



UNITED STATES DEPARTMENT OF EDUCATION
UNITED STATES DEPARTMENT OF JUSTICE



December 8, 2014

Dear Chief State School Officers and State Attorneys General:

On any given day, more than 60,000 young people under age 21 are confined in juvenile justice facilities throughout the United States.¹ With few exceptions, each one of these young people will eventually reenter our communities, and, ideally, our schools and postsecondary institutions. High-quality correctional education is one crucial means of supporting their future success and thereby strengthening the communities they return to.

There is no doubt that reducing youth contact with the juvenile justice system is the most crucial step to promoting positive outcomes for youth² and avoiding the economic challenges posed by high levels of incarceration.³ Some States and jurisdictions are engaged in exciting reforms that emphasize prevention while promoting cost-effective community-based alternatives to confinement.⁴ Yet while our country has made significant strides in decreasing the number of youth confined in juvenile justice facilities, the rate at which we put children and youth behind bars still far exceeds international norms.⁵

We encourage States and jurisdictions to continue to pursue comprehensive prevention efforts that reach across youth-serving systems. For example, efforts to [improve school discipline policies and practices](#), among other reforms, can improve school climate and prevent students' entry into the justice system from schools.⁶ We must also do more to address the problem of disproportionate minority contact with the justice system – the reality is that Black, Latino, and Native American youth are more likely to be stopped, arrested, and adjudicated, and thereafter, more harshly punished, than their white peers who engage in the very same behaviors.⁷

For youth who are confined in juvenile justice facilities, providing high-quality correctional education that is comparable to offerings in traditional public schools is one of the most powerful – and cost-effective – levers we have to ensure that youth are successful once released and are able to avoid future contact with the justice system. High-quality correctional education, training, and treatment are essential components of meaningful rehabilitation because these equip youth with the skills needed to successfully reenter their communities and either continue their education or join the workforce. We urge leaders throughout the country to be creative in taking steps to improve traditional academic offerings and to expand access to career and technical education, as well as postsecondary education options for youth confined in juvenile justice facilities.

Investing in correctional education is not just the right thing to do to help our young people – it is also a wise investment of limited taxpayer resources. Secure confinement is costly and often fails to prevent recidivism. The average cost to confine a youth is estimated at up to \$88,000 per year,⁸ and a recent data analysis of selected States found that 55 percent of youth released from

juvenile justice facilities were rearrested within 12 months.⁹ High-quality correctional education – including postsecondary correctional education, which can be supported by Federal Pell Grants – has been shown to measurably reduce re-incarceration rates.¹⁰ It is also cost effective: recent research findings suggest that a \$1 correctional education investment can cut re-incarceration costs by between \$4 and \$5 during the first three years post-release.¹¹ Less crime means not only lower prison costs – it also means safer communities. High-quality correctional education is thus one of the most effective crime-prevention tools we have.

Improving prevention efforts and strengthening the correctional education for youth who do enter the system are both recommendations of the [Task Force Report to the President](#) for the *My Brother's Keeper* initiative, which aims to address persistent opportunity gaps faced by boys and young men of color and ensure that all young people have the opportunity to reach their full potential. In a [June 9, 2014 letter](#), we noted several ongoing Federal initiatives in this area. Today, we are pleased to announce the release of new guidance and technical assistance materials that will help State and local leaders provide high-quality education to youth in juvenile justice facilities:

- A resource guide, ***Guiding Principles for Providing High-Quality Education in Juvenile Justice Secure Care Settings*** from the U.S. Department of Education (ED) and U.S. Department of Justice (DOJ) identifies promising practices for improving education programs in juvenile justice facilities, as well as areas in which Federal legal obligations apply.
- A **Dear Colleague Letter on the Individuals with Disabilities Education Act for Students with Disabilities in Correctional Facilities** from ED's Office of Special Education and Rehabilitative Services clarifies State and public agency obligations under the Individuals with Disabilities Education Act to ensure the provision of a free and appropriate public education to eligible students with disabilities in correctional facilities.
- A **Dear Colleague Letter on the Civil Rights of Students in Juvenile Justice Residential Facilities** from ED's Office for Civil Rights and DOJ's Civil Rights Division clarifies that those juvenile justice residential facilities that receive Federal funding, like all other public schools, must comply with Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, religion, and disability.
- A **Dear Colleague Letter on Access to Pell Grants for Students in Juvenile Justice Facilities** for campus financial aid professionals and accompanying **factsheets** from ED's Office of Postsecondary Education clarify that otherwise eligible youth who are confined in juvenile justice facilities are eligible to receive Federal Pell Grants, subject to the modified cost of attendance statutory provisions that apply to incarcerated students.

