

# Draft Action Plan

## Education

As early as Kindergarten, nearly 25 percent of African-American boys – three times more than their white counterparts – are already convinced that they lack the ability to succeed in school.<sup>1</sup> Explanations for this early lack for school “readiness” vary, but most researchers draw a causal line directly to the effects of childhood poverty and the stress that this places on families. California has experienced higher child poverty rates than the country as a whole since the early 1980s.<sup>2</sup> In particular, African-American and Latino children in California experience the highest rates of child poverty—each at about 27 percent. As well, in California, the odds of being a substantiated victim of physical, sexual, or emotional abuse or neglect as a child (maltreatment) are 2.5 times greater for African-American children than for white children. Latino children in California are 1.3 times as likely to be the victims of substantiated maltreatment compared with white children.<sup>3</sup> Yet, from the very outset, our schools lack the human and institutional capacity to respond effectively to the needs of these youth. And so, an achievement gap begins to develop and to grow throughout the elementary school years. By the 4<sup>th</sup> grade, 58 percent of African-American children and 61 percent of Latino children in California score “below proficient” on the 4<sup>th</sup> grade reading test of the National Assessment of Educational Progress.<sup>4</sup> These scores are more than twice the “below-proficiency” rate of non-Hispanic white students in California at the same grade. By the 8<sup>th</sup> grade -- a critical transition year for students heading into high school -- black and Latino youth are beginning to disconnect from school altogether: 24 percent of African-American and 23 percent of Latino 8<sup>th</sup> graders are absent from school three or more days per month. By high school, black and Latino boys disproportionately drop out of California schools and make up a disproportionate number of youth referred out to alternative schools where they receive a generally inferior educational opportunity.<sup>5</sup> Ultimately, only about 55 percent of Latino boys and 54 percent of African-

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<sup>1</sup> Neal, “Why Has Black-White Skill Convergence Stopped?” in Eric Hanushek and Finis Welsh, *Handbook of the Economics of Education*, vol. 2 (Amsterdam: Elsevier, 2006), p. 566.

<sup>2</sup> Davis, Lois M., Rebecca Kilburn, and Dana J. Schultz, “Reparable Harm: Assessing and Addressing Disparities Faced by Boys and Men of Color in California” (RAND Corporation, Santa Monica, CA, 2009) at p.42.

<sup>3</sup> Davis, *et al*, *Reparable Harm*, at p.55

<sup>4</sup> Davis, *et al*, *Reparable Harm*, at p.64.

<sup>5</sup> Ruiz-de-Velasco, Jorge, et al. (2008) *Alternative Education Options: A Descriptive Study of California Continuation High Schools*. (Stanford University: Stanford, CA.) Available at: [http://gardnercenter.stanford.edu/current\\_initiatives/alt\\_ed.html](http://gardnercenter.stanford.edu/current_initiatives/alt_ed.html).

American boys graduated from California schools in 2007.<sup>6</sup> We must support our schools and hold them accountable for doing better by our boys of color.

### **Broad Policy Goal**

*All children and youth, including boys and young men of color, will have access to strong effective schools designed to build the persistence, skills and capacities needed for healthy social, academic, and career success.*

#### **System Indicators:**

- 1. State school accountability systems create incentives and hold schools accountable for improving successful completion rates for all students, including BMoC.*
- 2. School finance and resource allocation system targets adequate resources to address student needs and promote achievement of state goals for all students.*
- 3. All students have access to a rigorous and relevant standards-based curriculum and effective instruction.*
- 4. All students have access to adequate and appropriate support services: tutoring, after-school programs, remediation, and mental health services.*

#### **BMoC population-level Indicators**

- 1. 100% graduation from High School*
- 2. 100% of graduates are college and career-ready for effective post- secondary transitions*

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<sup>6</sup> Rumberger, Russell and Susan Rotermund, “*Ethnic and Gender Differences in California High School Graduation Rates*,” (California Dropout Research Project, U.C. Santa Barbara, March 2009) Statistical Brief #11.

## POLICY RECOMMENDATIONS

### Improving the Accountability and Performance of Schools serving BMoC

#### 1.1 **Revise the school accountability system (Academic Performance Index, API) to emphasize and reward individual student academic growth measures and graduation rates (rather than school-wide proficiency percentages).**

The current API system rewards schools for moving as many students above a proficiency score in the state assessment system. But in low-performing schools, which disproportionately enroll disadvantaged students, almost all of the students may be far from the proficiency line. In these schools, teachers are rewarded for working with only the minimum number of students necessary to raise the average API score for the year. Teachers and school leaders will get no credit - and consequently have little incentive - to continue making steady academic progress with *all* students. A typical example involves a school that is successful at helping a 16 year-old student (who might be in a 9<sup>th</sup> or 10<sup>th</sup> grade class) to advance from a 6th grade to a 8th grade literacy level - a significant growth trajectory in a condensed time period. The school in this example will receive no credit for work with this student in an accountability system that rewards schools only for getting students to the proficiency level that corresponds to the student's formal grade in school. A change in this accountability structure to account for all student growth over time, would have enormous impact on the accountability of the academic progress of boys of color.

#### 1.2 **Authorize an Early Warning System for the California High School Exit Exam (CAHSEE) using existing data, and authorize the use of CAHSEE remediation funds in Intermediate or Middle Schools.**

The CAHSEE plays a central role in California's dropout prevention and school accountability efforts. Beginning in grade 10, students must take the CAHSEE and if they do not pass both the reading and math components by the end of grade 12, they will not receive a high school diploma. About 1 in 16 students fail to pass the exam before the end of grade 12, including a disproportionate number of boys of color and English learners. Two important legislative initiatives have attempted to support students struggling to pass the CAHSEE: Assembly Bill (AB) 128, provides districts with funding for CAHSEE tutoring in grades 11 and 12; AB 347, provides funding for districts to provide up to two years of support services for students who failed to pass the CAHSEE by the end of grade 12. But studies by the Public Policy Institute of California have confirmed that tutoring provided under AB 128 comes too late in the schooling process and does not help many students pass the exam.<sup>7</sup>

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<sup>7</sup> Betts, Julian, Andrew C. Zau, Yendrick Zieleniak, and Karen Volz Bachofer. "Passing the High School Exit Exam: have Recent Policies Improved Student Performance?" (Public Policy Institute of California: San Francisco,

School leaders confirm that offering CAHSEE support services in the intermediate grades (Grades 6-8) would be more effective, although not currently supported by state policy. Indeed, using California Standards Test (CST) data available in the elementary grades, researchers have found that schools can accurately identify those students who will have trouble passing the CAHSEE as early as the 6<sup>th</sup> or 7<sup>th</sup> grade; and that middle schools can use this data to better target supportive tutoring.<sup>8</sup> Many school leaders believe that this is evidence that implementing such an “early warning and intervention” model may both save money and promote greater persistence and performance of boys of color and other students vulnerable to failing the CAHSEE and dropping out of school.

### **1.3 Continue to support full implementation of California’s longitudinal student data system (CALPADS); and shape legislation to create a “statewide data warehouse” that would integrate CALPADS with data from post-secondary institutions, workforce data, and data from other agencies that serve BMoC, including pre-K, foster care, health, and criminal justice.**

A comprehensive data system, which disaggregates student performance by race, ethnicity, gender, poverty, and English-learner status, is a necessary precondition for improving the accountability of California’s schools for BMoC outcomes. First, families and reform advocates need reliable data to hold school leaders accountable for performance. Second, California needs a data system that tracks progress across PK-20, and across social service agencies in order to inform long-term system improvement, promote inter-agency coordination, and to assess interventions for BMoC. Eight California school districts,<sup>9</sup> under the auspices of the California Office to Reform Education (CORE), are working to create a “federated” data system that could serve as an example to districts across the state.<sup>10</sup> Likewise, the California Board of Governors has supported an expansion of the CALPASS system, which integrates student performance data across K-12 and Post-Secondary schools that subscribe to CALPASS. But these systems are far from the comprehensive system that is needed. And, these efforts will eventually require state support as well as guidance from the Legislature and the California Department of Education to ensure that equity goals are at the center of system change. A strong data system that generates more useful data...especially about youth who drop out of our schools, will help to focus early reform efforts on districts and schools with a disproportionate share of dropouts.

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CA, 2012). Available at: [www.ppic.org/main/publication.asp?i=1018](http://www.ppic.org/main/publication.asp?i=1018)

<sup>8</sup> Betts, *et al.*, “*Passing the High School Exit Exam*,” *Ibid.*

<sup>9</sup> The CORE districts are Long Beach, Fresno, San Francisco, Sacramento, Sanger, Clovis, Los Angeles, and Oakland.

<sup>10</sup> See, Plank, David N., “*Data, Policy Learning, and Continuous Improvement*,” in *Getting Down to Facts: Five Years Later* (Policy Analysis for California Education, Palo Alto, May 2012), at p.32-38.

## Policy or Administrative Actions to Remove Education Barriers

California is unique among states in providing a legislatively mandated system of alternative education for student sixteen years and older who have fallen behind academically and face multiple challenges. State law requires that any school district with a high school that enrolls over one hundred students must establish a Continuation High School. These schools are crucial to ensure that those neediest students who despite early intervention, are still behind by age 16, get the specialized and service intensive help they need to graduate. They are also a key to reintegrating those young people who have already left high school and are now interested in reconnecting. In order to improve the quality of instruction, health, and social services, the weak accountability system under which these schools functioned must be reformed. In addition, funding formulas and district oversight must shift so these schools can truly provide the connections to services and education required to ensure the success of these students. Finally, there are islands of excellence in this system; a small number of alternative schools are making real progress. We must elevate the best practices from these and other model schools and push to replicate their success throughout the state.

### **1.4 Require the State Board of Education to direct all districts to articulate a coherent set of identification, placement, and school intake procedures that are applicable to all alternative schools and programs in the district, including continuation schools, and independent study.**

Well over 115000 California youth attend one of the states 490 Continuation high schools each year. Two-thirds of these students are youth of color and more than half are boys. The number of BMoC in Continuation schools thus rivals the total high school enrollment of any of our largest school districts except Los Angeles. Almost all youth in Continuation schools are over-aged and under-credited and present educators with steep challenges to accelerated learning. One fundamental reason that teachers have a difficult time in shaping appropriate interventions is that, according to recent studies, few districts have coherent placement policies for directing students into alternative placements. Thus, in a single class, students who have voluntarily transferred for academic reasons are in classes with students who have been involuntarily transferred for behavioral reasons, because they are parenting, or for some other reason. Placement into many classes happen daily in some schools, so that teachers do not know what their enrollment will be from day to day and cannot plan coherent instruction given the turnover of students. Principals and teachers in these schools uniformly agreed that a coherent student identification and placement process for these schools would greatly improve the conditions for instruction and effective intervention.<sup>11</sup> While current legislation already authorizes the State Board to define placement into alternative settings, it has declined to use this authority. To promote greater transparency, parent involvement, and school accountability for BMoC and other vulnerable students,

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<sup>11</sup> Ruiz-de-Velasco, Jorge and Milbrey McLaughlin, *Raising the Bar, Building Capacity: Improving Instruction in California's Continuation High Schools*, (Stanford University: Stanford, CA, May 2012) Available at: [http://gardnercenter.stanford.edu/current\\_initiatives/alt\\_ed.html](http://gardnercenter.stanford.edu/current_initiatives/alt_ed.html).

placement policies should be written, transparent, and available to all students, parents, and community stakeholders.

## **1.5 Eliminate Involuntary Transfer of Students into Continuation High Schools.**

One part of the California Education Code, indicates a legislative intent that continuation schools should operate as a *voluntary* alternative for under-credited students to “complete the required academic courses of instruction to graduate from high school” in a setting “designed to meet the individual needs of each pupil.”<sup>12</sup> Another part of the Education Code, however, authorizes school districts to allow for the “involuntary” transfer of students to continuation high schools for behavioral reasons unrelated to academic performance if “a pupil’s presence causes a danger to persons or property or threatens to disrupt the instructional process” at the sending school.<sup>13</sup> Taken together, these two parts of the Education Code suggest that a continuation high school should provide a high quality alternative route to the diploma for struggling students, but it can also be a dumping ground for students deemed too disruptive for comprehensive schools. The policy of allowing districts to involuntarily transfer students deemed to be disruptive to continuation settings also creates the temptation for districts that lack a full array of alternative options (e.g., a community day school) to place students into settings that are not equipped to meet their academic or support needs. Unlike county or community day schools, which are intentionally designed to meet the needs of students with behavioral challenges, continuation schools often lack the social emotional or psychological supports or interventions needed by behaviorally challenged students – a disproportionate number of whom are BMoC.

