed to return to a regular campus. Mr. Ashley requested Ms. Beebe's assistance with combating Klein ISD's overly punitive treatment of youth with sex offenses. Ms. Beebe advised Mr. Ashley that, unfortunately, districts do have the right to place youth with sex offenses at alternative campuses for significant lengths of time (until they graduate high school if they so choose), but confirmed they could not deny enrollment until they decide what school the student will attend. Ms. Beebe helped Mr. Ashley troubleshoot a few denials of enrollment in Klein ISD and continued to advise him of the rights of the youth he works with.

At the beginning of the 2017 – 18 school year, Mr. Ashley was able to secure a meeting with Dr. Joffery Jones and Mindy Spurlock, Executive Directors for Campus Safety and Support in Klein ISD. Ms. Beebe accompanied Mr. Ashley to the meeting, along with the two licensed sex offender treatment therapists for the County. We explained our concern that youth with sex offenses are not enrolled in school in a timely manner, and once they're in school, are placed at the DAEP or JJAEP for the entire time they're on probation. We advocated for the district to address the failure to immediately enroll these students and begin assessing whether a student should be returned to a regular campus on an individual basis rather than keeping them at an alternative school for the duration of the time they're with probation. Dr. Jones and Ms. Spurlock agreed to bring our requests to the Deputy Superintendent. Mr. Ashley confirmed a few weeks later that our advocacy efforts had been successful. The next student he worked with who enrolled in Klein ISD was enrolled in a much more timely manner and the district had released another youth he was working with from the DAEP before his probation terminated.

b. Developing Relationship with Pasadena ISD

In the Spring of 2018, DRTx Supervising Attorney, Dustin Rynders, connected the HCJPD Education Advocacy Program Supervising Attorney, Sarah Beebe, to district-level staff in Pasadena ISD who wanted more information about what problems probation-involved youth were experiencing in their district. On March 22, 2018, Ms. Beebe met with Dr. Linda Rodriguez, Coordinator for Behavior Response and Crisis, and Gloria Gallegos, Associate Superintendent for Special Programs. Ms. Beebe spent two hours discussing concerns regarding the struggles of probation-involved youth in Pasadena ISD. Dr. Rodriguez and Ms. Gallegos were receptive to the information shared and described the numerous programs available to students and families in the district. Ms. Beebe proposed a meeting with the Administrator of the Probation Office in the Pasadena area to determine how Pasadena ISD and Harris County Juvenile Probation Department could work together to better assist probation-involved youth.

On July 17, 2018, Ms. Beebe, and HCJPD Administrator, Edward Baldazo, met with Dr. Rodriguez, who shared the programs and services available to students and families in Pasadena ISD. Mr. Baldazo was able to shed light on how the juvenile justice system operates to help Dr. Rodriguez better understand how involvement with probation impacts the students in her district. The meeting resulted in a proposal for Pasadena ISD to provide a training to HCJPD staff and the Education Advocacy Team.

On September 11, 2018, Dr. Rodriguez, Ms. Gallegos, and two members from the Homeless Assistance Office in Pasadena ISD conducted a training for HCJPD staff and the Education Advocacy Team at CUPS 3. Mr. Baldazo's entire team was present, along with staff from CUPS 6, 9, and the courts. The team from Pasadena ISD presented a wealth of information and took time to hear from HCJPD and DRTx staff about the need for various services for probation-involved youth. The training was well-received on both sides and in follow-up conversations with officers and Ms. Gallegos and Dr. Rodriguez, we have learned that officers have now reached out to the contacts they were given during the training and secured needed services for youth who attend school in Pasadena ISD. We are continuing to engage in conversations with Pasadena ISD about how we can grow our relationship and potentially pilot a program of services to streamline the process of transitioning youth returning to the community from HCJPD facilities.

c. Reentry Workgroup

With the significant efforts Disability Rights Texas has put forth to raise awareness about and address the problem of denial of enrollment of probation-involved youth, community partners began to reach out to us to learn how they could assist with tackling this troubling issue. This increased interest led us to develop a Reentry Workgroup that consists of professors from the University of Houston and Texas Southern University's Thurgood Marshall School of Law, a graduate student from Rice University, a Ph.D. student from the University of Texas, and a law student from South Texas College of Law; representatives from the City of Houston, including Commissioner Ellis' Office, My Brother's Keeper, and the Department of Health and Human Services; and other community organizations such as Eight Million Stories, reVision, Mental Health America, Texas Criminal Justice Coalition, and Fifth Ward Enrichment Program.

