

CHAPTER 13 PRIVATIZATION

13.1 Introduction

A large body of literature suggests that providing youths in juvenile justice facilities with quality educational services likely improves their chances of living productive and crime-free lives. Among important characteristics of juvenile justice facilities that influence effectiveness of educational programs are the auspices under which programs operate. In Florida, for example, many different entities operate juvenile justice facilities. Some providers are public (administered by the Department of Juvenile Justice [DJJ]), and some are contracted out to private providers. Furthermore, while some of the private providers are for-profit organizations, there are many not-for-profit organizations as well. Further complicating the matter, the educational programs within these facilities may be operated by public school districts, private for-profit providers, or private not-for-profit providers.

In recent years, the number of privately operated juvenile justice programs has been growing. In the United States, between 1983 and 1991, the number of youths admitted to private juvenile programs increased 57%, from 88,806 to 139,813, while the increase in admissions to public facilities increased 29% (Office of Juvenile Justice and Delinquency Prevention (OJJDP), 1995). The trend toward privatization appears to have been driven by a cost-effective rationale, which implies that privately operated facilities can deliver comparable, if not better, services for less money. Privately operated facilities are said to achieve this by having lower student to staff ratios; providing a wider variety of services; and being smaller, more flexible, and more selective (Bartollas, 1990). To date, while there have been several evaluation studies of education in privatized adult correctional settings, little research on privatized juvenile justice education has been published. It is yet to be determined whether these cost-savings claims are correct. Clearly, there is need for research on juvenile justice privatization and education, and this chapter addresses this need.

The chapter is comprised of six subsequent sections. Section 13.2 contains a literature review on a variety of interconnected topics, including, education and delinquency, privatization, juvenile justice privatization, correctional privatization, and educational privatization. Section 13.3 describes the types of programs in Florida operated by public and private agencies by capacity size, security level, and type of program. Sections 13.4 and 13.5 aim at evaluating the services provided by public and private entities. Section 13.4 provides an analysis of quality assurance (QA) scores for different public/private program designations for the 2001 QA review cycle. Section 13.5 describes teacher certification findings related to the privatization status of programs. Section 13.6 provides a summary discussion of the chapter and discusses some of the implications raised for future research and policy.

13.2 Literature Reviews

Because of the variety of issues related to juvenile justice education and privatization, the prior literature reviewed here is as follows: relationship between education and delinquency, overview of privatization, juvenile justice privatization, correctional privatization, and educational privatization.

Education and Delinquency—Current literature indicates that several educational factors are correlated with juvenile delinquency. These factors include school performance, attitudes toward school, and graduation rates. For example, in a recent national workshop on education and delinquency sponsored by the National Research Council; McCord, Widom, Bamba, and Crowell (2000) reported that poor school performance, truancy, and leaving school at a young age appeared to contribute significantly to juvenile delinquency. The workshop further confirmed that serious and violent delinquents had more school-related problems, such as low grades, truancy, suspension, and school dropout than non-violent youths. Youths who had trouble academically were more likely to engage in criminal and delinquent behavior, offend more frequently, commit more violent and serious offenses, and persist in their delinquent behavior for a longer period. McCord et al. also reported that educational programs that teach self-control, social skills, and provide parental training were more successful in improving educational outcomes than those that provide only remedial education. Moreover, according to Hansen (1998), one out of every two adolescents was at serious or moderate risk for school failure.

Privatization—The term privatization refers to the contracting out of public services to private providers by local, state, or federal levels of governments. Some of the services that are commonly placed under contract include garbage collection, healthcare, law enforcement, education, fire protection, corrections, public transit systems, construction, and airport operations. The concept of privatization has been with us for centuries. While having historical precedent, privatization has experienced a dramatic gain in popularity during the last 25 years (Grimes, 1994; Lopez-de-Silanes, Cain, & Vishny, 1997). This trend has been fueled by concerns over fiscal scarcity, governmental inefficiency, and the increasing size of the public sector. The growth of privatization of public services has stimulated lively discussion about the efficacy of private providers in delivering services that have traditionally been provided by government agencies.

Proponents argue that privatization enhances competition by offering financial incentives to those who achieve expected or desired outcomes, and increased competition is claimed to improve the overall quality of service delivery. This *laissez-faire* argument appeals to many Americans because of concerns over state monopolies and a strong appreciation for competition. There is general acceptance in America of free enterprise and a prevalent belief that private operation of anything “must be cheaper and better” than the same operation by the government (Shichor & Sechrest, 1995). Many Americans criticize public monopolies on services for ineffectiveness and inefficiency. Private providers offer an alternative approach that has been widely endorsed by the public.

Proponents of privatization claim that private contractors provide comparable or better services at a relatively lower cost than public providers. Some critics argue, however, that private companies are able to provide the same level of service at a reduced cost primarily by paying employees 11% to 20% lower wages, using fewer employees, and offering inferior employee benefits packages (Lopez-de-Silanes et al., 1997). Critics contend that this will reduce the quality of the employees, which, in turn, will reduce the quality of the services provided. In fact, some believe that public investment in the private provision of services compromises the efficacy of government-operated programs. Opponents believe privatization usurps valuable resources from public sources, thereby crippling the public sector, reducing the overall quality of service provision, and undermining the primary role of government—to create the greatest good for the greatest number of people (Brown & Hunter, 1996).