## **1.6 Provide all students placed into Continuation Schools with the option of a state-supported full-day of instruction.**

Originally designed for students who worked in rural areas or who otherwise needed to work part-time, Continuation schools offer a half-day of state-supported instruction. But the logic for the half-day design no longer holds true. Today, the modern Continuation school enrolls an under-credited student body that has very complex learning challenges and a need for expanded learning time. Studies indicate that very few Continuation school students are working,<sup>14</sup> or have any real prospects of finding work without a diploma in today’s economy. Indeed the future employment outlook for students without some post-secondary training is bleak. Continuation school students and their teachers need a full day of instruction in order to have a fair and effective second chance to obtain a high school diploma and access post-secondary opportunities.

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<sup>12</sup> See, California Education Code, § 48430.

<sup>13</sup> See, California Education Code, § 48432.5.

<sup>14</sup> Ruiz de Velasco and McLaughlin, *Raising the Bar, Building Capacity*, *supra*, at p. 10-11.

## Budget Levers for Targeting or Redirecting, Existing Funding or Accessing New Funding

- 1.7 If the voters fail to approve state ballot measures seeking greater funding for schools in November 2012, the legislature should work with the Governor to find alternative ways and means to increase over-all funding for education in California. The current level of funds available to schools and districts greatly constrains efforts of system leaders to address the needs of BMoC and other vulnerable students.

By almost every available indicator, California is under-spending on its schools in comparison to other states: as a measure of tax-effort per resident, or by professional estimates of the resources needed to help students meet state performance standards. In 2005-06, for example, California's spending for public schools ranked 34th among the 50 states in K-12 spending per student. As well, California ranked 34th in education spending as a percentage of personal income – a measure that reflects the size of a state's economy and the resources available to support public services.<sup>15</sup> One obvious result is that California has dramatically fewer teachers, school leaders, and counselors per student than most other states, including similarly populated and diverse states such as Florida, New York, and Texas.<sup>16</sup> These comparisons, of course, do not reflect actual need relative to the standards required of students. In 2007, the most comprehensive set of studies to address this question of over-all “adequacy” in California school finance estimated that “at least [a]...40 percent increase in funding, targeted mostly to low-income schools, is needed to meet current expectations.”<sup>17</sup> Yet, in the wake of the national economic crisis, California lawmakers have *reduced* the annual funding level for K-12 education by \$7.0 billion, from \$50.3 billion in 2007-08 to \$43.4 billion in 2010-11 – a 13.8 percent drop since the 2007 adequacy study was released! Adding to schools' financial stress, the state also deferred a total of \$7.4 billion in payments owed to schools in 2010-11. The delayed payments forced many school districts to borrow and pay interest on loans or make program cuts.<sup>18</sup>

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<sup>15</sup> California Budget Project, “How Does California Compare?: Funding California's Public Schools,” (School Finance Facts, October 2007). Available at: [http://www.cbp.org/publications/pub\\_education.html](http://www.cbp.org/publications/pub_education.html)

<sup>16</sup> See, Imazeki, Jennifer, “Teachers and Leaders for California Schools,” in Getting Down to Facts: Five Years Later (San Diego State University, San Diego, May 2012), at p.25-31, also see p.4 and authorities cited therein.

<sup>17</sup> Sonstelie, Jon, “Aligning School Finance with Academic Standards: A Weighted Student Formula Based on a Survey of Practitioners” (Public Policy Institute of California and University of Santa Barbara, 2007). A publication of the Getting Down to Facts Project, Stanford School of Education, Institute for Research on Education Policy and Practice. Available at: <http://irepp.stanford.edu/projects/cafinance-studies.htm>

<sup>18</sup> California Budget Project, “California's Public Schools Have Experienced Deep Cuts in Funding since 2007-08,” (Sacramento, CA, Report April 10, 2012). Available at: [http://cbp.org/publications/education\\_land.html](http://cbp.org/publications/education_land.html)

- 1.8 The legislature should adopt an equitable state school finance formula that will ensure that additional funds are allocated based on regional costs and the needs of students in schools. At a minimum, the funding allocation formula should include equitable targeting of funds to account for individual student poverty, poverty concentration in neighborhoods, English learner status, and transportation costs.**

The way that dollars are allocated among California districts, and within districts across schools is highly inequitable and limits the ability of school leaders to adequately address the needs of boys of color, and other youth vulnerable to dropping out of school. In many ways, the dollars available to schools is an artifact of spending formulas established in the 1970s' combined with a haphazard accretion of federal and state categoricals over time. Although we have some of the most demanding academic standards in the country, we have not updated our finance system to align with those standards, nor to reflect the diversity of need across schools as educators struggle to help students meet performance goals. The Governor's 2012 education finance proposal would improve equity across districts, and would target substantial additional resources to districts with needy students, especially as tax revenues rise. Most independent analysts agree that the plan also improves transparency and local flexibility.<sup>19</sup> The Committee should work with the Governor and other stakeholders to shape the final contours of a more equitable funding system.

### **Incentivizing Shifts in System Practice to Adopt the Best Models/ Practices that have proven to improve BMoC outcomes/results**

- 1.9 Support local efforts to recruit and retain experienced and effective teachers to high poverty schools serving BMoC.**

School districts report difficulty in recruiting and retaining experienced and highly effective teachers at high poverty schools that serve students of color, especially teachers in hard-to-staff fields of mathematics, the sciences, and special education. Moreover, because BMoC are often enrolled in low performing schools with relatively high numbers of novice teachers, those schools suffer most during layoffs under seniority rules. Some progress was made on this in 2006 with SB 1655 (Scott), which allows principals of schools in the lowest 30 percent of performance to refuse voluntary transfers. But more can be done. In San Francisco, the school district and its teachers union have agreed to include pay bonuses for hard-to-staff schools and subjects. It also gives teachers greater professional development opportunities. Likewise, Los Angeles Unified and its unions have agreed to give teachers greater voice in school reform at the school level in exchange for

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<sup>19</sup> See, Rose Heather, "Financing California's Public Schools: Toward a Weighted Student Formula," in Getting Down to Facts: Five Years Later (University of California, Davis, Davis, CA May 2012), at p.16-23.

concessions on seniority assignment and teacher evaluation. Both districts participate in the CORE consortium and are collectively experimenting with innovative strategies for teacher recruitment, preparation, and evaluation. The legislature should follow and support these district-led and teacher-supported innovations in promoting equitable access to high quality teaching.<sup>20</sup>

### **1.10 Pursue Legislation to Ensure Equitable Access and Effective Implementation of the Common Core and “A-G” Curricula in Every California School.**

The Legislature adopted the Common Core State Standards in 2010. Advanced by the National Board of Governors, the Common Core is a set of academic content standards, which have the object of getting all students to be college and career ready by grade 12. More than mere content standards, the Common Core seeks also to revolutionize the way students are taught in schools to reflect global understandings of how youth learn. But schools and districts have much work to do to make sure that teachers are ready to provide equitable access to the common core to every youth in California. Otherwise, problematic implementation of the Common Core could exacerbate academic gaps among low-income and minority youth. AB 2116 (Lara) makes a very good start in addressing the changes in assessment, teacher preparation, and other systems changes that will be necessary so that students of color, English learners and students in disadvantaged neighborhoods benefit from the new Common Core.

Many of our major urban districts have required (or set a date for requiring) that students take, as a requirement for graduation, all the A-G courses required for admission to the CSU and UC systems. These districts include San Jose Unified, Los Angeles, Oakland, and San Francisco. But these districts are finding that they need to implement academic supports for students struggling with more rigorous courses – a big burden during the budget crisis. And within the next two or three years, many schools will also be challenged to hire teachers with hard-to-staff credentials in chemistry and foreign languages instruction.

### **1.11 Support innovations in “Linked Learning” Career and Technical Education Pathways that provide a Rigorous, College and Career-ready Education for all Students, especially Boys of Color.**

Linked Learning pathways promise to revolutionize the old “vocational” and “technical” education tracks in schools by “linking” every career-themed school or vocational pathway programs to the college-ready common core curricula. This approach ensures that every pathway through the high school will prepare students for college and career opportunities as they approach senior year in high school. While not every student may decide to pursue higher education immediately after high school, that choice should be dictated by student preferences, rather than by their racial/gender background or by the quality of the preparation that they

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<sup>20</sup> See, Imazeki, Jennifer, “*Teachers and Leaders for California Schools*,” *supra*, at p.29-30.

received in middle and high school. We are fortunate in California that the “Linked Learning” movement began here with the establishment of ConnectEd California and the investments in Linked Learning pilot schools by philanthropic organizations, most notably the James Irvine Foundation. There are important Linked Learning pilot schools in Long Beach, Los Angeles Unified, and Sacramento that bear watching, support and replication by the legislature.

**1.12 Support the implementation of Full Service Community Schools and Promise Neighborhood Initiatives, both of which aim to provide the necessary infrastructure and systems leadership necessary for the provision of integrated comprehensive social, mental health, and academic supports to BMoC in California Schools.**

School leaders and educators have long known that a principal challenge facing schools serving BMoC and other vulnerable students is that they come to schools from troubled and stressed family and neighborhood environments. These environmental influences mediate instructional capacity in schools. To address them, school leaders need resources to meet mental and physical health needs, as well as to provide extended learning time and youth development opportunities. Full Service Community Schools and Promise Neighborhoods are both cross-sector, multi-agency collaborations that bring human and social resources into the school or neighborhood and that support the balanced development and academic growth of students. These services may include: high-quality early learning programs and services; remedial education aligned with academic supports and other enrichment activities, providing students with a comprehensive academic program; family engagement, including parental involvement, parent leadership, family literacy, and parent education programs; mentoring and other youth development programs; community service and service learning opportunities; programs that provide assistance to students who have been chronically absent, truant, suspended, or expelled; job training and career counseling services; nutrition services and physical activities; primary health and dental care; activities that improve access to and use of social service programs and programs that promote family financial stability; mental health services; and adult education, including instruction of adults in English as a second language.

The Oakland Unified School District is the first in the state to commit to making each of its high-poverty schools a “Full Service Community School” and individual schools and school clusters in Los Angeles and San Francisco are also demonstrating what can be accomplished by reaching out and embracing all the resources a community has to offer. The legislature should support these innovations and help to develop accountability systems for these cross-agency collaborative enterprises.

# Health

Latino, Asian Pacific Islander, African-American and Native American Californian's, especially those who are low-income (e.g., under 200% of the federal poverty level) suffer disproportionately from diseases and unhealthy conditions in their communities, including inadequate schooling, and exposure to youth gangs, and neighborhood violence.<sup>21</sup> Moreover, the prolonged Great Recession of the last four years has exacerbated all of the above factors, limited the State's capacity to respond, left far fewer job opportunities for the low-income unemployed, and has decimated the capacity of families, extended families and communities to heal.

The health related statistics are glaring. For example, Latino and African American youth have higher death rates due to firearm homicide than their White counterparts; three times as many Latinos were murdered in California than Whites (2007). Twenty-two percent of Latino youth lose access to their primary care provider compared to 15% of non-Hispanic whites. Asthma in Latino and African American youth, ages 5-17, runs up to five times the rate for non-Hispanic whites, particularly in rural agricultural and dense urban core areas.

As noted in the Education section, California has experienced higher child poverty rates than the nation as a whole. In particular, California's African-American and Latino children and youth experience rates of poverty at about 27 percent. These conditions lead to higher rates of obesity and child onset diabetes, and higher rates of asthma and all forms of infectious diseases, whether influenza or sexually transmitted diseases (STDs). These conditions are all manageable, if not largely preventable. Yet, California had the nation's sixth highest rate of uninsured in 2011 (21.9%) and consecutive State budget cuts over the last decade have eroded safety net protections for all vulnerable populations. In this context, the state's BMoC have continuously lost ground with respect to access to health services.

The following recommendations, taken together, lay out a strategy that builds on prior State and county efforts to address the health needs of vulnerable populations, including its boys and young men of color. The recommendations also take into account the many innovative programs that have developed in local communities with support from public and foundation resources. Finally, these recommendations reflect the billions of federal dollars that are coming into California for health reform

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<sup>21</sup> M. Rodriguez, L. Snowden, W. Tseng, C. Korenbrot, et.al., *The Ethnic Health Assessment Report: Latinos, African Americans, Asian Pacific Islanders and Native Americans in California*, California Program on Access to Care and The California Endowment, August 2010.

that could, on their own, address the most dire health problems that face children and young men of color.