Houston ISD also joined the Reentry Workgroup in acknowledgement that their district struggles the most of all school districts in the County with timely and appropriate enrollment of probation-involved youth. In fact, it was Houston ISD who brought to the attention of the group that California had recently passed a law that addressed enrollment of juvenile-justice involved youth and required school districts and juvenile probation departments to work together to ensure a more seamless transition from juvenile facilities to the community, as well as assurance that youth are placed into appropriate education programs that truly meet their needs.

The Group's work has been focused on efforts to push for a state-wide legislative fix to the problem of denial of enrollment since we know that this is a problem across the State of Texas. Mental Health America and HCJPD have taken the lead on drafting and proposing legislation that can be put forth during the upcoming legislative session to address enrollment and appropriate placement of probation-involved youth in education programs that will better meet their needs.

At the local level, Houston ISD has implemented guidelines for enrollment of youth that calls for the immediate enrollment of students transitioning back to the community from juvenile facilities. The guidelines specifically address some of the most common issues probation-involved youth face when they try to enroll in school, such as lack of school records, placement at the district's Disciplinary Alternative Education Program (DAEP), and requests for information about the reason the youth is involved with probation. This is a significant step in the right direction for Houston ISD in addressing the problem of denial of enrollment in their district. In issuing the new guidelines, Houston ISD specifically thanked HCJPD and DRTx for their role in bringing this problem to their attention and assisting them with developing the language needed to ensure proper and immediate enrollment of probation-involved youth. We are hopeful to see the positive effects of this new policy in the very near future.

IV. Educational Trainings

a. Community Trainings

During the third program year, we participated as presenters at two community conferences. In April 2017, DRTx Supervising Attorney, Sarah Beebe presented at the Annual Texas Probation Association Conference in Galveston, TX. At this conference, Ms. Beebe was able to share information about our unique program and address the common education-related problems probation-involved youth encounter. Also in April 2018, Ms. Beebe presented at the roll-out of the One-Stop-Shop Program being provided to youth and their families in the Katy area. During this training, Ms. Beebe was able to provide information to nearly 75 caregivers of probation-involved youth about our services and provide a brief presentation about their rights in schools.

Ms. Beebe was also invited to speak at the National Disability Rights Network conference in Baltimore, Maryland in June 2018. At this conference, Ms. Beebe was able to provide sister Protection and Advocacy Organizations from across the country with an overview of the Education Advocacy Program in an effort to generate interest in partnering with probation departments in other states as a best practice around juvenile justice advocacy.

At the request of HCJPD officers and administrators, DRTx Education Specialists provided 6 trainings to probation-involved youth and their caregivers over the course of the 2017 – 18 school year. Each training included, at a minimum, 30 youth and caregivers allowing us to

reach a significant number of probation-involved families. At each training, we were able to provide information about our services, but mainly focused on ensuring youth and families left feeling more knowledgeable about their rights in school and empowered to exercise those rights. The Education Specialists reported excellent participation from youth and their caregivers at each training.

b. JPO Trainings

During our second program year, we decided to hold additional mandatory and optional JPO trainings to review our services and the referral process with them, as well as continue to provide HCJPD staff with a basic working knowledge of the educational rights of the youth and families they work with. We provided three mandatory and three optional trainings over the course of the 2016 – 17 school year, and while those trainings received overwhelmingly positive reviews, they were very large trainings that did not lend themselves to discussion with the officers about the issues with which they most wanted assistance.

We decided that during our third program year, we would conduct two trainings at each of the field office locations. Those trainings were held in early – late winter and after Spring Break of 2018. It was reported to us by officers and administrators alike that they preferred the smaller, more intimate trainings at their offices where the materials and presentation could be tailored to those units and the school districts they most commonly work with. During these trainings, we were able to revisit the services our program offers, how to make referrals, and drill down on how to handle the most common education-related problems our youth experience.