Juvenile Justice Privatization—Juvenile justice privatization first emerged in the State of Florida in 1974 when Associated Marine Institutes, Inc. (AMI), a not-for-profit privately operated juvenile justice initiative, was officially established (AMI, 1996). Since then, the number of private providers and privately operated programs has grown, and this trend has been encouraged by current state statutes [section 230.23161(8), F.S.]. Critics have been concerned, however, that the movement toward juvenile justice privatization has occurred without evidence demonstrating that private contractors are capable of providing comparable or better services at a lower cost. Unfortunately, very little research evaluating the efficacy or cost savings of juvenile justice privatization has been or is now available.

Critics suggest that the sparse amount of research that has been done indicates a need for a closer look at juvenile justice privatization. Shichor and Bartollas (1990) compared youths placed in public and private programs. While they found that youths in public facilities are very similar to those in private programs, they also found that some of the justifications behind privatization are flawed. For example, Shichor and Bartollas suggest:

1. While private programs are often said to provide more services, they rarely have the qualified staff necessary to provide this level of care.
2. Private programs are said to have lower student to staff ratios, and while this may be true, the staff are often held to lower standards than their publicly employed counterparts.
3. Private facilities are often found to house hard-core delinquents with lower-level offenders, a practice in opposition to the recommendations of the Juvenile Justice Delinquency Prevention Act. This practice increases the likelihood of victimization and violence (Bartollas, Miller, & Dinitz, 1976).
4. Privatized programs are often driven by money rather than humanitarian vision. Private operators often lobby for additional clients and advertise their services to people who can fill beds. This is true even though there is a body of research suggesting that the free enterprise system's involvement in public and human services

causes problems and compromises quality (Chandler, 1986; Hurst, 1989; Benenson, 1985).

5. Privatized juvenile justice often results in the politicization of juvenile care. In California, when a juvenile is sent to a public facility, 50% of the cost is covered by the state and the county covers 50% of the cost. When a juvenile is sent to a private facility, 95% of the cost is covered by Aid to Families with Dependent Children (AFDC), which is a federal program, and the county covers only five percent of the cost. In a state system environment that is perpetually characterized by resource scarcity, there is increasingly political and fiscal pressure to send youths to privatized programs.

The privatization research relating to recidivism also provides reason for skepticism, but includes results suggesting both positive and negative effects. For example, Greenwood, Turner, and Rosenblatt (1989) found that youths completing private placements were less likely to be re-arrested and re-committed to a correctional institution. Shichor and Bartollas, on the other hand, concluded that youths committed to private facilities do not have different recidivism rates than those completing public programs. Similarly, Terry, Stolzenberg, and D'Alessio (1997) found no significant differences between privately and publicly operated facilities in terms of the probability of re-arrest. Youths completing private placements are just as likely to recidivate, the severity of crime committed is just as severe, and the time to failure is similar to their publicly oriented counterparts. They went on to say that youths completing private placements are no worse off than youths finishing public placements, and that privatization might be a worthwhile alternative if it is less costly. At the same time, they also found that placing youths in private facilities is actually more expensive.

Correctional Privatization—While the research on juvenile justice privatization is limited, there are research studies on privatization in related areas, such as adult corrections, that are helpful in identifying relevant issues requiring further research in the juvenile justice area. Adult corrections has a long history with privatization. Several of the first penitentiaries in the United States, including Louisiana's first state prison and New York's Auburn and Sing Sing penitentiaries, were privately operated (Smith, 1993).

There are a number of studies comparing privately operated and publicly operated correctional facilities in terms of cost and quality. The United States General Accounting Office (USGAO, 1996) analyzed five separate studies that were conducted in five states: California, Tennessee, Washington, Texas, and New Mexico. The USGAO was unable to draw any conclusions, however, because the studies found either little difference or mixed results concerning cost efficiency. Similarly, the studies found that the quality of services offered by public and private correctional providers were virtually the same. The USGAO, therefore, concluded that the existing research on privatization is characterized by uncertainty and that additional research is needed to determine potential differences between private and public correctional facilities.

One controversy over the privatization of prisons can be seen in Tennessee. Corrections Corporation of America (CCA) proposed to manage Tennessee's entire prison system by

offering the state \$100 million dollars in cash in exchange for management rights. Additionally, CCA offered the state \$250 million dollars in up-front capital expenditures in return for CCA being paid a first-year management fee of approximately \$170 million, which was equivalent to Tennessee's adult correctional budget for the 1986-87 fiscal year. After much consideration, the state agreed. When the time came to conduct a comparison review between public and private prisons, the Select Oversight Committee on Corrections (SOCC) concluded that, while all the prisons scored remarkably high on American Correctional Association (ACA) accreditation scores, the public and private prisons operated at essentially the same level of performance (Kyle, 1998).

Recent studies comparing the cost of private and public adult correctional facilities in Florida also reported equivocal findings. The Florida Department of Corrections (DOC) and the Correctional Privatization Commission analyzed the same data, yet reached different conclusions. The Florida Office of Program Policy Analysis and Governmental Accountability (OPPAGA) conducted another review and concluded that an independent third party should conduct additional research to clarify the issue (OPPAGA Report, 1997), but this research has yet to be undertaken.