### **Broad Policy Goal**

*All boys and young men of color will have access to health care and live in communities in which their whole health is addressed through direct interventions that prevent the negative impact of trauma induced conditions and promote healthy communities rooted in recognition of their cultural and history based assets.*

#### **System Indicators:**

- 1. All boys and young men of color have access to affordable health care coverage, including behavioral health services, through county, State and federally supported programs.*
- 2. State and local systems, and public and private agencies will develop incentives and implement system re-design aimed at addressing the health and health care needs of boys and young men of color.*
- 3. State and local finance and resource allocation systems will target adequate resources to address the health and health care needs of boys and young men of color and take maximum advantage of federal resources, including those under federal Health Reform.*
- 4. The Legislature will create incentives for public and private resources, including from foundations and businesses to join together with leading community-based BMoC stakeholders to promote healthy neighborhoods which address the trauma induced conditions disproportionately impacting boys and young men of color.*

#### **BMoC population-level Indicators**

- 1. 100% health care coverage for BMoC through public and private health plans*
- 2. Reduction of health disparities in BMoC towards parity with the non-Hispanic white population.*

*3. Coordination of programs that address trauma-induced conditions among BMoC in every highly-impacted county in California.*

## **Improving Accountability and Performance of Health Systems serving BMoC**

**2.1 The Legislature should request that the Secretary of California’s Health and Human Services Agency prioritize the recommendations in this report for all California Department of Public Health (CDPH) programs and initiatives.**

As a first step, the Secretary should develop and submit a summary report of CDPH’s performance in meeting the needs of boys and young men of color in all of their programs and initiatives. The report should also include a summary of the strategies the CDPH is employing to remove any barriers to access of quality health services experienced by BMoC. The report and the CDPH’s leadership to act on any challenges and opportunities should be among the immediate priorities of the Office of Health Equity (OHE), which was recently established to act on the recommendations of the State’s Health in All Policies Task Force.

**2.2 Require incorporation of BMoC-targeted strategies in all components of ACA and Medi-Cal implementation; in the short term, it is important to prioritize outreach and enrollment efforts, including the use of community health workers (CHWs) in these efforts.**

Urge by Legislative mandate and State administrative agreement that all BMoC stakeholder groups require that the Exchange and Medi-Cal ensure that the public engagement design effort carried out by the State contractor, Ogilvy Public Relations, include specified strategies for working closely and contracting with recognized providers of care to underserved population groups, including BMoC eligible clients and BMoC-oriented service agencies. In the short term, it is important that Medi-Cal target its outreach and enrollment programs to secure disproportionate numbers of BMoC who are already eligible and not using the State’s county-based Low Income Health Programs (LIHPs) currently in operation, the Healthy Families Program as it transitions into Medi-Cal by July 2013, and its Medi-Cal Childless Adult Program as it is implemented in October 2013. This must also include a call from the Legislature and all BMoC stakeholders to promote, in all components of ACA implementation, including through additional resources of AB 922, the inclusion of CHWs, such as promotores, gang-targeted workers, and peer-to-peer strategies, in outreach, enrollment and prevention activities for Medi-Cal and the Exchange.

**2.3 Require health plan and provider-based assessments on an annual basis to close disparities in health outcomes for BMoC through ACA programs with support provided by the State and academic institutions.**

Call for legislation and State agreements that ACA programs which work with the provider community and participating health plans develop tangible measures and related benchmarks to demonstrate how their care interventions will improve specific health disparities in BMoC and their respective populations of color. A joint effort by State agencies and Universities (with public and foundation support) can assist an annual data collection and analysis effort on the impact of ACA funding on BMoC populations at the state, county and health plan levels. This analysis must specify data for Asian-Pacific Islander sub-populations and Gay, Bisexual and Transgender individuals. Findings would be utilized to evaluate outcomes and to design and implement targeted outreach, marketing, enrollment, service delivery approaches, and payment strategies.

#### **2.4 Require health plans and providers under ACA to meet all language and cultural competency standards articulated under State and federal law.**

All interventions supported by the Assembly Select Committee should recognize and address the cultural strengths and stressors of young men so interventions resonate with the life experiences of young men, creating opportunities for healing rooted in cultural strengths. We urge adoption of legislation and related regulations to ensure that the Exchange and Medi-Cal require all health plans and their service providers maintain client-contact personnel, including providers, who address language and cultural competency needs upon which a successful service encounter is based. Specifically we ask that the provisions of SB 853 (Escutia), Health Care Language Assistance Act adopted in 2008, which holds health plans accountable for the provision of language services and requires the Department of Managed Health Care to ensure health plans and health insurers provide their enrollees with culturally competent health services and language assistance and to collect data on race, ethnicity, and language to address health inequities, be enforced during contracting with Qualified Health Plans under the Exchange.

#### **2.5 Coordinate applications for multiple State public benefits for individuals and families.**

Adopt legislation to improve coordination of essential State health and human services programs for individuals and families by streamlining applications for multiple public benefits (e.g., nutrition, income security). Specifically, SB 970 (DeLeon), Health Care Reform Eligibility, Enrollment & Retention Planning Act, requires a county human services agency to allow applicants initially applying for, or renewing, health care coverage using the single State application developed pursuant to ACA, with the applicant's consent, to have their application information used to simultaneously initiate applications for CalWORKs and CalFresh. AB 1296 (Bonilla), Health Care Eligibility, Enrollment, and Retention Act, also requires the State Health and Human Services Agency to establish standardized single, accessible application forms and related renewal procedures for State subsidy programs.

**2.6 Require coverage parity for mental health and drug and alcohol treatment services targeted to BMoC by all health plans which provide such care with support from federal ACA and State health and mental health funding initiatives.**

Adopt legislation that mandates the Exchange and Medi-Cal require each of its Qualified Health Plans ensure parity in coverage for behavioral health services (mental health, alcohol and substance abuse treatment) and be required to contract with CHCs, SBHCs, and other community-oriented non-profit providers which provide such care. We also urge the Legislature to rigorously monitor the transition of the Healthy Families Program (over 900,000 children and youth) to Medi-Cal (under AB 1496) to ensure that these individuals, over 70% being persons of color, will not lose their access to alcohol and substance abuse treatment once the Program and its recipients are fully integrated into Medi-Cal during 2013. Note additionally, the State must ensure that behavioral health services for BMoC populations are directly supported under the Prop 63 State Mental Health Services Act and also pursue State collaboration with federal sources, particularly SAMHSA's National Child Traumatic Stress Initiative. It is the intent of such efforts to promote BMoC-targeted models by expanding community-oriented trauma and healing-informed care programs in the schools, in the juvenile justice system, and among health and mental health providers which serve youth and young men in traumatic situations.

**2.7 Establish local public commissions on BMoC issues to support services.**

Urge cities and counties to establish specific commissions that address trauma and support violence prevention, reentry, workforce development, and other comprehensive youth services. Clients and BMoC stakeholder groups have urged the establishment of Local Commissions, which would draw on private sector, State and federal support as available. A Community-based Review Board (CRB) can serve as a complement to the commission to ensure that services offered resonate with the community's needs. Examples of programs that have successfully focused on prevention of trauma and its accumulating impact include the Los Angeles Community-Intervention Services and the L.A. Mayor's Gang Reduction and Youth Development Commission (GRYD), established by Mayor Villaraigosa. These initiatives take preventative approaches to address the adverse effects of poverty, racism and violence and the lack of educational and economic opportunities for BMoC through youth counseling and mentoring, leadership development, employment training and placement, peer education, substance use/abuse awareness, case management, parenting classes, family therapy, violence and gang prevention training, and other activities that enhance positive recreation, academic enrichment and community safety.

## Policy or Administrative Actions to Remove Health Barriers

### **2.8 Coordinate care through *Safety Net* providers and health plans for undocumented persons and other immigrants deemed as “unqualified” for coverage under federal law, and for those who are eligible and are part of immigrant households.**

Call for improved coordination and support in the state’s safety net network, which is defined as community health centers (CHC), public-based providers and publically subsidized health plans which maintain service delivery to persons of uncertain legal status, including BMoC. Ensure by the Legislature’s mandate or resolution that community-level barriers to services, through Medi-Cal and its State-only programs and the Exchange, for immigrant-based populations, including mixed-status families, be removed by careful consideration of community-level factors and relevant government regulations, including immigrant fears of public charge and other forms of discrimination, which prevent entire immigrant families from accessing care, even when family members are otherwise eligible for services.

### **2.9 Fully implement AB 922, Office of the Patient Advocate Act, particularly the funding of the Patient Advocate Trust Fund for directed patient outreach.**

Adopt by legislative resolution a call for the State to fully implement AB 922 (Monning), Office of the Patient Advocate Act, a State law adopted in 2011, which places revenues including federal funds into a Trust Fund to expand and strengthen the establishment of a consumer health assistance program, which includes an ombudsman function, and to monitor health plans implementing ACA through Medi-Cal and the Exchange. This act specifically adds duties and responsibilities for providing outreach and education about health care coverage to consumers and authorizes the office to contract with community organizations to provide these services. This would help individuals under health plan coverage to understand their rights or benefits pertaining to health care. Such additional Trust Fund support allows funding for outreach to BMoC and other special need populations.

### **2.10 Maintain essential Safety Net programs serving BMoC populations, including Family Pact, CHDP and EPSDT.**

Legislature, through its control of the State Budget, should work to maintain and strengthen, in conjunction with Department of Health Care Services, essential safety net programs disproportionately serving BMoC and other vulnerable populations, including: Family Planning Access Care Treatment (PACT), Child Health and Disability Prevention Program (CHDP), and Early Periodic Screening, Diagnosis, and Treatment (EPSDT) Programs. California's Family PACT increases access to comprehensive family planning services to eligible low-income men and women by expanding provider network to include medical providers, pharmacies and laboratories. Maintaining CHDP opens a “Gateway” to preventative health

assessments and services for over one million uninsured children and youth to the Medi-Cal or the Healthy Families Program, so it may deliver the broadest possible access to care through cooperative agreements with schools. CHDP can be improved by covering annual preventive exams through age 21, as specified in the American Academy of Pediatrics Bright Futures, compared to the current exam every three years for teens. EPSDT is a Medi-Cal benefit for individuals under the age of 21 who have full-scope Medi-Cal eligibility. This benefit allows for periodic screenings to determine health care needs for diagnostic and treatment services. A EPSDT Supplemental Services area that may be relevant to BMoC in need includes case management and Nutritional and Mental Health Evaluations and Services. Also continued access to EPSDT services under realignment must be ensured and safeguards must be in place to ensure that these funds are not redirected by counties to adult services.

## **2.11 Require a linguistically and culturally appropriate social media outreach and enrollment effort directed at promoting greater BMoC participation in eligible services.**

Call for requirements that the Exchange, Medi-Cal and its contracted health plans develop and implement social media and related technologies for outreach and engagement designed to reflect evidence-based norms for BMoC, leading to streamlined public enrollment and access to care that is linguistically and culturally relevant to BMoC. Such strategies should reflect current social and cultural norms of BMoC, which differ within sub-groups and change almost yearly with the onset of new technology trends. Some reports cite that 65% of native born young Latino men utilize text messaging as a daily form of communication, while only 26% of foreign born young Latino men text daily. Such data must also be weighed with the lower availability of desk top computers in the home for many lower income households, which is another factor reducing web based access by BMoC to new social media technologies. There are considerable research efforts that are currently looking into how to best reach BMoC populations through mediums that they can trust and are most comfortable using to simplify health care and information access.

## **Budget Levers for Targeting or Redirecting Existing Funding or Accessing New Funding for BMoC**

### **2.12 Relax State requirements to 60% for voter support of local initiative revenues, including those efforts directed to BMoC.**

Support State legislation allowing cities and counties to adopt revenue initiatives with 60% voter approval. Examples of such initiative are the City of Oakland's Measure Y, a successful measure, and the City of Los Angeles Measure A, which was defeated. Both initiatives address trauma-induced conditions resulting from adverse social circumstances, such as poverty and racism, and associated violent environments among BMoC and other vulnerable populations at the local level.

