THE SCHOOL DISCIPLINE CONSENSUS REPORT:

Strategies from the Field to Keep Students Engaged in School and Out of the Juvenile Justice System

JUSTICE CENTER
THE COUNCIL OF STATE GOVERNMENTS

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The Council of State Governments Justice Center

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THIS REPORT IS THE RESULT of a truly collaborative effort involving hundreds of experts in education, behavioral health, law enforcement, and juvenile justice, as well as policymakers, parents, youth, and advocates. It draws on an extensive review of the literature and relevant research, advisory group discussions, feedback from experts across the country, multidisciplinary forums and listening sessions, and a rigorous review process. All told, *The School Discipline Consensus Project* has benefited from the engagement of more than 700 individuals. And although they cannot be thanked individually, it is hoped that they see their input and insights reflected in this report.

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EXECUTIVE SUMMARY

RESEARCH AND DATA ON SCHOOL DISCIPLINE practices are clear: millions of students are being removed from their classrooms each year, mostly in middle and high schools, and overwhelmingly for minor misconduct.[1] When suspended, these students are at a significantly higher risk of falling behind academically, dropping out of school, and coming into contact with the juvenile justice system.[2] A disproportionately large percentage of disciplined students are youth of color,[3] students with disabilities,[4] and youth who identify as lesbian, gay, bisexual, or transgender (LGBT).[5]

There is no question that when students commit serious offenses or pose a threat to school safety they may need to be removed from the campus or arrested. Such incidents, however, are relatively rare, and school typically remains the safest place a young person can be during the day.[6] In schools with high rates of suspension for minor offenses, however, students and teachers often feel they are not safe or supported in their learning environment.

Trailblazing student and parent groups, advocacy organizations, researchers, professional associations, and school districts have raised the visibility of exclusionary discipline practices across the nation. In response, individual schools, districts, and state education systems have implemented research-based approaches to address student misbehavior that hold youth accountable, address victims' needs, and effectively improve both student conduct and adult responses. These approaches also help keep students engaged in classrooms and out of courtrooms.

The federal government has also put a spotlight on these issues. As part of the Supportive School Discipline Initiative, the U.S. Departments of Education and Justice issued joint guidance in January 2014 to assist public elementary and secondary schools in meeting their obligations under federal law to administer student discipline without discriminating on the basis of race, color, or national origin.*

The School Discipline Consensus Report builds on this foundation and breaks new ground by integrating some of the best thinking and innovative strategies from the fields of education, health, law enforcement, and juvenile justice. Leaders in these diverse systems agree that local and state governments must not only help schools reduce the number of students suspended, expelled, and arrested, but must also provide conditions for learning wherein all

* That guidance was accompanied by three documents—*Guiding Principles*, the *Directory of Federal School Climate and Discipline Resources*, and the *Compilation of School Discipline Laws and Regulations*—to help guide state- and locally controlled efforts to improve school climate and school discipline. See U.S. Department of Education and U.S. Department of Justice School Discipline Guidance at ed.gov/policy/gen/guid/school-discipline/index.html .

students feel safe, welcome, and supported. The central thesis of this comprehensive report is that achieving these objectives requires the combination of a positive school climate, tiered levels of behavioral interventions, and a partnership between education, police, and court officials that is dedicated to preventing youth arrests or referrals to the juvenile justice system for minor school-based offenses.

Three aspects of the report distinguish it from earlier work:

- ***It is comprehensive.*** The comprehensiveness of this report is unprecedented. It presents nearly two dozen policy statements to guide multidisciplinary approaches to meet the needs of both youth and educators while addressing student misbehavior, and 60 recommendations that explain how to implement these policies. The ideas offered throughout the report come from the field and demonstrate an appreciation of these interconnected goals: improving school climate; identifying and meeting students' behavioral health and related needs; tailoring school-police partnerships to mutual goals; and minimizing students' engagement with the juvenile justice system.
- ***It is consensus-based.*** This report reflects a consensus forged by the many professional groups with a stake in how school discipline policy is implemented. More than 100 advisors representing school administrators, teachers, behavioral health professionals, police, court leaders, probation officials, juvenile correctional administrators, parents, and youth from across the country helped to develop the recommendations and proposed collaborative processes. Approximately 600 additional practitioners, researchers, policymakers, and agents of change were consulted over the three-year project that culminated in this report.
- ***It is practical.*** The report's guidance is grounded in real-world approaches identified through extensive outreach to practitioners and policymakers serving youth. It is based on the latest research, takes into account the context in which policies and practices are developed, and provides examples of how communities are putting into effect proposed changes.

DISPARITIES IN DISCIPLINE RATES

Improving school discipline policy requires addressing the disparate impact that the current approach has on particular student populations:

- Black, Hispanic, and American Indian students are suspended at much higher rates than their White peers—sometimes at double the rate.[7]
- Twenty percent of secondary school students with disabilities were suspended in a single school year, compared to fewer than ten percent of their peers without disabilities.[8]
- LGBT youth are up to three times more likely to experience harsh disciplinary treatment than their heterosexual counterparts.[9]

Even as various jurisdictions celebrate declines in overall suspension rates, they have noted that the disparity in some cases has widened and carried forward to expulsions and arrests.[10]

Report recommendations do not include—or even collectively constitute—a "silver bullet" for addressing issues of bias or disproportionate impact. Nor does this report propose a sweeping mandate to address the complex underlying issues that drive disparities. At the same time, many recommendations come back to addressing the issues of race and disproportionate impact on students of color and other groups. Recognizing that students and parents alike will lack confidence in a school discipline system that is perceived to be biased or unfair, school and district officials need to hold at their respective levels difficult discussions about the disparate impact of school discipline on particular groups of students, to ensure that recommendations are carried out equitably. Quality data collection and transparent reporting to help monitor progress must support these efforts.