Educational Privatization—The idea of private education is not new and, in fact, has been around as long as the educational process itself. Adam Smith offered the first identified proposal for the privatization of public education in his 1776 publication, *Wealth of Nations* (Noguera, 1994). Critics of public education promote privatization as a solution to many of the problems that beset public schools. It is not the concept of private education that is new, however, but rather it is the idea that the government should sponsor private education that has recently emerged. This is what most writers mean today when they refer to privatizing education, and this movement has been gaining momentum daily. Rockler (1996) examines several options that have been suggested for the privatization of education, such as voucher programs, charter schools, the Edison Project, and the corporate takeover of public schools. Economist, Milton Friedman, who is credited with initiating the concept of government-sponsored private education (Rockler, 1996), first proposed the voucher plan in 1955. According to his plan, parents would receive vouchers, which were equivalent to the cost of a public education. Parents had the option of using the voucher for a free public education or paying the additional cost of a private school; however, the private schools were free to establish their own tuition charges.

Another option suggested for the privatization of education is the use of charter schools. These schools are detached from the local school districts and receive charters from the state department of education.

The Edison Project, founded by Christopher Whittle, offers a different approach. The main purpose of this project is to design and build a chain of corporately owned for-profit schools. This project would utilize more technology and use more paraprofessionals for teaching than are currently used in most public schools.

Educational Alternatives, Inc. (EAI) has provided a final method of privatization. This for-profit organization has contracted to administer public schools in several school districts

while receiving the funds normally spent by each school it has contracted to administer. Their responsibilities include operating the school, employing teachers and administrators, purchasing materials, and accounting for student progress to parents and the state department of education. Nevertheless, even while employing paraprofessionals as classroom aides and interns in order to minimize personnel costs, EAI has operated at a loss (Rockler, 1996; *The Economist*, 1999).

Although a large body of related research has emerged, the research results are inconclusive, and some of these results have been challenged. For example, one popular perception is that private schools provide higher quality service than public schools. This perception has been supported by several research studies. For example, Coleman, Hoffer, and Kilgore (1981) reported that students in private schools learn more than their public school counterparts. While these findings are based on a national high school survey, the study's research methods have been widely questioned. Critics cite the fact that Coleman et al. (1981) did not control for the self-selectivity of private school samples. In addition, several researchers (Goldberger & Cain, 1982; Murnane, Newstead, & Olson, 1985) point out that students are not randomly distributed between private and public schools, thus the findings of Coleman et al. (1981) may be skewed by selection bias. Using the same national survey, but correcting for selection bias, Noell (1981) did not find any significant learning differences between private parochial school students and their public school counterparts. Furthermore, research by Grimes (1994) compared the quality of economic education provided to private and public school students. Controlling for student ability, aptitude, and prior exposure to economic concepts, the study concludes that students in public schools learn more about economics than students in private schools.

Numerous private contractors have tried to succeed in the education industry, with mixed results. Companies like EAI entered into several contracts with Florida, Maryland, and Connecticut. Each of the EAI contracts has since been terminated due to program failure (Brown & Hunter, 1996; Rockler, 1996). Findings such as these have led many to question the success of the privatization of education (Brown & Hunter, 1996; Molnar, 1996; Rockler, 1996).

Proponents of the privatization of education argue that it will substantially cut costs while bringing stability to staffing. This is believed achievable by making it easier to release poor teachers and keep the better ones. They also contend that competition will initiate advancement. They argue that their key advantage is that, by contracting out schools, there will be a better consensus reached on the goal of education. This will occur by splitting the issue of purchasing and providing education between bureaucrats and private companies (*The Economist*, 1999). As Eddy (1996) concludes, a contractor or provider may have more financial resources than those of an educational institution.

In contrast, some researchers claim that the privatization of education has negative consequences. Levin (1991) argues that privatization simply produces additional layers of bureaucracy, a point that directly contradicts the privatization argument that public schools suffer due to governmental bureaucratic inefficiency. Rinehart and Jackson (1991) and Russo and Harris (1996) claim that privatization further complicates the provision of

education by increasing the need for state action (such as monitoring and contract management) and due process guaranteed under the Fourteenth Amendment to assure equal provision and equal access to education.

Other privatization opponents argue that the development philosophy, which encompasses intellectual, moral, physical, social, and spiritual growth, will be greatly compromised. Moreover, they maintain that it will be difficult to change privatization contracts, particularly if the change affects the result of the contractor. They also raise questions about the interactions between such contractors and students (Eddy, 1996). Challengers also argue that privatization of education involves the segregation of children so that private schools will house the rich and elite children while the public schools will be reserved for the poor and handicapped who may be barred from a private education for financial reasons. In short, they envision an educational system in which there will exist a segregation based on wealth (Rockler, 1999).

The research on privatization in juvenile justice, adult corrections, and education is still inconclusive. Nevertheless, privatization enjoys growing popularity in all of these areas. In Florida, for example, private providers have been contracted to operate both juvenile justice facilities and the educational programs within these facilities.

Many state governments continue to strongly encourage privatization. For example, the State of Florida recently changed section 230.23161(7), F.S., which addresses the provision of educational services in DJJ programs. In 1996 and 1997 the section of the statute addressing educational privatization in DJJ programs read as follows:

The school district *may contract* with a private provider for the provision of educational programs to youths placed with the Department of Juvenile Justice and may generate local, state, and federal funding, including funding through the Florida Education Finance Program for such students [emphasis added].

In 1998, the statute (changed to section 230.23161(8), F.S.) was amended to read:

School districts are authorized *and strongly encouraged* to contract with a private provider for the provision of educational programs to youths placed with the Department of Juvenile Justice and shall generate local, state, and federal funding, including funding through the Florida Education Finance Program (FEFP) for such students [emphasis added].