Measure Y, The City of Oakland Violence Prevention and Public Safety Act of 2004, provides \$19 million per year over ten years to fund violence prevention programs and community policing through the County Department of Human Services. Programs include young adult re-entry services for successful reintegration to the Oakland community, preventative street outreach and youth comprehensive services, such as peer conflict resolution in schools and job training services. Measure A, The Gang & Youth Violence Prevention, After-School & Job Training Program, City of Los Angeles was defeated by a half percentage point and would have addressed gang violence through prevention and job training programs, including after-school support and apprenticeships. Allowing such initiatives to be passed with 60% voter support, instead of two-thirds majority (which blocked passage of Measure A), would strengthen capacity of local entities to do violence prevention work and other needed efforts. Such initiatives should be accompanied by formal bodies to ensure services offered resonate with identified community's needs, by creating a Community-based Review Board (CRB).

### **2.13 Require Medi-Cal coverage for BMoC inmates while in detention facilities.**

Whenever possible, efforts should be made to cover juveniles at various stages of penal detention through such bills as AB 396 (Mitchell) and SB 695 (Hancock). Specifically AB 396 (Mitchell), Medi-Cal: Juvenile Detention Facilities, draws down available federal financial participation for acute inpatient hospital services and psychiatric services provided to juvenile inmates, who are admitted as inpatients in a medical facility. SB 695 (Hancock), Medi-Cal: County Juvenile Detention Facilities, provides that Medi-Cal benefits may be available to individuals awaiting adjudication in a county juvenile detention facility, if he or she is eligible to receive benefits. Medi-Cal should be mandated to revise its policies to implement the inmate payment exception for juveniles without terminating their Medi-Cal eligibility, thus clarifying provisions that have caused confusion, and making policies more consistent with the juvenile justice system. Realignment at the county level requires counties to create a mechanism that would increase health care coverage for youth in the justice system by identifying sources of health care coverage for youth as early as possible, and assisting youth to establish eligibility for Medi-Cal, Healthy Families, and other relevant programs.

### **2.14 Extend health plan coverage to young adults to age 26 for those ageing out of State Foster Care.**

Adopt legislation, such as SB 1487(Hernandez), which focuses on ensuring health plan coverage for young adults through age 26 after they age out of the State's Foster Care Program. Specifically, SB 1487, Medi-Cal Eligibility: Former Foster Youth, extends Medi-Cal eligibility to youth who were formerly in foster care and who are under the age of 26, pursuant to prescribed provisions of federal law. Such a state level intervention is intended to parallel the ACA provision, which allows adult dependents to maintain coverage under their parents' health plan until age 26.

## Incentivize Adoption of Best Practice Models to Improve BMOc Outcomes

### **2.15 Promote expanded number of School-Based Health Clinics (SBHCs) directly and through support of Community Health Clinics (CHCs), School Districts and Counties.**

Urge the State, in cooperation with provider groups, to maximize use of State resources and secure available funding through federal ACA programs, particularly over the next three years, to expand the number of School Based Health Centers (SBHCs) via support through their non-profit and public agency partners, i.e., CHCs, school districts and public agencies. SBHCs should be included as “essential community providers” to encourage reimbursement by health plans participating in the Exchange. In addition, fund SB 564 (Ridley-Thomas), School Health Centers Expansion Act, signed into law in 2008, which creates a grant program for direct funding to SBHCs. SB 564 requires the Department of Public Health to establish grant program for K-12 public schools to expand existing and develop new school health centers to the extent funding is provided. Possible federal funding sources include: HR 3590-429 and HR 3997-1 School Based Health Centers. Note, additional physicians to ensure coverage for the influx of eligible people under ACA, including BMOc, is addressed in part through the augmentation of the federal National Health Service Corps. Note also, the Student Mental Health Initiative, a component of the State Mental Health Services Act, provides training and resources for preventative approaches that could target BMOc through school-based services.

### **2.16 Support Health Workforce Development Council’s 2011 State Workforce Plan which promotes BMOc opportunities within entry-level positions in the health field.**

Urge Governor and State Health and Human Services Agency to fully support the State Health Workforce Development Council to implement its 2011 Workforce Development Plan and to ensure that health personnel needed for the upcoming ACA expansion of services reflect, in the short term, the need for population parity and include direct provisions for inclusion of BMOc in entry level and allied health positions (e.g., medical assistants, medical lab assistants, community health workers), and, in the long term, meet the need for a diverse health professional workforce as well. Recruitment and support for more providers and allied health professionals of color is essential to expand training for a health workforce which can proactively identify and address health issues facing underserved communities. Increasing the numbers of young men of color in the health field will improve health outcomes for BMOc.

## **2.17 Establish *Demonstration Projects* related to BMoC in the State’s ACA programs.**

Adopt legislation or implement through State administrative agreement the establishment of Demonstration Pilot Projects to address the needs of communities and populations with special concern, such as unincorporated entities and urban and rural areas isolated from adequate care and hard-to-reach populations, including BMoC. The development of continuing demonstration projects would fund collaborative health care networks and other approaches to alleviate the unique problems of access to health care for BMoC, including coverage, retention, and utilization issues. Such projects would be integrated as part of the Medi-Cal Expansion for Childless Adults and the Exchange’s coverage of subsidized uninsured persons, to ensure coverage for BMoC and other vulnerable populations. A successful example of such an effort is the Healthy Families’ Rural Demonstration Projects (1998-2005), implemented by the State Legislative mandate and funded almost entirely by federal incentive programs.

## **2.18 Establish a Professional Development Institute to train health and human services practitioners in leadership approaches to support BMoC-based service delivery.**

Urge provider associations in conjunction with BMoC stakeholder groups to establish a Professional Development Institute for education and leadership training in healing-informed principles and practices for BMoC delivery of care, which would be housed in a university-based setting and draw from public and private sector support. The Institute would train and develop the capacity of providers to recognize unaddressed trauma and while expanding the network of support services to move BMoC along the trauma-to-healing continuum. Emergent “healing-informed” models build beyond deficit-based “trauma-informed” models and recognize the adverse effects of BMoC’s trauma-inducing experiences, including racism, stress, violence and poverty, and approach mental, physical, and spiritual health through culturally grounded healing practices that should be a key component of such an Institute.

## **2.19 Require the creation of a *Health Homes*– portals for preventive and primary care services that are consciously tailored to the gender, culture, language, race, ethnicity and life experiences of communities– by requiring financial reimbursement to health plans for BMoC designed prevention services based on evidence-based standards.**

Call for joint effort by SBHC and CHC providers and university-based study centers to support the creation of health homes based on service-prevention models targeting BMoC. It is the intent to develop a knowledge base of best practices and an inventory of critical information for health plans, community-oriented providers and State policy makers. By legislation or agreement with Medi-

Cal and the Exchange, evidence based standards would be designed into a Health Home model driven by reimbursement models to address the trauma induced conditions which are of concern to BMoC through prevention oriented care and cultural and linguistic standards. SBHCs and CHCs, individually or in combination would be an essential component of reimbursement models for agencies which provide enrollment to hard-to-reach populations, including BMoC, and will support the use of CHWs to provide patient interventions as a core part of the health team to maintain a health home for BMoC and other vulnerable populations. Legislation defining “medical home” in California should also allow for, and encourage, the delivery of appropriate health and mental health services on school campuses through an extension of the care team to include school-based providers.

DRAFT

# Employment & Wealth

As the country and our state struggle to recover from the worst economic crisis since the Great Depression, business leaders warn that our economic recovery, competitiveness, and prospects for sustained prosperity will depend on having a highly education and trained workforce. Given their growing numbers here in California, the imperative to prepare young men of color for success in the workplace and in the marketplace cannot be overstated.

Young men of color face the highest unemployment rates in the state and nation. Though educated males of color are faring better than lesser-educated young men, they remain unemployed at rates nearly twice that of college-educated Caucasian males.<sup>22</sup> In June 2012, 31.9% of young African-American males, aged 16-24, were jobless – a rate almost four times the national unemployment level of 8.2%.<sup>23</sup> In California during that month, unemployment rates approximated 11 percent among Latino males and topped 15 percent among African-American males.<sup>24</sup>

Increasing employment among these males should be a priority of local and state policymakers in their efforts to get the economy moving and increasing productivity in California. As a first step, policy leaders must strengthen our public education and workforce systems and ensure these systems adopt and expand the program models and institutional practices that have proven to boost the success rates of young men of color. As well, leaders must take proactive steps to undo the barriers that impede young Californians as they try to stay connected to education and workforce programs, employment, and their families and communities.

Unfortunately, high rates of incarceration are contributing to the disconnection of young men of color from education system or the workforce. In California, 30.5 percent of 15- to 24-year-old males in juvenile facilities were African-American even though African-Americans comprise only seven percent of those age groups in the state. Latinos are also over-represented in juvenile facilities; while Latinos account for 45 percent of the state's 15- to 24-year-olds, they make up 53.6 percent of youth in juvenile facilities.

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<sup>22</sup> Luo, Michael. "In Job Hunt, College Degree Can't Close Racial Gap." The New York Times, November 30, 2009. [http://www.nytimes.com/2009/12/01/us/01race.html?\\_r=1&ref=us](http://www.nytimes.com/2009/12/01/us/01race.html?_r=1&ref=us)

<sup>23</sup> U.S. Bureau of Labor Statistics "A-16 Employment status of the civilian noninstitutional population 16 to 24 years of age by school enrollment, age, sex, race, Hispanic or Latino ethnicity, and educational attainment" *Current Population Survey*, retrieved from <http://www.bls.gov/cps/>

<sup>24</sup> U.S. Bureau Labor Statistics "A-15 Employment status of the civilian noninstitutional population by race, Hispanic or Latino ethnicity, sex, and age" *Current Population Survey*, retrieved from <http://www.bls.gov/cps/>

In 2007, almost one in 10 Latino and one in six African-American males between 16 and 25 years of age were “disconnected”: incarcerated, out of work or out of school. Latinos are two times more likely to be out of school, out of the labor force or incarcerated than non-Hispanic whites and African-Americans are three times more likely than whites to be out of the labor force or incarcerated.

Despite these serious obstacles, there are good reasons for optimism. As noted in the introduction of this Action Plan, over the course of the last year, the Select Committee heard from hundreds of youth, community, business, and workforce system leaders that are successfully preparing and engaging young men of color in good jobs.

The recommendations that follow seek to harness the strengths and assets that young men of color possess, build on the most promising community and system led program models that are already underway. These recommendations further reforms focused on removing the systemic barriers and advancing the goal of improving the numbers of young men of color who successfully complete workforce and career oriented high school programs, community colleges, and other workforce training programs that lead to good jobs and careers.

### **Broad Policy Goal**

*The state will align and strengthen career technical education and workforce training programs that serve as career pathways for all Californians to jobs in high growth, high value industry sectors that are critical to the competitiveness of regions and the state’s economy. Toward this end, the state will set a specific goal to increase the numbers of young men of color who are prepared for middle skill jobs and professional careers in the health, education, and infrastructure (green) sectors.*

### **System Indicators:**

- 1. The State Board of Education, the Community College Board of Governors, the State Workforce Investment Board, and other state systems with purview over workforce training have accountability systems in place to hold career technical education and workforce training programs accountable for increasing the participation and success rates of BMoC in existing career pathway programs.*

- 2. The State's finance and resource allocation system ensures career technical education and workforce training program have adequate resources to meet the needs of BMoC and other Californians that face barriers to employment.*
- 3. Increases in the number of state funded career technical education and workforce training programs that adopt program models and system practices that have proven to increase the participation and success rates of BMoC. System practices and financial incentives are provided to encourage the replication and expansion of these proven career pathways to opportunity and productivity.*

### **BMoC population-level Indicators**

- 1. Significant increases in the numbers of young men of color that complete state supported career technical education and workforce training programs.*
- 2. Significant increases in numbers of young men of color that secure middle skill and career ladder jobs that pay family sustaining wages, provide benefits, and offer a path to career advancement in the health, education, and infrastructure sectors.*
- 3. Significant declines in BMoC unemployment and under employment rates.*

## **Improving the Accountability and Performance of Workforce Programs serving BMoC**

- 3.1 The Legislature and Governor should take steps to ensure governing bodies that oversee workforce programs set performance goals for improving access and success rates of boys and young men of color in state funded programs.**

**3.1 a) State Community Colleges Student Success Plan**--Responding to the Legislature call for greater accountability to improve student completion rates (SB 1143, Liu), the Board of Governors of the State Community College (CCC) System recently adopted a Student Success Plan that will be used to align instruction, support services, and professional and institutional effectiveness strategies in the state's 110 community colleges. The plan called for the CCC Chancellor's Office to work with the colleges to set goals for improving persistence from semester to semester and course, transfer and degree completion rates among all students. The plan includes an equity-based score card (disaggregated by race, gender, immigrant, and class, etc.) that reports college and overall system performance.