We were also invited to begin participating in the Education Resources Trainings offered quarterly to HCJPD staff. Supervising Attorney, Sarah Beebe, has been co-presenting with HCJPD Education Support Services Coordinator, Carlos Olivares, to provide an overview of the Education Advocacy and Support Services Program, as well as educate HCJPD staff about the issues probation-involved youth and their families experience with schools. Participating in these trainings has afforded DRTx the opportunity to meet with and provide pertinent information to staff outside of the field offices.

V. Program Feedback

We are pleased to report that, over the course of our third year, we have received quite a bit of positive feedback. Below is a sampling of that feedback:

a. Caregivers

- “This is too much for a grandmother to handle alone. I am so grateful for you going out of your way to assist me and attend these meetings with me. Thank You for being

my voice and working with [my grandson] and helping the school with the Behavior Plan.”

- “Thank You so much for helping my son get back in school so fast. They would not have done this for us if you were not with us. Thank You for making feel important. The Administration was nice to me today because you were here with me at [the] school.”
- “Thank You so much for being here and making sure that they did not take advantage of my son by sending him away to a DAEP at the beginning of the school year. This was the first time that I felt like my opinion actually mattered.”
- “I don’t know where to start or even end. Because of You [and the JPO], my child will be graduating from High School in June!. Thank You for fighting so hard with me for [my son] to have appropriate services in school. This has been a long journey!”
- “Thank you for assisting my son with getting his SPED services properly implemented. I have made repeated attempts and to no avail was I able to connect with anyone. I greatly appreciate your help.”
- “I appreciate you helping me with getting my boys enrolled into school. I was beginning to lose hope because the school staff gave me the run-around for weeks. Thank you for stepping into our lives and working it out for them.”
- “Thank you for your patience. Thank you for wanting to help [youth] and giving her a chance in life.”
- “I told the probation officer that I don’t want the case to be closed because you know you’re stuff!”

b. Youth

- “What can I say? This is the happiest day of my life!! I graduated from High School today!! I got my high diploma because of you kicking butt for me. I promise I am not done yet. Thank You so much!”
- “Thank You for helping me and reminding me that I matter.”
- “Thank You for helping me get my classes organized. Please don’t give up on me; I am going to work harder to get my act together.”
- “You’re awesome! Everything I asked for and they wouldn’t do for me...you got them to do it for me.”
- “I wish I had met you a long time ago.”

c. HCJPD Staff

- “I am so glad to have you as a team member in these trenches fighting for our youth with me.” – JPO
- “I don’t what to say, other than Thank You for showing me how to advocate for our kids. Because of you, he kept his promise and graduated from High School.” - JPO
- “Thank You for always taking the time to listen and staff with me through cases. I really enjoy working with you.” – JPO
- “You always assist me with the right things to say when I am working with these schools. I really appreciate DRTX. I have learned so much from you all.” – JPO
- “When you have a case, I don’t worry about anything.” – JPO

- “Thank you for assisting my families, Disability Rights Texas is a great collaboration with juvenile probation department. ☺” – JPO
- “P.S. I just wanted to let you know that [the DRTx Education Specialists] are great!!! They are always willing to help me with any question I have without hesitation. ☺” - JPO
- “I really appreciate all of your flexibility, patience, and motivating spirit to always be there to assist my JPOs” – CUPS Administrator
- “I really enjoy collaborating with you and your willingness to always assist and help us explore various options.” – CUPS Administrator
- “Thank you for assisting Officer ..., with informing [youth]’s father about the district expectations regarding her discipline, grades, and attendance. Like most parents, he was unaware of what school laws come into play for his daughter.” – CUPS Administrator

VI. Conclusion

Our third school year with Harris County Juvenile Probation Department was another great success! We have strengthened existing relationships with school district personnel and established new relationships with others which has allowed us to effect systemic change in those districts that impacts not only the youth for whom we received a referral, but other probation-involved youth who attend school in those districts. We increased the number of trainings we provided to probation-involved youth and their caregivers, which allowed us to reach families we would not otherwise have come in contact with. We made adjustments to our approach to monitoring cases to help us better capture the outcomes of our cases, and therefore our programs’ true impact which helped us confirm that our services are making a difference in the educational outcomes of our youth. We look forward to continuing all of this work in our next year with you!