While the wording of this statute remains intact today, it appears that many of these unresolved questions regarding the purported benefits of privatization are beginning to be called into question. In recent months, there have been major state initiatives aimed at increasing the accountability and even de-privatizing several private providers of public services. It appears that there may be mounting support within the current political and social climate in the State of Florida for a de-privatization movement coupled with greater accountability. This may be the beginning of a trend, which JJEEP will continue to monitor over the coming year.

13.3 Overview of Privatization in Florida’s Juvenile Justice Facilities

Since the emergence of juvenile justice privatization in the State of Florida in 1974 with AMI, a not-for-profit privately operated juvenile justice initiative, the number of private providers and privately operated educational programs has grown, encouraged by current state statutes [section 230.23161(8), F.S.]. The current number of privately operated facilities and publicly operated education providers are summarized in this section.

The numbers presented in this section are based upon the 203 juvenile justice programs with full-time educational components that were reviewed in 2001. These programs had either DJJ-operated or privately contracted facility components, and either school district-operated or privately contracted education components.

Of the total 203 juvenile justice programs that were reviewed in 2001, 56 (28%) were publicly operated facilities, whereas 147 (72%) of the facilities were privately operated (110 facilities were not-for-profit and 37 were for-profit). The 56 public facility providers have a maximum capacity of 3,397 (33% of the total capacity) youths. The 147 private facility providers have a maximum capacity of 6,909 (67%) youths (4,376 in not-for-profit facilities and 2,533 in for-profit facilities). Table 13.3-1 summarizes these findings.

Table 13.3-1: 2001 Overview of Florida’s Juvenile Justice Facilities by Type of Facility Provider

Facility Provider	Security Level	Number of Programs	Max Capacity	Average Capacity
Public	Detention	24	1,986	82.8
	Low Risk	3	62	20.7
	Moderate Risk	24	957	39.9
	High Risk	3	246	82.0
	Maximum Risk	2	146	73.0
	Total Public		56	3,397
Not-for-Profit	Prevention	20	814	40.7
	Conditional Release	2	60	30.0
	Intensive Probation	6	174	29.0
	Low Risk	12	249	20.8
	Moderate Risk	45	1,864	41.4
	High Risk	3	223	74.3
	Mixed	22	992	45.1
	Total Not-for-Profit		110	4,376

Facility Provider	Security Level	Number of Programs	Max Capacity	Average Capacity
For-Profit	Prevention	2	25	12.5
	Intensive Probation	2	68	34.0
	Low Risk	3	51	17.0
	Moderate Risk	11	738	67.1
	High Risk	12	1,034	86.2
	Maximum Risk	2	143	71.5
	Mixed	5	474	94.8
Total for-Profit		37	2,533	68.5
Total for All Facility Providers		203	10,306	50.8

The majority of publicly managed juvenile justice facilities in Florida are detention or moderate risk residential commitment facilities (24 each). The majority of private not-for-profit facilities are moderate risk residential commitment facilities (45 facilities), and private for-profit facilities are mainly high-risk residential commitment facilities (12 facilities) or moderate risk residential commitment facilities (11 facilities). Public-operated detention centers have the greatest capacity when compared to the other public facilities (1,986), whereas private not-for-profit moderate risk residential commitment facilities have the greatest capacity (1,864) amongst the other private not-for profit facilities. Private for-profit facilities have the greatest capacity in high-risk residential commitment programs (1,034).

Of the total 203 juvenile justice programs reviewed in 2001, 11 (56%) had public education components, whereas 89 (44%) of the education components were privately contracted (79 private education providers were not-for-profit and 10 were for-profit). The 114 public education providers have a maximum capacity of 6,101 (59%) youths. The 89 private education providers have a maximum capacity of 4,206 (41%) youths (3,369 in not-for-profit education providers and 837 in for-profit education providers). Table 13.3-2 summarizes these findings.

Table 13.3-2: 2001 Overview of Florida's Juvenile Justice Facilities by Type of Education Provider

Education Provider	Security Level	Number of programs	Maximum Capacity	Average Capacity
Public	Prevention	1	20	20.0
	Intensive Probation	5	114	22.8
	Conditional Release	1	20	20.0
	Detention	23	1,873	81.4
	Low Risk	14	250	17.9
	Moderate Risk	46	1,950	42.4
	High Risk	14	1,071	76.5
	Maximum Risk	3	193	64.3
	Mixed	7	610	87.1
Total Public		114	6101	53.5

Education Provider	Security Level	Number of programs	Maximum Capacity	Average Capacity	
Not-for-Profit	Detention	1	113	113.0	
	Prevention	19	794	41.8	
	Intensive Probation	2	80	40.0	
	Conditional Release	1	40	40.0	
	Low Risk	4	112	28.0	
	Moderate Risk	31	1,344	43.4	
	High Risk	1	30	30.0	
	Mixed	20	856	42.8	
	Total Not-for-Profit		79	3,369	42.6
	For-Profit	Prevention	2	25	12.5
Intensive Probation		1	48	48.0	
Moderate Risk		3	266	88.7	
High Risk		3	402	134.0	
Maximum Risk		1	96	96.0	
Total For-Profit			10	837	83.7
Total for All Education Providers		203	10,307	50.8	

Most publicly contracted juvenile justice education components in Florida are in moderate risk residential commitment facilities (46 facilities with public education). Similarly, most private not-for-profit contracted education providers are at moderate-risk residential commitment facilities (31 facilities). Of the 10 private for-profit education components, 6 are at moderate or high-risk facilities.