The Legislature should require the Community College Chancellor's Office to develop and issue a report that provides a baseline picture of current system performance with this group of young Californians. The report should include a description of existing system and college level strategies and programs that are designed to improve transfer and degree completion rates, with a special emphasis on workforce degrees that lead to securing career ladder oriented jobs in high growth, high value industry sectors; and recommendations for steps the state can undertake to strengthen these college and system level supports.

**3.1 b) California State Strategic Plan**— The State Workforce Investment Board is required to develop and submit a strategic plan to the US Department of Labor that certifies that federal training dollars are being to further the performance goals under the Workforce Investment Act (WIA) and the Wagner-Peyser Act (W-P). State WIB Executive Director Tim Rainey has proposed using this regular reporting process to facilitate collaborative planning between local WIBs, Community Colleges, and other workforce training stakeholders to develop a strategic plan that includes performance improvement targets for vulnerable groups of Californians that need access to aligned and effective workforce training system that can serve as on-ramp to *middle skill* jobs in high growth industry sectors. The Legislature should provide the leadership and financial support needed to ensure this plan includes improvement system performance goals for young men of color.

A first step would include the formation of a taskforce charged with developing practical low-cost strategies to improve the capacity of state funded workforce training programs to engage and train young men of color in every region of the state. In addition to collecting and disseminating information about the most program models and system reforms that have proven to boost success rates for BMoC, the taskforce would be charged with recommending specific performance goals for education and training program providers, as well as system reforms and financial incentives that would increase the numbers of education training providers that adopt the high performance program models.

## **Policy or Administrative Actions to Remove Barriers to Employment**

**3.2 The Legislature and Governor should work together to ensure that greater numbers of young men of color are healthy and ready to succeed as students in the state's impressive array of career pathway education and training programs.**

As previously noted, a significant number of young men of color must overcome serious health problems before they are ready to enroll and successfully complete a workforce training program. Drug and alcohol dependence rates are often higher and educational preparation rates lower for this population. The recommendations in other sections of this Action Plan are removing a great number of the barriers this vulnerable group of Californians face in securing a good job.

In addition, the Legislature and Governor should work with state workforce system leaders to ensure existing workforce training programs and initiatives include the services and financial supports that have proven to be necessary to increase completion rates for young men of color and other Californians that face barriers to employment. These program components include: access to the support of caring adult support, instructional approaches that integrate academic and workplace preparation, high quality work experience and workplace connections, for personal development and leadership development opportunities, and a connection to a network of support after placement in good job (CLASP Presentation to Select Committee, August 2011).

Providing this level of support to each program participant is not cheap. Doing so will either require additional resources or steps to redirect and target existing workforce training dollars toward this group of young Californians. It will also require an on-going commitment to support Local Workforce Investment Boards who seek waiver to design program success metrics that account for the time and supports workforce training program providers need to prepare young men of color for success in training and job placement. WIA success metrics that reward immediate job placement act as a disincentive to engage and serve Californians that require greater levels of support to successfully complete the training needed to secure and retain a career ladder oriented job.

### **3.3 The Legislature and the Governor should work with other state officials and state and local system leaders to remove policy and system barriers that impede formerly incarcerated young men of color in their efforts to access career pathway training programs and secure good jobs.**

**3.3a) The state legislature and governor should work with the state attorney general to maximize enforcement of federal and state civil rights and consumer protections laws that regulate criminal background checks for employment.**

There are several thousands of One-Stop Career Centers and workforce training providers throughout the U.S. that play a critical role assisting people with criminal records in providing job placement, training and referral services. The workforce development community faces serious challenges, however, as workers struggle to navigate the realities of criminal background checks for employment. The U.S. Department of Labor issued new guidelines on May 25, 2012 for federally-funded workforce development programs to ensure that people with criminal records who seek employment through these programs are not unfairly and illegally removed from consideration of jobs. These guidelines build on a guidance issued on a bipartisan basis by the U.S. Equal Employment Opportunity Commission in April that make clear that employers cannot use background checks to systemically rule out hiring anyone with a criminal record, a violation of Title VII of the Civil Rights Act of 1964. The state attorney general should work with the governor and state agency officials, including the Employment Development Department and the Department of Fair Employment and Housing, to aggressively enforce and

prioritize these two new federal policies and incorporate these protections as part of California's civil rights laws. In addition, the attorney general should aggressively enforce the state's consumer protection laws, which are the strongest in the nation, that ensure the accuracy and fairness as applied to background checks performed by private background check companies. The Employment Development Department should send guidance to local Workforce Investment Boards (WIBs) and One-Stops throughout the state and actively monitor compliance of these guidelines.

**3.3b) The state legislature and governor should take affirmative steps to remove system barriers to job access for formerly incarcerated young men of color.**

One in four adult Californians has an arrest or conviction record on file, but criminal background checks disproportionately deny employment to large numbers of people of color. These individuals are often discouraged from applying to work even when otherwise qualified for these positions. The state should enact legislation that prohibits city and county agencies from inquiring into an applicant's criminal history in their initial application for employment. This legislation should provide that agencies may inquire about an applicant's criminal history only after their job qualifications have been screened and the agency has determined the applicant's qualifications meet the requirements for the position. By removing unnecessary and unjust employment barriers in public sector employment, this legislation would make city and county hiring practices more consistent with the U.S. Equal Employment Opportunity Commission's guidelines on hiring people with arrest and conviction records. Additionally, this legislation would support the intention of realignment (AB 109) of California's criminal justice system, which seeks to produce budgetary savings by reducing recidivism and promoting rehabilitation. Stable employment is key to the success of realignment. In response to the growing societal challenge of successfully reintegrating individuals with a criminal history, five states and over 35 U.S. cities and counties, including San Francisco, Oakland, Berkeley, and Alameda County, have removed the conviction history inquiry from initial job applications in public employment.

### **Budget Levers for Targeting or Redirecting Existing Funding to Access to Workforce Training and Jobs for BMoC**

**3.4 The Legislature and Governor should work with state and local departments and agencies to increase the number of public agencies that adopt targeted hiring policies and programs that specify goals for hiring of young men of color with multiple barriers to employment.**

With \$88.6 billion in revenue in 2011-12 and projected revenue of \$95.4 billion in 2012-13 and annual expenditures that exceed this, the State is California's largest employer and procurer of myriad goods and services. The Legislature and Governor can use this budget authority to mandate increases in the numbers of young men of color that are hired to work on state fund projects. Large scale, publicly funded infrastructure projects and contracts for public services offer

important leverage points to increase access to good jobs within current expenditures. The state's implementation of the Affordable Care Act is another such opportunity that could result in greater numbers of men working in the health sector.

Through its local hearings, the Committee has learned the details of local and targeted hiring policies that have been adopted by local community municipal agencies (Los Angeles), school districts (Oakland), and community colleges (Los Angeles) to young men of color and other Californians with barriers to employment are prepared for and hired to work on large scale public infrastructure projects. Meanwhile, a number of federal programs (e.g., the Department of Transportation's Highway program funds or HUD's Section 3) that state and local departments and agencies draw on to fund infrastructure projects already mandate or encourage adoption of similar economic opportunity mandate.

Meanwhile, Alameda County Public Health Department is breaking new ground in this policy arena with the formal agreement it has established with its emergency medical service provider to hire graduates of the Emergency Medical Service (EMS) Corps program. Many of the program graduates started their training for this new career while in a fire fighting training program operated by the State Corrections Department.

The Legislature and Governor should direct all appropriate state departments and agencies to draw on the examples and lessons learned from the best of these policy approaches to establish economic opportunity policies for state funded projects and service contracts.

### **3.5 The state should use realignment monies to increase access to workforce training and employment opportunities for the reentry population.**

The state should expand successful models that connect parolees and the formerly incarcerated population with workforce training and job placement through targeted investments in community-based reentry strategies while maximizing opportunities created by local workforce efforts. Counties should be required to invest one-third of the funding allocation received through realignment into community-based programming geared to support reintegration of ex-offenders. The state should encourage Counties to set aside a portion of these dollars to work with local workforce investment boards' (LWIBs) to strengthen and expand training and employment services to people with criminal records. Currently, LWIBs and One-Stop systems are unable to provide adequate targeted services that serve the offender population with their existing funds. With targeted funding and additional coordination across agencies, these workforce systems can provide services that help former offenders reintegrate into the community and become productive, valued members of society. Recently, under the leadership of Tim Rainey, the California Workforce Investment Board has taken steps to launch a pilot program whereby LWIBs will collaborate with community organizations to develop

innovative employment and training service approaches. LWIBS in Contra Costa, Alameda, Los Angeles, and San Bernardino are already engaged in the planning process. This effort should be encouraged use targeted investments from realignment, to provide the reentry population with employment, training, and wraparound services that are conducive for successful reentry.

### **3.6 The Legislature and the Governor should facilitate expansion of social enterprises that serve as first employers to BMoC who have historically faced barriers to employment.**

#### **3.6 a) Facilitate greater access to public procurement for social enterprises that employ BMoC through inclusive public sector policies.**

While the nonprofit and public sectors are important for increasing employment opportunities for BMoC, the private sector and small businesses are critical. Small businesses create more net jobs than big businesses, while filling niches in the labor market that are underserved. They employ more people of color, individuals with lower levels of education, younger and older workers, and those who are disabled. Social enterprises are small businesses that provide workforce pathways for people who face systemic barriers for employment, while creating jobs in communities in the greatest need for economic renewal. For social enterprises to grow, however, they need to access adequate resources to help them engage the market and scale their impact. With few exceptions, they don't fit the definition of targeted procurement programs of small businesses due to their tax-exempt status. To scale the impact of social enterprises and increase employment opportunities for BMoC, state agencies can identify non-profits/social enterprises to provide services on their behalf so that social enterprises can avoid a competitive bidding process and become a recognized vendor. The state should implement discrete agency initiatives to allow social enterprises to contract directly with state agencies. Furthermore, creating a new bidding tool that includes state savings in the price would more accurately reflect the social and business costs of executing the contract and level the playing field for social enterprises bidding for contracts. Finally, the state should consider increasing the allowable contract amount to \$1M for non-profits and creating an Internal Service Fund that allows vendors to directly bill clients for service.

#### **3.6b) Incentivize anchor institutions (healthcare providers, real estate developers, universities, and cultural institutions) to contract with social enterprises and hire social enterprise graduates into permanent positions.**

Anchor institutions currently employ a small percentage of inner city residents compared to businesses. However, they are expected to create 340,000 new jobs by 2018 with inner cities seeing the highest levels of job creation. Legislative policies should incentivize purchasers, in particular, to designate a percentage of

their total vendor base and/or total spending to social enterprises.<sup>25</sup> Social enterprises offer supportive transitional employment that are pathways to workforce social mobility and are often located in communities with the greatest need, including inner-city communities where BMoC reside.

### **3.6c) Increase access to employment training funds and technical assistance for social enterprises that have proven outcomes for training young men of color.**

The state should allow social enterprises to access Employment Training Panel funds to get reimbursed for training newly hired employees. Since social enterprises tend to employ those who are hard to employ, including inexperienced workers, disconnected youth, and adults who have been incarcerated, training dollars could potentially be used to provide more robust employee supports during the initial employment period. If “job creation” is an explicit part of the employment program, funding can be extended beyond the single-employer cap for FY 2012-2013<sup>26</sup> which would help the social enterprise offset some of the social costs. Additionally, social enterprises should have access to training resources that are available to Disabled Veterans Business Enterprises (DVBEs) and for-profit small businesses, particularly regional Small Business Development Centers (SBDCs).<sup>27</sup> SBDCs provide technical assistance in core competencies and engage consultants with backgrounds relevant to social enterprises, such as retail and manufacturing. The Bay Area SBCD, for instance, allows small businesses to access training in marketing, business planning, and government contracting and procurement.<sup>28</sup>

### **3.6d) Provide social enterprises access to administrative data to track the progress of their participants over time, many of whom are BMoC.**

Workforce Investment Act funded programs traditionally track outcomes until the 90-day period. However in order to assess long-term impact, social enterprises need access to aggregate administrative data such as consolidated tax and income data. Such data would allow social enterprises to evaluate long-term progress of their graduates, make improvements to their programming, and codify a set of best practices to employ those who face the largest barriers to employment.