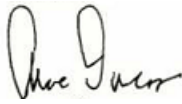
We hope these resources, which are available at www.ed.gov/correctionaled, help you to provide access to high-quality correctional education for all youth committed to your care and enrolled in your schools.

President Obama has observed that education is ultimately “about giving each and every one of us the chance to fulfill our promise, and to be the best version of ourselves we can be.” This observation may be particularly apt for high-quality correctional education, which is one important way of providing some of our most vulnerable youth with a real chance at a second

chance – the opportunity to demonstrate growth and maturity and, ultimately, to fulfill their potential as human beings.

Thank you for your partnership and for your efforts each day to improve access to high-quality correctional education.

Sincerely,



Arne Duncan
Secretary of Education



Eric H. Holder, Jr.
Attorney General
of the United States

¹ National Report Series Bulletin (Aug. 2014). *Juveniles in Residential Placement, 2011*. U.S. Department of Justice, Office of Justice Programs, Juvenile Justice and Delinquency Prevention, at 3. Available at <http://www.ojjdp.gov/pubs/246826.pdf>.

² U.S. Departments of Education and Justice (2014). *Guiding Principles for Providing High-Quality Education in Juvenile Justice Secure Care Settings*, Washington, D.C. Available at <http://www2.ed.gov/policy/gen/guid/correctional-education/guiding-principles.pdf>.

³ Mitchell, M. and Leachman, M. (2014). *Changing Priorities: State Criminal Justice Reforms and Investments in Education*. Center on Budget and Policy Priorities. Available at <http://www.cbpp.org/cms/?fa=view&id=4220>.

⁴ Balck, A. (2012). *Advances in Juvenile Justice Reform: 2009-2011*. The National Juvenile Justice Network, at 5-9. Available at http://www.njjn.org/uploads/digital-library/NJJN_adv_fin_press_sept_update.pdf (“NJN Study”).

⁵ Sickmund, M., et al. (2014). *Easy Access to the Census of Juveniles in Residential Placement: 1997-2011*. U.S. Department of Justice, Office of Justice Programs, Juvenile Justice and Delinquency Prevention. Available at <http://www.ojjdp.gov/ojstatbb/ezacjrp/>; Hazel, N. (2008). *Cross-National Comparison of Youth Justice*. Youth Justice Board for England and Wales. Cited in Davis, L. M., et al. (2014). *How Effective is Correctional Education, and Where Do We Go from Here?* RAND Corporation; U.S. Department of Justice, Bureau of Justice Assistance, at 21. Available at http://www.rand.org/content/dam/rand/pubs/research_reports/RR500/RR564/RAND_RR564.pdf (“2014 RAND Study”) (“The rate of youth incarceration in the United States is therefore more than three times the highest rates in other developed nations.”).

⁶ In January 2014, the U.S. Departments of Education and Justice released a school discipline guidance package to assist States, districts, and schools in developing practices and strategies to enhance school climate, and ensure that school discipline policies and practices comply with Federal law. The guidance package and additional resources are available at <http://www.ed.gov/school-discipline/>.

⁷ NJN Study, at 18.

⁸ Mendel, R. A. (2011). *No Place for Kids: The Case for Reducing Juvenile Incarceration*. The Annie E. Casey Foundation, at 17. Available at <http://www.aecf.org/m/resourcedoc/aecf-NoPlaceForKidsFullReport-2011.pdf>.

⁹ 2014 RAND Study at 23.

¹⁰ Davis, L. M., et al. (2013). *Evaluating the Effectiveness of Correctional Education: A Meta-Analysis of Programs that Provide Education to Incarcerated Adults*. RAND Corporation; U.S. Department of Justice, Bureau of Justice Assistance. Available at http://www.rand.org/content/dam/rand/pubs/research_reports/RR200/RR266/RAND_RR266.pdf (“2013 RAND Study”).

¹¹ Press Release, Department of Justice (Aug. 22, 2013). *Justice and Education Departments Announce New Research Showing Prison Education Reduces Recidivism, Saves Money, Improves Employment*. Available at <http://www.justice.gov/opa/pr/justice-and-education-departments-announce-new-research-showing-prison-education-reduces>. Citing 2013 RAND Study.