13.4 Analysis of QA Scores

The Sample—The present study includes the 147 juvenile justice day treatment and residential commitment programs that received full review in 2001. These programs had either DJJ-operated or privately contracted facility components, and either school district-operated or privately contracted education components.

Among the 147 day treatment and commitment programs, 122 (83%) contracted through DJJ to private providers (both for-profit and not-for-profit) to administer the facility component, and 25 (17%) were DJJ-operated. With regard to the educational services, 71 (48%) of the 147 commitment programs contracted with private educational providers, while 76 (52%) were school district-operated. Of the 122 programs with privately operated facility components, 91 (75%) were operated by not-for-profit private providers, and 31 (25%) were operated by for-profit private providers. Of the 71 programs with privately operated education components, 63 (89%) were operated by not-for-profit private providers, and 8 (11%) were operated by for-profit private providers.

Method of Analysis—The data generated by the Juvenile Justice Educational Enhancement Program (JJEED) during the 2001 QA review cycle are analyzed through comparison of descriptive statistics for each site. Mean overall QA scores, as well as mean scores for each QA standard, are calculated for each program and the programs are divided into their respective designations (public/private, for-profit/not-for-profit). Mean scores are then compared using *t-tests* to determine if the quality of educational services, as indicated by mean QA scores, is significantly different. Levene’s test for equality of variances aided in determining whether or not to assume equal variances when determining the significance of the *t-test* comparisons. These analyses provide the basis for theoretical discussion about the causes and consequences of differences in performance in public and private (both for-profit and not-for-profit) facilities and educational programs.

Findings—For all 147 programs, the mean overall QA score is 5.48.¹ The mean QA score for Standard One: Transition is 5.25. The mean QA score for Standard Two: Service Delivery is 5.68. The mean QA score for Standard Three: Administration is 5.49. The mean QA score for Standard Four: Contract Management is 5.10.²

Table 13.4-1 presents a comparison of QA scores for facilities that are either public or privately operated. The first comparison is of the mean QA scores for facilities operated by public or private providers. There are 25 programs that are publicly operated facilities, and 122 programs that are privately operated. The results of these comparisons are summarized in Table 13.4-1.

Table 13.4-1: 2001 Mean QA Scores and *t*-test Results* for Public and Private-Operated Facilities

Provider	N	Mean Overall QA Score	Standard One: Transition Mean QA Score	Standard Two: Service Delivery Mean QA Score	Standard Three: Administration Mean QA Score	Standard Four: Contract Management Mean QA Score
All Facilities	147	5.48	5.25	5.68	5.49	5.10
Public	25	5.54	5.20	5.81	5.60	5.36
Private	122	5.47	5.26	5.65	5.47	5.05

*None of the *t*-test results in this table were statistically significant at the 0.05 level.

The mean overall QA score between public and privately operated facilities is not significant at the 0.05 level. Additionally, while within each of the four standards some slight differences are found, none of the differences between public and private operators on the specific mean QA scores for any of the standards was significant at the 0.05 level. While not statistically significant, publicly operated facilities score higher than privately operated facilities on all standards except Standard One where private facilities scored minimally

¹ Last year, the overall mean QA score was 5.36. The mean QA score for Standard One: Transition was 5.14. The mean QA score for Standard Two: Service Delivery was 5.62. The mean QA score for Standard Three: Administration was 5.34. The mean QA score for Standard Four: Contract Management was 4.99.

² Standard Four: Contract: Management is included in the tables in this chapter, but is not averaged in the mean overall QA scores.

higher (5.26 vs. 5.20). It is interesting to note that last year the opposite pattern existed. Privately operated facilities scored slightly higher than public facilities on all standards except Standard Two. Similar to this year's findings, none of the comparisons between publicly and privately operated facilities were statistically significant last year.

The second comparison is of the mean QA scores for programs that have a public or private provider for the education component, regardless of the status of the facility provider. There are 76 day-treatment and commitment programs with publicly operated education components and 71 such programs with privately operated education components. The results of these comparisons are summarized in Table 13.4-2 and are considerably different from the findings presented in Table 13.4-1.

Table 13.4-2: 2001 Mean QA Scores and t-test* Results for Public and Private-Operated Education Components

Providers	N	Mean Overall QA Score	Standard One: Transition Mean QA Score	Standard Two: Service Delivery Mean QA Score	Standard Three: Administration Mean QA Score	Standard Four: Contract Management Mean QA Score
All Facilities	147	5.48	5.25	5.68	5.49	5.10
Public	76	5.72 ^a	5.45	5.93 ^b	5.79 ^c	5.54 ^d
Private	71	5.24 ^a	5.04	5.41 ^b	5.18 ^c	4.64 ^d

*Matching superscript letters in each column indicate differences in mean QA scores that are statistically significant at the 0.01 level.