## **Incentivizing Shifts in System Practice to Adopt the Best Models/ Practices that have proven to improve BMoC employment related outcomes/results**

### **3.7 In recent years the Legislature and Governor have mandated system planning and reform to ensure that state funded workforce training programs serve as**

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<sup>25</sup> Initiative for a Competitive Inner City, “Anchor Institutions and Urban Economic Development: from Community Benefit to Shared Value”, [http://www.icic.org/ee\\_uploads/publications/Anchor-Institutions.PDF](http://www.icic.org/ee_uploads/publications/Anchor-Institutions.PDF)

<sup>26</sup> <http://www.etp.ca.gov/>

<sup>27</sup> <http://www.sba.gov/content/small-business-development-centers-sbdc/>

<sup>28</sup> <http://sf.norcalsbdc.org/node/5579>

pathways to goods jobs in high growth industry clusters that are critical to maintaining the competitiveness of every region of the state. These efforts to align and strengthen workforce training in regions should be supported; and steps should be taken to mandate attention and priority is given to the goal of connecting and moving greater numbers of BMoC through these pathways to opportunity.

Two pending bills in the 2012 legislative session present good opportunities to encourage adoption of specific performance goals for this group of young Californians. **SB 1070 (Steinberg)** would establish the Career Technical Education Pathways Program (CTEPP) which would be authorized through June 30, 2018. The proposal calls on the Chancellor of the California Community Colleges and the Superintendent of Public Instruction to assist economic and workforce regional development centers and consortia, community colleges, middle schools, high schools, and regional occupational centers and programs to improve linkages and career technical education pathways between high schools and community colleges to accomplish specified objectives. The proposal requires the Chancellor and the Superintendent jointly administer contracts and competitive grants and to give first priority and special considerations to grant to applicants that would further the goals of the CTEPP. Finally, the bill requires the chancellor and the Superintendent to agree upon an outcome-based evaluation for specified programs and initiatives, and to require applicants granted a contract or grant to submit annual outcome-based data, as specified, and report that data to the Governor and specified committees of the Legislature by March 1 of each year.

Meanwhile, **SB 1402 (Liu)**, a bill that reauthorizes and extends the California Community Colleges Economic and Workforce Development Program until January 1, 2018, calls on the CA Community College (CCC) System collaborate with regional economic and workforce centers to improve linkages and career-technical education pathways between high schools and community colleges and improve the effectiveness of this system in a manner that benefits industry, workers and students. The bill calls on the CCC to establish program and system performance outcomes

The Legislature should ensure both these proposals include a requirement that Chancellor and Superintendent specific performance improvement goals for increasing access and completion rates for young men of color and other Californians that have higher unemployment rates or face multiple barriers to employment; and affirmative steps to provide incentives and bonus points for workforce training providers that demonstrate how their programs will draw on best program practices designed to address these barriers in their grant applications.

**3.8 The Governor and the State Health and Human Services Agency should provide the leadership and financial support needed to implement the 2011 State Health Workforce Plan developed by the State Health Workforce Development Council.**

Under the leadership of CA State WIB, the Health Workforce Development Council has put together a practical and achievable plan that would ensure health personnel needed for the ACA expansion of services address the state's need for a more diverse health sector workforce. This plan includes strategies to align and build on existing health career pipeline programs, community health worker career pathway programs in community colleges, and similar training programs that are jointly operated by community, labor and health system partners. Designed to prepare young Californians for careers needed to prevent a number of the most urgent chronic health conditions (e.g., obesity, drug and alcohol dependency, youth violence, etc.) that threaten the wellbeing of the state's most vulnerable youth and families, increased investment in these career pathway programs will result in double and triple bottom line returns.

As part of its work to support implementation of the plan the Select Committee should work with other members of the legislature and State agencies to introduce legislation that encourages the use of Community Health Workers (Promotores) as essential health promotion strategy in California's implementation of the Affordable Care Act. The legislation should include strategies and resources to strengthen and expand community college certificate and associate degrees that lead to state certification and jobs; and provide incentives to community colleges that prioritize outreach, enrollment and support for BMoC who choose to use their CHW degrees to address chronic health conditions in low income neighborhoods.

**3.9 The Legislature and Governor should support the Community College Chancellor's efforts to continue and to expand the reach of Career Advancement Academies that serve young men of color and other Californians with barriers to employment.**

Since the launch of this highly effective workforce training bridge program, the Career Advancement Academies (CAA) have enrolled over 6200 students statewide and operate in a nearly one-third of the California Community Colleges (32 of 112 colleges) in three major regions: the East Bay, Central Valley and Los Angeles. CAAs build on integral partnerships between local community colleges, high schools, adult education/ROCPs, employers, workforce boards, labor, social service agencies and community-based organizations.

The CAAs were refunded in 2011 as a direct result of the quantifiable successes of phase one from 2007-2010. In their second phase, CAAs have grown to include colleges in the greater Los Angeles area as well as in the San Francisco Peninsula and South Bay and have expanded from one-semester bridge programs to include

one-year pathways. CAAs accelerate student progress by integrating work readiness, career guidance, support services, contextualized basic skills, language learning and career technical training. Students take classes together as a cohort, forming a peer learning community. These practices have been proven to be the key to degree completion, transfer to four year college programs, and successful job placement in high growth industry sectors that offer career advancement.

**3.10 The Legislature and Governor should support efforts to continue and to expand the California Teacher Pathway program that prepares young men of color and other young adults from low-income communities for employment in the afterschool workforce, provides them post-secondary academic support and creates meaningful career pathways leading to K-12 teaching careers.**

Originally part of the California Community College Chancellor's Office's (CCCC) Career Advancement Academy Initiative, the CA Teacher Pathway was developed in 2008 by the South Bay Center for Community Development (SBCC), LA Harbor College and CSU Dominguez Hills to strengthen the afterschool workforce, diversify the teaching workforce, and provide career and academic support for low-income, gang-impacted youth who want to become teachers in their own community. The Teacher Pathway was expanded across the state in 2010 with \$4.5 million of Governor's discretionary funding administered through EDD with CalGRIP funds (California Gang Reduction, Intervention, Prevention). There are currently over 600 students in the CA Teacher Pathway across nine program sites spanning the state from Chico to San Diego.

The CA Teacher Pathway supports participants in attaining their Associate's degree at a CA Community College (CCC) and then transferring to a California State University (CSU) where they complete their Bachelor's degree and single- or multi-subject teaching credential. The pathway participants are placed in a cohort and are matched with a Student Support Specialist who provides wrap-around academic and social support services. Throughout the pathway, participants are paired with jobs working with youth in afterschool programs, providing 500 hours per year working directly with kids while providing the supplemental income while they are in college.

The Teacher Pathway model has a promising track record, with 65% of the pilot cohort securing continued employment in afterschool programs and other youth settings, 52% successfully transferring from CCC to CSU and an overall 80-95% retention rate across all 9 programs throughout the state. Each subsequent semester will result in more participants successfully completing the pathway and with 100% of teacher-tracked participants committing to teaching in low-income communities, the CA Teacher Pathway has effectively created a 'Grow Your Own' teacher workforce development model that will have a long-lasting, positive impact on the education of boys and young men of color and low-income communities throughout California.

# Juvenile Justice and Safety

A growing body of recent research now confirms what has always been evident from direct observation: children and adolescents benefit in very consequential ways from developmentally appropriate adult guidance and good parenting until they are fully mature.<sup>29</sup> Many children, however, particularly those in the foster care or juvenile justice systems, have been removed from the people who would most naturally support their development. As well, neither of these public systems approaches the care of children in their custody from a youth development or trauma-informed perspective. This is especially true for boys and young men of color. These children receive inadequate or no effective parenting at critical developmental points and are influenced more by peers than caring adults. The result is an increase in violent behavior, school failure, inability to connect with others and unaddressed health and mental health needs. Without addressing the youth development of children in these systems generally, and boys and young men of color specifically, California will never effectively stem the epidemic of youth violence.

Research also confirms that harsh juvenile justice policies do not protect communities; but instead they deepen the damage in the very communities these policies are designed to protect by putting more children on a dropout track. This further widens racial and ethnic inequality because dropouts are more likely to appear in the criminal justice system down the road.<sup>30</sup> Between 1987 and 2007, as harsher criminal justice policies took hold, the nation's prison population nearly tripled.<sup>31</sup> From 1974 to 2001, the percentage of African-American adults who have ever been incarcerated jumped from 8.7 percent to 16.6 percent; for Latinos, the rate increased from 2.3 percent to 7.7 percent. Both groups are overrepresented in prison, when compared to whites. And it affects the young as well as adults: In California, in 2003, 25 percent of incarcerated juveniles were African American in a state where 8 percent of the youth population was African American. Overall, the number of youth being held in adult prisons has grown by 208 percent since the 1990s.<sup>32</sup>

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<sup>29</sup> See E.R. Devore and K.R. Ginsburg, *The Protective Effects of a Good Parenting on Adolescents*, Current Opinion in Pediatrics, Vol. 17, No. 4 (Aug 2005), for a review of relevant literature.

<sup>30</sup> Western, Bruce. 2007. *Punishment and Inequality in America*. New York: Russell Sage Foundation.

<sup>31</sup> The Pew Center on the States (Pew). 2008. *One in 100: Behind Bars in America 2008*. Washington, D.C.: Pew Charitable Trusts.

<sup>32</sup> Chura, David. 2010. *I Don't Wish Nobody to Have a Life Like Mine: Tales of Kids in Adult Lockup*. Boston: Beacon Press.

Racial disparities are also evident in the way that our justice system responds to youth violence: Latino youth are 40 percent more likely than white youth to serve time in an adult correctional facility; in fact, one of every four Latino youths who are locked up are incarcerated in adult institutions.<sup>33</sup> Similarly, African-American juveniles are nine times more likely than whites to do time in adult detention facilities.<sup>34</sup> Consequently, more young (20 to 34-year-old) African-American men without a high school diploma or GED are currently behind bars (37 percent) than employed (26 percent).<sup>35</sup> Yet, studies have demonstrated that prosecuting youths as adults contributes to higher rates of recidivism and that teenage boys serving time alongside grown men are at increased risk for sexual assault and suicide.<sup>36</sup>

As a related issue, recent studies on other vulnerable populations, like Lesbian Gay Bisexual and Transgender (LGBT) youth, indicate that finding solutions to the challenges we face in the juvenile justice system will require that we dig deeper to unpack other challenges that relate to gender and gender orientation. LGBT youth and adults face harsher punishment than straight people for the same crimes. LGBT youth are more often expelled from school, arrested and convicted of a juvenile offense compared to their straight counterparts. At least 15 percent of the population in juvenile detention is LGBT.<sup>37</sup>

As California grapples with a budgetary crisis, as well as with the re-alignment of the criminal justice system, we will need to identify opportunities and implement strategies to ensure that dramatically lower numbers of boys and young men of color find themselves languishing in our local jails and state prisons at an expense to taxpayers that far exceeds the costs of sending them to the most expensive private universities in the world. We urgently need to identify and strengthen the programs that can ensure young men who are incarcerated receive the counseling and education needed to become productive citizens upon their release.

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<sup>33</sup> Arya, Neelum, Francisco Villarruel, Cassandra Villanueva, and Ian Augarten. 2009. "America's Invisible Children: Latino Youth and the Failure of Justice." Campaign for Youth Justice and National Council of La Raza. Policy Brief, Race and Ethnicity Series, 3.

<sup>34</sup> Arya, Neelum, and Ian Augarten. 2008. "Critical Condition: African-American Youth in the Justice System." Campaign for Youth Justice. Policy Brief, Race and Ethnicity Series, 2.

<sup>35</sup> The Pew Charitable Trusts, 2010. *Collateral Costs: Incarceration's Effect on Economic Mobility* (Washington, DC: The Pew Charitable Trusts).

<sup>36</sup> Campaign for Youth Justice. 2007. *Jailing Juveniles: The Dangers of Incarcerating Youth in Adult Jails in America*. Washington, D.C.: Campaign for Youth Justice.

<sup>37</sup> Irvine, Angela. 2011. "LGBT kids in the prison pipeline." The Public Intellectual. <http://thepublicintellectual.org/2011/05/02/lgbt-kids-in-the-school-to-prison-pipeline/>.

