



Analysis shows Texas Youth Commission failing at education

Agency says it has made improvements, but teacher turnover is high

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Schoolwork in solitary confinement was a crossword puzzle or math problems on a single piece of paper.

One mentally retarded inmate, who read at a second-grade level, still got a high school diploma.

Inmates at different grade levels found themselves in the same classroom.

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Some were left to teach themselves with a computer software program. Others weren't even enrolled in a class.

An investigation by *The Dallas Morning News*

has found that the Texas Youth Commission, still struggling with the fallout from an abuse scandal, fails to properly educate and rehabilitate many of its inmates.

Critics say TYC's antiquated one-room schoolhouse approach to education – and over-reliance on computer instruction – is wrongheaded. They complain that TYC offers too few vocational classes, needs more teachers, and has not met the needs of some inmates requiring special education.

And failure to educate, they say, potentially has consequences for all Texans.

"As a taxpayer, I should be concerned that kids who are not well-educated are much more likely ... to be dependant on society, either as homeless and unemployed or as a resident of the Department of Corrections," said Peter Leone, a juvenile justice expert who served on a state panel that recently recommended sweeping changes for TYC.

The link between criminal behavior and a subpar education is well-established. A recent report by Texas Applesseed, a nonprofit public interest law center, noted that more than 80 percent of Texas adult prison inmates are school dropouts. Other studies have found that inmates who complete high school are less likely to reoffend.

"Education is crime prevention, and it's much more cost-effective," said Dr. Leone, director of a juvenile justice center at the University of Maryland.

Forrest Novy, a senior education administrator at TYC, said the agency has made great strides in schooling – including the use of computers to complement classroom instruction. But, he said, the agency doesn't reach its goals because finding – and keeping – certified teachers is difficult. And, TYC – which spent \$29 million on education and workforce programs in fiscal 2006 – struggles to fund some educational programs, he said.

Trouble in the classroom

TYC's student body is far from typical. Behavioral problems that crossed the line into criminal activity landed the inmates in TYC. A history of physical abuse, chemical dependency or violent behavior is more common than not.

Many inmates also have a dismal record in traditional schools. One in three juveniles sent to TYC has already dropped out.

But the teaching challenges are further complicated, critics say, by classroom conditions and TYC policies. Students at different grade levels typically attend the same class, where they work on self-paced modules.

In March, the state auditor found that education at TYC relied more on independent study than classroom instruction.

Amy Feller, who taught math for five years at TYC, said her class often had 20 to 21 inmates with varying skills. The longtime educator constantly moved through the aisles looking for students having difficulty with their work.

"It's 10, 11, 12 different levels of kids. And if I was lucky, they might be on the same page every now and then," said Ms. Feller, who taught at a McLennan County unit until she left TYC in June.

Dr. Novy said individual instruction, such as Ms. Feller described, is necessary because inmates constantly move into the system and join classes in progress.

Educators also teach different subjects in one class.

A middle school teacher in Gainesville told legislators this spring that he instructs students in health and speech in the same room at the same time.

"TYC is lumping a bunch of kids together [in class] who we already know have educational problems," said Paul Tracy, a University of Texas at Dallas professor who served with Dr. Leone and Dr. Novy on the Texas Blue Ribbon Task Force on Juvenile Justice.

"It's a horrendous idea, and it will never work," he said. "Never."

A case study

TYC's ombudsman and agency auditors last month found multiple educational failures at the privately operated Coke County Juvenile Justice Center in West Texas.

TYC staffers said inmates attended school just three hours in the morning. Youths went to their dorms after lunch, and teachers slid homework under the door.

Other inmates complained about a computer-based learning process.

"One young man said, 'I told the principal I'm not learning nothing. ... I just copy what the computer says,' " according to the TYC audit report.

David Bedford, the facility's former school principal, disputed such accusations at a legislative committee hearing last month.

School lasted the state-mandated seven hours, he said, and the computerized learning programs were for at-risk students.

He conceded that the computers covered lessons outside of some teachers' areas of expertise – a concern that TYC officials raised. But he disputed accusations that teachers wouldn't answer students' questions.

TYC removed its inmates from the facility Oct. 2, citing filthy conditions and mismanagement.

Nearly two months earlier, Advocacy Inc., a nonprofit organization that champions the rights of the disabled, filed a complaint with the Texas Education Agency about Coke's computerized curriculum. But the TEA, which oversees the education of all youngsters in public special-education programs, dismissed the complaint, saying it was "not supported by facts."

Special ed-concerns

In May 2005 – after the U.S. Department of Education's office of special education programs conducted a review of TYC that revealed shortcomings – the TEA did find fault with TYC's care for inmates with disabilities.

Student records showed that TYC failed to provide adequate services to students with disabilities, such as speech therapy and counseling. TEA's closer scrutiny continued for more than 18 months because of additional violations.