Juvenile justice programs with public education had a mean overall QA score of 5.72, while juvenile justice programs with private education had a mean overall QA score of 5.24; a difference that is statistically significant at the 0.01 level. Within each of the four standards, the patterns of performance remained the same, with public education providers consistently scoring higher than the private providers. These scores for the public education providers were significantly higher than the scores for the private education providers for Standards Two, Three, and Four at the more stringent 0.01 significance level. It should be noted that the significance of difference between provider scores on Standard One was significant at the 0.066 level, minimally missing the 0.05 significance level. The largest difference between the two types of education providers was on Standard Four (5.54 vs. 4.64). While the same basic pattern was found in the 2000 report, the differences observed in 2001 are even greater than those found in 2000 between public and private education providers. This reflects a potentially troubling trend because while QA scores improved overall in 2001, virtually all of the improvement occurred in publicly operated educational programs (see Appendix D for a comparison of 2001 and 2000 scores).

The third basic comparison is of the mean QA scores combining the public/private categories used in the first two tables for facility operators and education component operators. This produces four general program designations: programs with (1) public facilities and public education (n = 24), (2) public facilities and private education (n = 1), (3) private facilities and

public education (n = 52), and (4) private facilities and private education (n = 70). Comparisons of the mean overall QA scores, the mean QA scores for each of the four standards, and the *t*-test results for these four program designations are summarized in Table 13.4-3.

Table 13.4-3: Mean QA Scores and *t*-test Results* for Three³ Public/Private Facility and Education Component Combinations

Providers		N	Mean Overall QA Score	Standard One: Transition Mean QA Score	Standard Two: Service Delivery Mean QA Score	Standard Three: Administration Mean QA Score	Standard Four: Contract Management Mean QA Score
Facility	Education						
All Facilities		147	5.48	5.25	5.68	5.49	5.10
Public	Public	24	5.52	5.20	5.78	5.56	5.33 ^a
Private	Public	52	5.81 ^b	5.56 ^c	6.00 ^d	5.90 ^e	5.63 ^f
Private	Private	70	5.22 ^b	5.04 ^c	5.40 ^d	5.16 ^e	4.62 ^{a,f}
Public	Private	1	6.11	5.33	6.50	6.43	6.00

*Matching superscript letters in each column indicate differences in mean QA scores that are statistically significant at the 0.05 level.

The juvenile justice programs with private facilities and public education (n = 52) received the highest meaningful mean score (5.81). Juvenile justice programs with public facilities and public education (n = 24) received the next highest score (5.52). Juvenile Justice programs with private facilities and private education (n = 70) received the lowest mean score (5.22). This ranking of provider types by scores is the exact pattern that existed in the 2000 findings. All three categories showed improvement over the scores reported in 2000, but the two categories with public education providers had the greatest amount of improvement.

The mean score difference between privately operated facilities with public education (5.81) is significantly higher than the score obtained by privately operated facilities with private education components (5.22). Juvenile justice programs with private facilities and public education (n = 52) had considerably higher and statistically significant QA scores when compared to programs with private facilities and private education (n = 70). This difference is statistically significant across all four standards. In fact, this statistically significant difference was significant at the more stringent 0.01 significance level with the exception of Standard One where the difference was significant at the 0.05 level.

In the initial analysis presented in Table 13.4-4, no statistically significant differences were found when comparing across standards for privately and publicly operated facilities. To determine the validity of these findings a fourth comparison was done due to the possibility

³ In terms of mean overall QA scores, the one juvenile justice program that is a public facility with private education had the highest score (6.11), but with only one program in this category, the score can be misleading. (For example, in 1999 there were two programs in this category, and the mean score was 4.79, the lowest score.) Additionally, in order to compute a meaningful *t*-test comparison between provider types, it is necessary to have more than one program per category.

that significant findings may exist when comparing publicly operated facilities to private for-profit or private not-for-profit facilities. These potential significant findings may be masked when collapsing private for-profit and private not-for-profit facilities into the one category of privately operated facilities. This fourth comparison deals with the differences in mean QA scores for public facility operators, not-for-profit private facility operators, and for-profit private facility operators. There are 25 programs with publicly operated facilities, 91 programs with not-for-profit privately operated facilities, and 31 programs with for-profit privately operated facilities. The results of these comparisons are summarized in Table 13.4-4.

Table 13.4-4: 2001 Mean QA Scores and t-test Results* for Public, Private Not for-Profit, and Private For-Profit Facilities

Providers	N	Mean Overall QA Score	Standard One: Transition Mean QA Score	Standard Two: Service Delivery Mean QA Score	Standard Three: Administration Mean QA Score	Standard Four: Contract Management Mean QA Score
All Facilities	147	5.48	5.25	5.68	5.49	5.10
Public	25	5.55	5.20	5.81	5.60	5.36
PNFP	91	5.55	5.38 ^a	5.71	5.50	4.95
PFP	31	5.25	4.91 ^a	5.48	5.38	5.35

*Matching superscript letters in each column indicate differences in mean QA scores that are statistically significant at the 0.05 level.

PNFP = private not-for-profit

PFP = private for-profit

For the overall QA score combining Standards One, Two, and Three, juvenile justice programs with public facilities and programs with private not-for-profit facilities had an identical QA score of 5.55. The for-profit private facilities had a lower score of 5.25. Because of the small number of publicly operated facilities (25), none of the comparisons with the public facilities produced statistically significant differences at the 0.05 level; however, public facilities had higher QA scores on three of the standards. The comparison of programs with not-for-profit private facilities with for-profit private facilities produced differences favoring the not-for-profit programs, with the notable exception of Standard Four. The only statistically significant difference between the private not-for-profit and private for-profit facility providers was on Standard One, where the private for-profit facilities on average scored higher.