## **Broad Policy Goals**

1. *Ensure that our law enforcement, gang abatement, incarceration, and community re-entry policies and practices are aligned with the goal of promoting economically thriving healthy communities.*
2. *Ensure that criminal justice realignment in California provides local jurisdictions with incentives, opportunities, and supports to take proactive action and promote national leadership in progressive criminal justice reform.*

## **System Indicators**

1. *Law enforcement, gang abatement, incarceration, and community re-entry policies and practices are aligned with the goal of promoting economically thriving healthy communities.*
2. *The criminal justice realignment in California provides local jurisdictions with incentives, opportunities, and supports to take proactive action and promote national leadership in progressive criminal justice reform.*

## **BMoC Population-Level Indicators**

1. *Substantially reduction in the number of boys of color that end up in the criminal justice system.*
2. *More effective Youth Pathways for School and Community Re-Integration after Incarceration.*

## **POLICY RECOMMENDATIONS:**

**Improve System Performance through Greater Accountability and the Removal of Barriers to School and Workforce Re-Entry that BMoC face.**

- 4.1 **The legislature should prioritize strategies that reduce the number of boys of color that end up in the criminal justice pipeline.**

Changing the trajectory of BMoC involvement in the juvenile justice system will require attention to the mix of forces at work, which include legal structures and

rules, organizational imperatives of schools and justice systems, as well as deeply held social and cultural attitudes. There is no one silver bullet. As previously noted, schools are the first organizational pathway through which youth pass and so the work of reducing contact with the justice system begins with a re-design of school discipline rules and interventions. (See section on Youth Policy.) But, reducing contact with the justice system, especially for adolescents, also requires that school leaders, police, judicial and probation authorities and other stakeholders at the community level all share a common set of goals and a common set of strategies for intervening with youthful offenders. The legislature could foster these changes in local practice by setting goals and devising regulatory incentives both to foster local cooperation and accountability to state goals for the reduction of youth involvement in the judicial system. Attention to higher standards for the directing youth into adult court proceedings is one often-recommended strategy by experts and community advocates. Another recommended strategy is for the legislature to help securing greater resources for better access to legal representation for boys and men of color, as well as providing more options for diverting non-violent offenders to community based programs that can provide an effective continuum of services. The legislature could also adopt statewide standards and regulations, (e.g. adapted from the Missouri model as adopted for James Ranch in Santa Clara County), to ensure a consistent level of quality in county juvenile justice services. The state should also ensure adequate time and cost-sharing for counties to effectively implement a comprehensive array of diversion programs and longer-term detention capacities. The staff of juvenile justice agencies should also receive mandatory training in disparity issues as a requirement to receive state and federal juvenile justice funding.

The federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) mandates that states complete an analysis of Disproportionate Minority Contact (DMC) in their justice systems. Similarly, realignment funding in California should make provisions—in the form of a \$150,000 set-aside—so that every county can conduct a similar analysis. If DMC is found to be present within the county, the county should be required to develop a good faith plan to remediate DMC.

#### **4.2. Improve supportive interventions for foster youth both while in foster care, and for an appropriate period after they age out of foster care system.**

Foster Care is often one of the most significant, if unintended, pathways into the juvenile justice system for boys of color. The legislature should explore options for improving parenting capacity for foster parents, supports for youth that age-out but may continue to need support to stay on track for college and career success and independence. The legislature could also develop goals and accountability measure for local authorities regarding the outcomes of foster youth.

#### **4.3 Design legislation that authorizes and supports local health, education, and other youth-serving agencies and state-supported community-based service providers to incorporate trauma-informed and restorative justice approaches to care and programming.**

The goal is for local officials to embrace as a policy priority (and to have the resources to provide) the provision of trauma-informed responses and services to youth at the earliest point of contact with the juvenile justice system and to determine whether youth have mental health needs and how to best match those needs with available services. One recommended option is to amend the current intent statutes of the juvenile justice and child welfare system (Sections 300 and 600 of the Welfare and Institutions Code) to include the provision of trauma informed care as one of the goals of the juvenile justice and child welfare systems. The legislature could also consider shifts in how training is provided to support local public safety and social services agency personnel to work with reform-minded groups like the National Council of Juvenile and Family Court Judges, the ABA, the Youth Law Center, the Child Welfare League, the California affiliates of APHSA, CASA, on various ways of implementing family preservation and trauma informed care. California should also support greater cross-agency collaboration and capacity improvement similar to the *Healthy Returns Initiative (HRI)* launched in 2005 in Los Angeles, Santa Clara, Santa Cruz and Ventura Counties. HRI led to the improvement in probation and officer recognition of mental disorders and increased the connection between youth and appropriate mental health services.<sup>38</sup>

#### **4.4 The Legislature should review and reform gang-abatement laws that create racially/ethnically biased gang registries and sentencing enhancements.**

One often cited example is the Street Terrorism Enforcement and Prevention Act (STEP) which applies overwhelmingly to boys and young men of color. These laws result in young males of color receiving significantly longer sentences than White juveniles for the same offense. Law enforcement agencies, particularly gang task forces, frequently label many juveniles of color as gang members with no evidence of gang involvement and likewise refuse to label White juvenile groups as gangs even if they clearly meet the provisions of the STEP Act.<sup>39</sup> Most troubling are the low standards by which local police may “confirm” gang membership (e.g., the use of tattoos, or the statements of informants). Research indicates that to reduce gang activity meaningfully and over the long-term, we need to focus on the conditions in

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<sup>38</sup> *Healthy Returns Initiative: Strengthening Mental Health Services in the Juvenile Justice System: A Final Evaluation Report by the National Council on Crime and Delinquency* (The National Council on Crime and Delinquency, 2010).

<sup>39</sup> Brian W. Ludeke, *Malibu Locals Only: “Boys Will Be Boys,” or Dangerous Street Gang? Why the Criminal Justice System’s Failure to Properly Identify Suburban Gangs Hurts Efforts to Fight Gangs*, 43 CAL. W. L. REV. 309, 345–46 (2007); Linda S. Beres & Thomas D. Griffith, *“Gangs, Schools, and Stereotypes”*, 37 LOY. L.A. L. REV. 935, 949–50 (2004); Sara Lynn Van Hofwegen, *“Unjust and Ineffective: A Critical Look at California’s Step Act”*, Southern California Interdisciplinary Law Journal, Volume 18, Number 3, Spring 2009, 679.

neighborhoods families and communities, which cause gangs to form and lead some youths to join them.

## **Incentivizing Shifts in System Practice to Adopt the Best Models/Practices in Prisoner Re-entry to Communities that are shown to Improve BMoC Outcomes/Results**

### **4.5 Authorize and Support more Effective Youth Pathways for School and Community Re-Integration after Incarceration**

Cost savings generated from the realignment of the juvenile justice system, as well as the broader criminal justice system, should be reallocated to support, among other things, effective re-entry programs for youth and young men, especially parenting males released from juvenile and criminal detention. California should support the testing and application of successful models for juvenile/criminal justice aftercare at the local level in the areas of assessment, step-down placements, pre-release planning, probation, and court supervision. This could entail approaches such as creating a best practices clearinghouse, offering incentive grants and implementing supportive regulations. The state and localities should also support effective programs for reintegrating young adults who have been incarcerated back into the labor force. One such program, the Center for Employment Opportunities (CEO) based in New York City, is a transitional jobs program designed to help former prisoners increase longer-term employment and reduce recidivism. A recent random-assignment impact evaluation of CEO conducted by MDRC found that the program significantly reduced re-arrest and reconviction for participants and, in particular, had its strongest reductions in recidivism for former prisoners who were at highest risk of recidivism.<sup>40</sup> More locally, the Juvenile Justice Center/Oakland Unified School District Wrap-Around Strategy (JJC/OUSD) is a pre-adjudication program funded by City of Oakland, through Measure Y (local funding source). The JJC/OUSD strategy is a collaboration among the City of Oakland, Alameda County Probation Department, Alameda County Behavioral Health, and five community based organizations including the Mentoring Center (TMC). The JJC/OUSD program targets medium-to-high risk juvenile offenders in Oakland and links Oakland's youth offenders to resources to assist with their integration back into school and community. TMC supports this program by providing case managers and by connecting young people to TMC's Transformative Mentoring™ groups. The program serves youth between the ages of 13-18 years old.

Counties should also be supported, under the current realignment plan to conduct a front-end data analysis on their “returning” populations in order to determine the best strategies for community-based supervision and reentry supports with targeted populations (older drug users, domestic violence offenders, etc.) Disaggregating

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<sup>40</sup> Janine Zweig et al., (2010) Recidivism Effects of the Center for Employment Opportunities (CEO) Program Vary by Former Prisoners' Risk of Reoffending <http://www.mdrc.org/publications/574/full.pdf>

who is coming “home” by offense type and other meta-data will allow smarter, more efficient programming to deliver the services they need to succeed.

Funds should also support transitional employment opportunities, recognizing that not all counties will have the infrastructure/capacity to administer this type of intensive program. Transitional work programs offer temporary, subsidized employment in a supportive environment to those who lack work experience, education, or training. Offenders in transitional settings are supported through close case management. Through gains in experience, skills, and building a “work history,” offenders may improve their chances of finding and keeping unsubsidized employment.

**4.6 Authorize and support the revision of detention practices in California to ensure that youth of color receive fair and equitable treatment while detained, including access to effective continuing education services.**

Require training for guards and administrators to develop understanding and unique skills to engage youth with a special emphasis on working with those who have been chronically exposed to community and institutional violence. Encourage counties to use a risk-assessment screening tool with a culturally informed lens for all youth to ensure myriad educational, mental health, and developmental needs are met.

**4.7 The Legislature should support counties to provide non-incarceration options to handle warrant and probation failures; and should work to expand community-based alternatives to detention in appropriate cases.**

The Legislature might support models like the Juvenile Detention Alternatives Initiative, which has substantially reduced disproportionate minority contact in Santa Cruz and Ventura Counties. As of August 2009, 110 local jurisdictions in 27 states have active JDAI programs.<sup>41</sup>

**4.8 Set Goals for and Require Counties to Document Recidivism under the new Realignment**

A critical goal of realignment specifically, and post-release services generally, is to reduce recidivism. AB 109 fails to require that counties document the impact of their programs and services in reducing recidivism. Revisions to AB 109 should establish a standard measure of recidivism and require all counties to annually report their progress towards reducing recidivism. The federal Second Chance Act funding requires jurisdictions receiving funding to document their recidivism rates and to establish goals of reducing recidivism by 50 percent over a five-year period. Amendments to AB 109 should establish similar requirements for documenting, reporting, and reducing recidivism.

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<sup>41</sup> *Two Decades of JDAI: From Demonstration Project to National Standard* (2009) Annie E. Casey Foundation.

#### **4.9 Foster Transparency through Uniform Reporting under Strengthened SB 678 Realignment Provisions**

AB 109 amendments should establish a standard format for counties to document and report on how funds have been allocated, the use of funds, and the outcomes derived from such use. The reporting template should be standardized so that an aggregation of data from counties provides a basis for comparing outcomes across counties and determining what uses of funds and programmatic strategies yield the best results in terms of reducing recidivism and improving public safety.

#### **4.10 Align Realignment Incentives to Promote the Goal of Reduced Incarcerations**

If left unchanged, the AB 109 funding formula would continue to distribute greater numbers of dollars to counties that imprison more people than those that implement practices for reducing the number of incarcerated. As it is currently structured the AB 109 funding formula incentivizes counties to incarcerate en masse. Whereas counties that demonstrate clear reductions in incarceration are penalized, receiving less funding because the current formula favors counties with high numbers of people incarcerated in the state prison system. The state can no longer afford to fund such socially irresponsible practices.

The starkest examples are Alameda and San Bernardino Counties. While the two counties have the same crime rate, San Bernardino sends more than twice as many people to state prison than Alameda. Because of that, Alameda County received \$9 million and San Bernardino \$22 million during the first year of realignment in 2011.

Other county examples include San Francisco County's allocation of \$5.9 million for a county population of 805,000 versus Tulare County's \$5.2 million allocation for a county population 442,000. Even more egregious is the example of Fresno County's \$9 million allocation for a population of 930,000 versus Contra Costa County's \$4.7 million for a population over 1 million.

These funding inequities exist all over the state and are a perverse incentive, pushing counties, and frankly the state, further away from federal best practices in criminal justice policy and practice.

Rectifying this misalignment of incentives requires shifting the funding formula so that it's more balanced—rewarding counties that are demonstrating clear reductions or helping others that have clear resource needs because of the size of their population and crime rates.