TEA's criticism, Dr. Novy said, didn't reflect that TYC's biggest problem was its difficulty in finding qualified professionals to work in its farthest-flung facilities.

TYC has tried to find creative solutions, he said. For example, a speech therapist works with inmates at some units through video conferencing and visits them at least once quarterly.

A later complaint by Advocacy Inc., also to the TEA, alleged that special-education classes at Coke lasted only four and one-half hours a day. The TEA substantiated the complaint.

Dr. Novy, who oversees special education at TYC, noted that the agency's monitoring reports were the foundation for Advocacy's complaint. "We found it, and we ought to get credit for it," he said.

Monitoring the 20 facilities where school districts educate TYC inmates is another challenge. Dr. Novy said TYC has only three special-education liaisons for that task, and the agency has no authority to force a school district to take action. Oversight, he said, is ultimately TEA's responsibility.

DeEtta Culbertson, a TEA spokeswoman, said her agency must first receive a complaint but takes swift action when it does.

Richard LaVallo, an attorney at Advocacy Inc., is reluctant to let TYC off the hook.

"They use excuses for not serving the kids, and they're complicit in it because they sit there and watch," he said.

Getting credit

TYC's own records show that even when inmates attended classes, they sometimes don't receive proper course credit. And even when they do, the quality of instruction may be suspect.

In several cases, TYC officials have acknowledged that there was no certified teacher to authorize credits, one byproduct of a teacher shortage. Teacher's aides end up leading classes because TYC has no substitute teachers.

Elizabeth Abel, who retired from TYC two years ago, said some math teachers at her unit watered down the curriculum and quickly awarded credits. But the longtime educator refused to do so "because otherwise you're just setting the youngster up for failure again."

Ms. Abel said administrators at her Central Texas unit unsuccessfully tried to pressure her into giving algebra credit to an inmate with second-grade math skills who couldn't grasp basic concepts.

"These boys, as good as they may be, cannot learn six years of math in six months," she said.

Advocacy Inc. complained to TEA that a mentally retarded TYC inmate with second-grade reading skills – who nonetheless got a high school diploma – received an inappropriate education. The TEA agreed in July, concluding that "the student had not met the graduation requirements."

The teenager, now 18, got his diploma from West ISD while he was at Brookhaven Youth Ranch, a TYC contract center. His complaint to TEA pointed out that he "still needs help to improve his reading, learn how to balance a checkbook, interview and fill out job applications."

"When he left Brookhaven, he ... was re-enrolled in another school district," Mr. LaVallo said.

GEDs a focus

Many former TYC inmates don't get a high school diploma after they're released. The ugly truth, Dr. Novy said, is that some school districts don't want to deal with them. They're often placed in disciplinary alternative schools, rather than reintegrated into regular schools, so they fail.

TYC's philosophy is that all inmates who are able to should earn a General Educational Development degree, the equivalent of a high school diploma, because that helps them get a job or into a community college. Also, Dr. Novy said, inmates who earn a GED are less likely to re-offend.

But after earning a GED, inmates often continue to work toward a high school diploma.

Critics say TYC's focus on GEDs comes at the expense of traditional academic lessons. The practice of pursuing both a GED and a high school diploma, they say, is absurd – a poor substitute for vocational training that could help inmates learn a useful trade and land a job.

Dr. Novy said he'd love to offer more vocational training, such as welding, at every unit. But the units are tapped out on space, so that would require money for new construction, he said. He hopes that eventually will be available.

For now, inmates' access to vocational training may be hit or miss. Marc Levin, director of the Texas Public Policy Foundation's Center for Effective Justice, said that's unacceptable.

"When taxpayers are paying over \$60,000 a year for each youth at TYC," he said, "they should expect that they will receive effective educational and vocational programming that will minimize recidivism rates."

TYC EDUCATION PICTURE

- Number of TYC inmates: **About 2,500**
- Age of typical new inmate: **16**
- Inmate IQs below 100: **82 percent**
- Inmates eligible for special-education services: **40 percent**
- Typical inmate's reading level: **Sixth grade** (Four years behind peers)
- Typical inmate's math level: **Fifth grade** (Five years behind peers)
- Inmates who earned a General Educational Development degree or high school diploma: **50.1 percent** (TYC's goal was 49 percent)
- Inmates reading at the appropriate grade level when released: **16.2 percent** (TYC's goal was 19 percent)*
- Inmates who attained a one-month gain in reading for every month incarcerated: **66.2 percent** (TYC's goal was 71 percent)*
- Inmates who attained a one-month gain in math skills for every month incarcerated: **59.9 percent** (TYC's goal was 71 percent)*

*Performance goals were set by TYC for Sept. 1, 2006, to May 31, 2007.

SOURCES: *Dallas Morning News* research; Texas Youth Commission