The fifth comparison is of the mean QA scores for public, private not-for-profit, and private for-profit education providers. There are 76 programs with publicly operated education components, 63 programs with private not-for-profit education components, and eight programs with private for-profit education components. These comparisons are summarized in Table 13.4-5.

Table 13.4-5: 2001 Mean QA Scores and t-test Results* for Public, Private Not-for-Profit, and Private for-Profit Education Providers

Providers	N	Mean Overall QA Score	Standard One: Transition Mean QA Score	Standard Two: Service Delivery Mean QA Score	Standard Three: Administration Mean QA Score	Standard Four: Contract Management Mean QA Score
All Facilities	147	5.48	5.25	5.68	5.49	5.10
Public	76	5.72 ^{a e}	5.45	5.93 ^{b f}	5.79 ^{c g}	5.54 ^d
PNFP	63	5.29 ^a	5.08	5.48 ^b	5.22 ^c	4.59 ^d
PFP	8	4.84 ^e	4.75	4.91 ^f	4.86 ^g	5.00

*Matching superscript letters in each column indicate differences in mean QA scores that are statistically significant at the 0.05 level.

PNFP = private not-for-profit

PFP = private for-profit

With the exception of Standard Four, a striking pattern is presented when public education providers have the best scores, private not-for-profit are next, and private for-profit education providers have the lowest score. Juvenile justice programs with public education had a mean overall QA score of 5.72, programs with private not-for-profit education had a mean overall QA score of 5.29, and programs with private for-profit education had a mean overall QA score of 4.84. Comparisons of the overall QA scores show that public education providers scored statistically higher in comparison to both the private not-for-profit and private for-profit providers.

The public program scores were higher on all of the standards when compared to the private not-for-profit and the private for-profit educational programs. These differences were significant at the 0.05 level between public and private not-for-profit providers on Standards 2 (5.93 vs. 5.38), 3 (5.79 vs. 5.22), and 4 (5.54 vs. 4.59). In comparing the public with the private for-profit programs, the public programs consistently have higher scores; however, the differences are only statistically significant at the 0.05 level for Standard Two (5.93 vs. 4.91) and Standard Three (5.79 vs. 4.86). Comparison of the private not-for-profit programs with the private for-profit programs showed no statistically significant differences across any of the four standards.

The sixth and final comparison can be made between nine logical, specific program designations. These nine program designations are: public facility, public education (n = 24); public facility, not-for-profit education (n = 1); public facility, for-profit education (n = 0); not-for-profit facility, public education (n = 29); not-for-profit facility, not-for-profit education (n = 62); not-for-profit facility, for-profit education (n = 0); for-profit facility, public education (n = 23); for-profit facility, not-for-profit education (n = 0); and for-profit facility, for-profit education (n = 8). Because three of these logical combinations of categories do not have any programs that fall into that specific combination and one category has only one program⁴, four categories are eliminated from the analysis.

⁴ In examining the scores, public facilities with private not-for-profit education providers have the highest score for Standards Two, Three, and Four. However, the sample size (n) of only one (1) would make this a very misleading comparison with the

The mean overall QA scores, the standard-specific mean QA scores, and the results of the *t*-tests for the five specific program designations are summarized in Table 13.4-6.

Table 13.4-6: 2001 Mean QA Scores and *t*-test Results* for Nine Specific Program Designations

Providers		N	Mean Overall QA Score	Standard One: Transition Mean QA Score	Standard Two: Service Delivery Mean QA Score	Standard Three: Administration Mean QA Score	Standard Four: Contract Management Mean QA Score
Facility	Education						
All Facilities		147	5.48	5.25	5.68	5.49	5.10
Public	Public	24	5.52 ^{av}	5.20 ^b	5.78 ^e	5.56 ^c	5.33 ^d
PNFP	Public	29	6.15 ^{afip}	6.03 ^{bhmq}	6.26 ^{irw}	6.16 ^{cjos}	5.76 ^k
PNFP	PNFP	62	5.27 ^f	5.07 ^h	5.46 ⁱ	5.20 ^j	4.57 ^{dku}
PFP	Public	23	5.39 ^l	4.97 ^m	5.68 ^{vw}	5.56 ^o	5.48 ^u
PFP	PFP	8	4.84 ^{pv}	4.75 ^q	4.91 ^{erv}	4.86 ^s	5.00
Public	PNFP	1	6.11	5.33	6.50	6.43	6.00

*Matching superscript letters in each column indicate differences in mean QA scores that are statistically significant at the 0.05 level.

PNFP= private not-for-profit

PFP= private for-profit

Private not-for-profit facility providers with public education components have the highest overall mean QA score (6.15). This score is statistically higher than all other provider-type categories. The eight facilities that have a private for-profit facility provider and a private for-profit education provider⁵ had the lowest overall mean QA score (4.84) and the lowest score on Standard One (4.75), Standard Two (4.91), Standard Three (4.86).

In general, the private not-for-profit facilities with public education providers had better scores on each of the four standards than all groups. These scores were significantly higher than all other groups for the overall mean QA score and Standards One, Two, and Three. It is important to note that the comparisons between private not-for-profit facilities with public education providers and private not-for-profit facilities with private not-for-profit education providers were significantly different at the 0.001 level across all four standards and the mean overall QA score. This finding is similar to the results reported in the 2000 Annual Report where significant results were found well beyond the 0.05 level.