# Youth Development & Youth Policy

In California, far too many young men of color will reach age 25 without receiving a high school diploma or successfully transitioned to independent adulthood. At an age when most young adults are benefiting from full-time work and close interpersonal relationships, these youth will not have connected to the labor force; most will lack social support systems. An overwhelming majority of these unemployed youth will be males of color; of these, over half will be in prison, while the remaining young men will be mired in protracted spells of long-term unemployment. Almost all of these youth will have spent their childhoods in families at the lowest level of the income distribution and will likely spend much of their own adult lives in poverty, unemployed or marginally employed. From an educational, economic and social perspective, these young people will be "disconnected."<sup>42</sup>

Virtually all youth who find themselves outside of the labor force and not connected to educational institutions by their twenties began the process of disconnection much earlier, most often in adolescence. In our society, almost all youth require support until they have connected successfully with the labor force, which generally does not occur until their mid-twenties. Most young adults experience detours on the road to independence, which may include periods of unemployment and periodic interruptions in their education. The majority of youth are embedded in networks—families, friends, and communities—that provide guidance, support and help, both financial and otherwise, when they face the crises that are an inevitable part of this transition.

Quite the opposite is true for most disconnected youth, particularly if they are male. These youth have extremely limited support systems, including family support, to help them through the difficult transition to adulthood. There is a compelling need to create a system of support and opportunity for those youth least likely to make a successful transition by age 25 and to provide incentives for youth to access these opportunities. Those less likely to connect have lower basic literacy and fewer years of formal schooling. Many have a history of behavioral problems that result in suspension, expulsion and arrest. They are more likely to suffer from untreated mental illness, substance abuse or other disabilities, more likely to reside in neighborhoods where many other residents are unemployed, and, more likely to have experienced child abuse or neglect. Youth Development programs and policies designed to serve the general population of adolescents or unemployed young adults

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<sup>42</sup> See Brett Brown, *A Portrait of Well-being in Early Adulthood* (unpublished paper, Child Trends 2003) available at: [www.ytfg.org/documents/PortraitofWell-Being.pdf](http://www.ytfg.org/documents/PortraitofWell-Being.pdf)

are not likely to adequately serve the needs of those at highest risk of long-term disconnection.

### **Broad Policy Goals**

- 1. Prevent the Disconnection or “push-out” of boys and young men of color from California’s public schools.*
- 2. Re-connect disconnected youth - those who are out of school, have no high school diploma, and are not working - including the formerly incarcerated, to education opportunities and workforce participation.*

## **POLICY RECOMMENDATIONS**

### ***Goal 1 - Reduce School Push-out***

#### **Accountability Mandates to Improve Performance of Systems that serve BMoC**

#### **5.1 Reduce the use of harsh school policies and practices that “push” boys out of school and expand the use of school discipline models that promote retention and academic engagement among boys and young men of color in California’s public schools.**

The term “zero tolerance” is shorthand for mandatory, punishment and practices that suspend, or expel students of all races at now-record rates and students of color at highly disproportionate rates. California schools suspend and expel students at an annual rate of 12.75 percent, resulting in nearly 800,000 suspensions and expulsions. And more than half of suspensions and expulsions don’t stem from more serious offenses like violence or bringing a gun to school, but from misbehavior like shoving in the hallway, talking back to teachers or missing school.<sup>43</sup> National studies have called the effectiveness of harsh discipline policies into question, demonstrating the loss of instruction time faced by young people who are subject to these practices. Harsh discipline leads to poor life chances for boys of color. School districts from Georgia to Maryland that have reoriented school discipline policies away from this type of extreme and severe disciplinary approach are beginning to see results including increased graduation rates.<sup>44</sup>

Developing new discipline practices and policies that are explicitly designed to

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<sup>43</sup> See, “Common sense discipline needed in school,” by Barbara Raymond, *Sacramento Bee*, July 23, 2011.

<sup>44</sup> Blackwell, Angela and Manuel Pastor (2010), “Let’s Hear It For the Boys,” in Ruiz de Velasco and Edley, Eds., *Changing Places: How Communities will Improve the Health of Boys of Color*, (University of California, Press: Berkeley) P.18, Chapter 1. Available at: <http://www.boysandmenofcolor.org/about-the-book>

“equalize” and “educate” and “develop members and citizens” is essential to reversing the negative effects of exclusionary policies. In this regard, the California legislature has already begun to shape policy to address some of the harms of zero-tolerance. AB 1729 (Ammiano), AB 2242 (Dickinson), AB 2300 (Swanson), and AB 2537 (Perez) all reflect an effort to balance greater flexibility for school leaders with a policy shift towards more common-sense approaches and alternatives to out-of-school suspension and expulsion.

## **5.2 Provide a rich array of targeted afterschool and out-of-school time programs to keep boys of color developmentally on the pathway to success.**

The legislature should find ways to better leverage California’s \$550 million After School Education and Safety (ASES) Program to serve high-need boys of color. In particular, more these funds authorized for use strategically in high schools. The ASES Program in California is the result of a 2002 voter-approved initiative (Proposition 49) that increased state funding for afterschool programs from \$121 million to the current funding level of \$550 million. ASES is one of the first, and currently the largest, state-sponsored program in the nation to provide funding for local after school education and enrichment programs. At this level, California invests over three times more in afterschool programs than the rest of the country combined.<sup>45</sup> These programs can provide expanded learning time activities, including literacy, academic enrichment and safe constructive alternatives for children and youth in kindergarten through ninth grade (K-9). California should expand the coverage of the ASES program to include high-school youth and explore leveraging ASES funding in concert with funding from other systems (e.g. education, child welfare, workforce, health) for recovering disconnected older youth who drop out of high school. The state should develop and implement quality standards to ensure boys of color benefit from high-quality afterschool programs like LA’s BEST in Los Angeles which has proven particularly effective at reducing the likelihood of committing a crime or dropping out of school among low-income children of color.<sup>46</sup>

## **5.3 Provide support for on-site mental health services for boys and young men of color in public schools, particularly for those youth who suffer chronic trauma and its associated effects on psychosocial development.**

The health status of California’s boys and young men of color bears a direct causal link to school dropout rates, attendance, academic performance and school behavior. By carefully considering where and how to provide services, schools and

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<sup>45</sup> Fight Crime Invest in Kids California, (2010) *California’s After-School Commitment: Keeping Kids on Track and Out of Trouble* (San Francisco, CA). Available at: [http://www.fightcrime.org/sites/default/files/reports/CA\\_AS\\_Commitment\\_1.pdf](http://www.fightcrime.org/sites/default/files/reports/CA_AS_Commitment_1.pdf).

<sup>46</sup> Goldschmidt, P., D. Huang, and M. Chinen (2007) *The Long-Term Effects of Afterschool Programming on Educational Adjustment and Juvenile Crime: A Study of the LA’s BEST After-school Program*. Los Angeles: University of California at Los Angeles and CRESST (National Center for Research on Evaluation, Standards, and Student Testing).

policymakers can take immediate and low cost steps to improve the health of boys and young men of color and increase student academic achievement and graduation rates. Student health must be a key component in the ongoing discussion about school reform. In addition, to address the realities of trauma experienced by boys and young men of color, educational institutions need to incorporate this experience into their approach to these boys and young men. On-site behavioral health programs can expand opportunities for services such as cognitive-behavioral therapy, counseling, support groups, mentoring, conflict and anger management training, gender-specific health services and other interventions that mitigate the impact of stress and trauma and help youth of color break the cycle of violence.

**5.4 Promote greater accountability and transparency by requiring the state and districts to report suspension, expulsion, and law enforcement referral data at the school level by race, ethnicity, gender and offence.**

Progress on school push-out and zero tolerance issues will require building public understanding and will. To accomplish this, families and community advocates need accurate, regularly reported data that puts the consequences of current policies into stark relief. Current consideration of legislative initiatives such as AB 2145 (Alejo) put us on the right track.

**Incentivizing Shifts in System Practice to Adopt the Best Models/Practices that have proven to improve BMoC outcomes/results**

**5.5 Authorize and support the implementation of evidence-based positive interventions that aim to improve the social, emotional and academic success of all pupils, especially boys and youth of color.**

By attending to a students' social-emotional brain development and creating conditions where school environments are calmer and safer, teachers can teach more effectively, students learn better and exhibit more adaptive behavior. SB 1235 (Steinberg) attempts to promote this approach by requiring that schools with high suspension and expulsion rates be required to implement evidence-based alternative practice to zero-tolerance. Other States have taken a more flexible tack, by requiring their state Departments of Education to issue better guidance to schools on implementing better practices. One example can be found in New York State where the State Board of Regents recently adopted standards for social emotional development and learning in public schools.<sup>47</sup> Likewise, Oakland Unified and Los Angeles Unified, have undertaken district-wide efforts to build system capacity to implement positive behavioral interventions and supports through a tiered system of Response to Intervention. The experience of Oakland

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<sup>47</sup> "Educating the Whole Child, Engaging the Whole School: Guidelines and Resources for Social and Emotional Development and Learning (SEDL) in New York State." Adopted by the New York State Board of Regents, July 18, 2011. Available at: [www.p12.nysed.gov/sss/sedl/SEDLguidelines.pdf](http://www.p12.nysed.gov/sss/sedl/SEDLguidelines.pdf)

and LA Unified should be followed and lessons from these practices could inform statewide policy.

## **Goal 2 - Promote Re-Entry of Disconnected Youth.**

### **Accountability Mandates to Improve Performance Systems that serve BMoC.**

- 5.6 Adopt legislation that would create incentives for districts to re-enroll dropouts, including those that have had contact with the juvenile justice system, and to provide targeted services to ensure the academic success and social emotional learning of boys and youth of color.**

Recapturing youth who have disconnected from school before turning 20 is perhaps the single most important policy lever for addressing disconnection among the adolescent youth. Community-based organizations are doing some of this work, as are some community colleges and charter schools. But often, it is the traditional public school district that is the best positioned to respond. Yet, very few districts have active recapture programs, and the accountability and finance system hold very few incentives for districts to focus on finding, and bringing these hard-to-serve youth back into the system. In the case of youth that have been involved with the justice system or who otherwise have been expelled from school, districts and schools often create barriers to re-entry with little support for students who seek to reconnect. SB 1088 (Price) goes addressed part of the problem with respect to juvenile justice-involved youth, but more can be done.

- 5.7 Create a coordinating body for youth programs, services, and data sharing that effectively targets programs and services to boys and young men of color, especially those who are involved in multiple “systems” or who are disconnected from family, public systems, and the workforce altogether.**

California, unlike other states, does not have a formal state level coordinating mechanism for programs and services across departments that serve youth. Thus, disconnected youth who are seeking to re-connect to education and employment often find that they must navigate a bewildering array of systems to find the help they need. Furthermore, Youth involved in the child welfare system (e.g., foster youth) are at risk of “crossing over” to the juvenile justice system and, inversely, many juvenile justice-involved youth later become involved in the child welfare system. Jurisdictions often find it difficult to identify and serve disconnected (or multiply-involved) youth because information about them is rarely shared across systems. Thus, obtaining data on youth served by multiple agencies typically requires special research projects that match cohorts of youth from one system to another. Moreover, there is often a lack of structural relationships and understanding among agencies that dually-involved youth touch. In some places, there is no mechanism for interaction between staff of the child welfare, public

education, or juvenile justice systems. Information-sharing challenges are often encountered among these various agencies due to complex legal rules, different record-keeping procedures, the limits of current technology, and other factors that make it difficult for everyone involved in a particular youth's case to be fully informed about the youth's background and current situation. Moreover, there are rarely any policy imperatives that require systems to work together, resulting in a lack of motivation to address the challenges faced.<sup>48</sup> The absence of comprehensive coordination across state agencies makes it difficult to target youth programs and services to effectively serve boys and young men of color.

California should create a coordinating body within the Governor's Office to coordinate its youth-serving programs and services across several agencies. Such an office could support and help expand and strengthen regional efforts to coordinate youth services, especially for disconnected youth. One example of such an effort is the collaboration in Los Angeles county between the LAUSD, the LA Community College District, the LA Chamber of Commerce to focus on reaching out and supporting disconnected youth to return to school and to find employment. Using dollars from the federal Workforce Investment Act, these LA agencies have launched counseling services and "student recovery days" in Los Angeles and since 2009 have been able to bring about 2000 students back into the school system and to help about 68,000 others find employment.

## **Budget Levers for Targeting or Redirecting, Existing Funding or Accessing New Funding**

### **5.8 The legislature should adopt legislation that allows for flexible state funding across systems (portability) to support the recovery/reengagement of disconnected youth.**

Greater coordination of services across agencies (and with non-profit providers) would be enhanced if dollars for eligible school-aged youth could be ported (follow) youth and applied to services in community colleges, adult education, or with appropriate services provided by community-based organizations.

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<sup>48</sup> Hertz, Denise, *et al.*, (2012), "Addressing the Needs of Multi-System Youth: Strengthening the Connection between Child Welfare and Juvenile Justice." (Center for Juvenile Justice Reform, Georgetown University, Washington, DC).