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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE RESOLUTION

No. 753 Session of  
2020

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INTRODUCED BY TOOHIL, PICKETT, McCLINTON, RYAN, MILLARD, ULLMAN,  
T. DAVIS, JOHNSON-HARRELL, FRANKEL, NEILSON, HOWARD, CIRESI,  
YOUNGBLOOD, SCHWEYER, LAWRENCE, MIHALEK, READSHAW AND BROOKS,  
FEBRUARY 24, 2020

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REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, FEBRUARY 24, 2020

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A RESOLUTION

1 Directing the Joint State Government Commission to conduct a  
2 comprehensive study on the education provided to children,  
3 dependent children and youths 6 through 21 years of age in  
4 juvenile and adult correctional facilities in this  
5 Commonwealth.

6 WHEREAS, Youths in the juvenile justice system need a quality  
7 education so that they can develop the skills that they need to  
8 become successful adults; and

9 WHEREAS, Research suggests that many young people enter the  
10 juvenile justice system well behind grade level; and

11 WHEREAS, Studies demonstrate that system-involved youths are  
12 chronically behind in school; and

13 WHEREAS, Nationally, as many as two-thirds of youths  
14 dropped out of school after release from the juvenile justice  
15 system; and

16 WHEREAS, The United States Department of Education data shows  
17 that most youths in juvenile justice facilities made no  
18 meaningful progress in learning or academic achievement; and

1       WHEREAS, There are serious questions about the quality of  
2       curricula used in juvenile and adult correctional facilities and  
3       whether the curricula is aligned to Pennsylvania Academic  
4       Standards; and

5       WHEREAS, Continuity of instruction is often compromised by  
6       disruptions due to institutional activities and routines within  
7       the correctional facility; and

8       WHEREAS, Placement in a juvenile justice facility is a  
9       turning point for many youths and without appropriate  
10      programming and coordination, too many youths fall behind while  
11      in custody; and

12      WHEREAS, In 2012, the United States Department of Education  
13      hosted a correctional education summit at which recommendations  
14      were made for the Federal Government to address the quality of  
15      education provided to children and youths in juvenile and adult  
16      correctional facilities at the state level; and

17      WHEREAS, The Every Student Succeeds Act (ESSA), (Public Law  
18      114-95, 129 Stat. 1802) establishes broad goals related to  
19      delinquent youths, including improving education services to  
20      provide the opportunity to meet state academic standards,  
21      improving a youth's transition from institutionalization to  
22      further schooling or employment, preventing dropout of youths  
23      and providing young people returning from correctional  
24      facilities or institutions for neglected and delinquent children  
25      and youths with reentry support; and

26      WHEREAS, Education services can take many different forms,  
27      including alternative schools for disruptive youths or GED-only  
28      programs, as there are no uniform provisions of education  
29      services within placement facilities and programs through  
30      intermediate units, private facilities and school districts; and

1       WHEREAS, The oversight and monitoring of programs varies  
2 widely depending on type of facility and type of program;  
3 therefore be it

4       RESOLVED, That the House of Representatives direct the Joint  
5 State Government Commission to conduct a comprehensive study on  
6 the education provided to children, dependent children and  
7 youths 6 through 21 years of age in juvenile and adult  
8 correctional facilities in this Commonwealth; and be it further

9       RESOLVED, That, at a minimum, the report shall:

10           (1) address the quality of education provided to  
11 children, dependent children and youths, specifically if the  
12 curricula in juvenile and adult correctional or congregate  
13 care facilities is aligned to Pennsylvania's Core Standards;

14           (2) evaluate how the needs of children and youths with  
15 an Individualized Education Plan (IEP) or qualified 504 plan  
16 are met while placed in facilities that provide the necessary  
17 support to meet the preplacement-identified educational needs  
18 and the role of the original resident school district and  
19 educational guardians in the IEP or 504 plan monitoring or  
20 IEP or 504 plan monitoring development;

21           (3) include an assessment on the support and training  
22 provided to education professionals in juvenile and adult  
23 correctional or congregate care facilities;

24           (4) identify how the Commonwealth will comply with or  
25 seek opportunities to exceed Federal standards for  
26 incarcerated youths established by ESSA; and

27           (5) identify how the Commonwealth performs in regard to  
28 the recommendations established by the United States  
29 Department of Education on correctional and reentry education  
30 for children and youths 6 through 12 years of age;

1 and be it further

2 RESOLVED, That the Joint State Government Commission, as part  
3 of its study, establish an advisory committee within three  
4 months of the adoption of this resolution consisting of all of  
5 the following members:

6 (1) The Secretary of Education or a designee.

7 (2) The Secretary of Human Services or a designee.

8 (3) The Secretary of Corrections or a designee.

9 (4) The Executive Director of the Pennsylvania  
10 Commission on Crime and Delinquency or a designee.

11 (5) A representative from the Pennsylvania Education Law  
12 Center.

13 (6) A representative from the Pennsylvania Juvenile Law  
14 Center.

15 (7) A representative from the Pennsylvania Council of  
16 Chief Juvenile Probation Officers.

17 (8) A representative from the Pennsylvania Juvenile  
18 Court Judges' Commission.

19 (9) Representatives from other departments or agencies  
20 of the Commonwealth or other entities that the Joint State  
21 Government Commission deems appropriate in conducting the  
22 study;

23 and be it further

24 RESOLVED, That the Joint State Government Commission, in  
25 collaboration with the advisory committee, submit a report of  
26 its findings, along with any statutory or regulatory  
27 recommendations, to the General Assembly within one year of the  
28 adoption of this resolution.