The above analyses shows that public educational providers have higher QA scores than private providers. These analyses excluded all of the deemed programs that received an

other categories. Therefore, *t*-test comparisons are not performed on this designation in comparison to the other provider-types. While this one program is noteworthy, a statistical comparison with the other categories is problematic because it is a "sample of one" and, thus, it will not be considered in the remainder of the discussion about this table.

⁵ It should be noted that due to the small sample size of this category, only eight programs, equal error variances are not assumed when calculating the *t*-test comparisons with the other provider-type categories.

abbreviated review, however. Therefore, these findings should be interpreted with some caution. Public education providers had 19 deemed programs, private not-for-profit education providers had 15 deemed programs, and private for-profit education providers had only two deemed programs. It is unknown how the results of this analysis would have changed if deemed programs were reviewed and scores included. It is likely, however, that the difference between not-for-profit and for-profit private providers would have been substantially greater due to the inclusion of 15 private not-for-profit deemed programs as opposed to only two private for-profit deemed programs.

13.5 Analysis of Teacher Certification

In general, public providers of education received higher QA scores than private providers, differences that were even greater than in 2000. As noted in the literature review, many critics of privatization contend that the services provided by private facilities are substandard in comparison to public facilities. It is hypothesized that services are marginalized in order for private facilities to net a profit. One way to evaluate the services provided by public and private educational programs within the State of Florida is to compare the credentials of the instructional staffs employed by the various provider types.

The following results are based upon 129 non-deemed day treatment and residential facilities with teacher certification data. Staff identified as vocational teachers who did not teach non-vocational classes have been removed from this analysis to avoid biasing the results (arguably professional teacher certification is not as critical of an issue in vocational courses as it is in academic courses). Lead educators that did not teach in a classroom were also removed from this analysis.

As seen in Table 13.5-1, public education providers had significantly more professionally certified teachers when compared to private education providers (71% vs. 26%). Private facilities had significantly more employees with temporary certifications, statements of eligibility, and were non-certified/district approved. All differences between public and private education providers were statistically significant at the stringent 0.001 level, with the exception of the comparison for temporary certification that was significant at the 0.02 level.

Table 13.5-1: 2001 Teacher Certification Status and t-test Results* for Type of Education Provider

Education Provider	Number of Programs	Professional Certification		Temporary Certification		Statement of Eligibility		Non-Certified / District Approved		Number of Teachers^	Total %
		%	N	%	N	%	N	%	N		
Public	63	71% ^{a ei}	160	14% ^{bf}	32	5% ^{c gj}	11	10% ^{d h k}	22	225	100%
Private	6	26% ^a	75	22% ^b	64	28% ^c	81	24% ^d	68	288	100%
PNFP	58	26% ^e	62	23% ^f	57	29% ^g	70	22% ^h	53	242	100%
PFP	8	28% ⁱ	13	15%	7	24% ^j	11	33% ^k	15	46	100%
Total	129	235		96		92		90		N = 513	

*Matching superscript letters in each column indicate differences in mean QA scores that are statistically significant at the 0.02 level.

^ Percentages and total number of teachers is based upon missing data relating to the certification status of some teachers.

Total number of teachers = 234 public; 293 private; 243 not-for-profit; and 50 for-profit

PNFP = private not-for-profit

PFP = private for-profit

When comparing public education providers with private not-for-profit education providers, public facilities employed significantly more professionally certified staff and less teachers with temporary certifications, statements of eligibility (SOE), or non-certified/school district approved. Again, these significant differences between public education providers and private not-for-profit education providers are statistically significant at the 0.009 level. Public providers employed a significantly larger percentage of professionally certified teachers in comparison to private for-profit providers (70% vs. only 28%) and less teachers with temporary certificates, SOE, and non-certified/school district approved. Statistically significant differences were found when comparing public providers of education with private for-profit providers in all categories except temporary certificates. These findings were significant at the 0.006 level. No significant findings exist when comparing private not-for-profit education providers with private for-profit providers.

In general, the results indicate that the instructional staff hired by private educational providers are less qualified than those hired by school districts. While certification does not automatically equate to quality, the relationship is sufficiently strong to raise some concerns. It can be assumed that there are substantial differences between the quality of teachers employed by public and private providers of juvenile justice education, and it remains to be seen what the educational impacts are on the youths' education under these different systems.

13.6 Summary Discussion

Several interesting findings emerge from the comparisons between public and private juvenile justice programs in Florida. The auspices of the *facility* administration—public, private not-for-profit, or private for-profit—are not significantly related to the quality of educational services provided to students. This finding is consistent with QA score comparisons between public and private facilities from 2000. This finding, at least in part, is

a function of the fact that the education components in most juvenile justice programs are largely autonomous from the facility administration. School districts in all cases maintain ultimate legal responsibility for the education of all children within their jurisdictions, regardless of school placement or auspices of the direct educational service provider. All schools, including those in juvenile justice programs, generate independent funding for mandatory educational services and take responsibility for students during at least five hours each day. The administration of juvenile justice facilities has a minimal impact on the educational component in most cases.

Of greater importance, however, is the finding that the educational program provider is very significant in determining the quality of educational services. At first, the distinction appears simple; however, a closer examination reveals a very complex situation that must be unraveled. In general, public providers of education received higher QA scores than private providers. When examining the certification status of teachers within Florida's facilities, it is evident that the majority of teachers hired by public education providers are professionally certified, 71%, in comparison to only 26% of the teachers hired by private education providers. This finding may begin to explain some of the significant differences in QA scores when comparing across education provider-types.