The policy statements and supporting recommendations in this report are organized into four main chapters: Conditions for Learning, Targeted Behavioral Interventions, School-Police Partnerships, and Courts and Juvenile Justice. Additional chapters on information-sharing and data-collection issues follow.

Conditions for Learning

Overview of the Issue

The extent to which students are safe, connected, engaged, and supported in their classrooms and schools—collectively known as the "conditions for learning"—is critical to their academic and personal success. Schools that create welcoming and secure learning environments reduce the likelihood that students will misbehave, and improve educators' ability to manage student behavior.

Background

Everyone agrees that schools should provide an environment where students and staff feel physically and emotionally safe, connected, fairly treated, and valued. Research has demonstrated that academic achievement and positive behaviors increase when these conditions for learning are in place.[11] Unfortunately, promoting a positive school climate often takes a back seat to educators' and administrators' efforts to address mandates to improve test scores and graduation rates, even though strong conditions for learning have been shown to help improve academic achievement. Where school leaders have not made school climate a priority, disciplinary approaches often rely heavily on the removal of students from school.

It is important to distinguish between efforts to improve school climate for students and educators that can come across as perfunctory—such as hanging student artwork on the walls, announcing teacher appreciation days, or convening monthly student assemblies—and the strategies that have been shown to improve attendance and student success, engagement, and behavior. Although educators, administrators, and the school community universally value a positive school climate, they do not always share an understanding of what it takes to achieve it.

Schools often lack the means to accurately assess their own climates, and to involve the school community in developing a vision and corrective plan. School administrators and staff need training and professional development opportunities, job-embedded supports, and feedback on their performance to carry out these plans. District codes of conduct should also reinforce steps to sustain a positive school climate, and be routinely assessed and revised to ensure progress.

Chapter Highlights and Questions Addressed

School leaders should work with staff, students, families, and other stakeholders to accurately assess a school's climate, develop a shared vision for what it should be, and design a plan to address areas in need of improvement.

- What type of data should a school use to assess its existing climate and identify areas for improvement?
- How do schools ensure that student, staff, and other stakeholders' perspectives are fully considered?
- How can it be determined whether specific groups of students are disengaged or marginalized at school?
- How should the vision for improving conditions for learning be developed and communicated among educators, parents, students, and other school community members to make certain it is embraced?
- How can school climate improvement efforts that refocus responses to student misconduct from primarily reactive approaches to prevention be integrated with a school's other planning work, including academic achievement and safety plans?

The school district code of conduct should promote positive adult and student behaviors, and it should include a graduated system of responses to student misconduct that holds youth responsible for their actions but makes clear that removal from school is a last resort.

- What options should be available to consistently apply developmentally appropriate consequences for student misconduct; redress the harm done; and provide the necessary supports to change students' problem behaviors and engage them in learning?
- How are students, their parents/guardians, and adults in the school engaged in discussions about how to improve the school code of conduct, and what steps can be taken to ensure they are invested in realizing the code's goals?

Students removed from the classroom for disciplinary reasons should continue to receive quality instruction.

- What on-campus options exist to respond to students' misconduct by addressing behavioral needs and permitting a cooling-off period?
- What measures can be taken to minimize any lost instructional time and help students removed from class keep pace with their assignments?

School administrators and educators should have professional development opportunities to gain the knowledge and skills needed to create positive conditions for learning.

- How are effective classroom management approaches integrated into the school, including how to de-escalate conflicts with students and use culturally appropriate interventions?
- How do educator preparation programs address in both coursework and clinical experiences classroom management skills and student-teacher relationship building?
- How do induction programs for new teachers incorporate training on these issues?
- What measures should be included in teacher and principal evaluations to reflect the expectation that they will help foster the conditions necessary for students to learn?

Targeted Behavioral Interventions

Overview of the Issue

Some students are repeatedly involved in their schools' discipline systems, sometimes as a result of unmet behavioral health, academic, or other needs. Behavioral interventions must be available to target the needs of students for whom a positive school climate and the right conditions for learning are not sufficient to keep them in class, to prevent their repeated involvement in the school discipline system, and to help them achieve long-term success.

Background

Millions of children have experienced a personal trauma (such as the loss of a parent) and/or exposure to violence at home or in the community, either as victims or witnesses. In addition, one in ten children has a mental illness severe enough to impair how he or she functions in school.[12] Schools must be sensitive to the needs of these youth and recognize that some students with unmet behavioral health needs and youth with disabilities, particularly those with emotional disturbances, are more likely to experience high suspension rates and lower academic achievement.[13]

As local, state, and federal leaders have increasingly focused on helping more youth stay in schools where they can succeed, a growing number of school districts are adopting "early-warning systems" (EWSs) to identify secondary school students who are chronically absent, failing particular courses, experiencing disciplinary actions, or engaging in risky behavior. Although the use of these systems is still in the beginning stages in many jurisdictions, and is primarily meant to improve graduation rates, the systems can be used to help identify youth in need of behavioral interventions (whether related to mental health issues or other underlying causes).

Whether or not schools employ EWSs, school staff often struggle to meet the needs of students they identify who would benefit from additional targeted supports and services. A school-based team, which ideally includes a counselor or other behavioral health specialist, can help determine the right set of responses when a student appears at high risk of involvement or reengagement with the discipline or juvenile justice system.

Many districts have campuses with school-based teams, although the teams typically focus primarily on academic progress and improving instruction. Schools also usually have teams or individuals who are responsible for developing individualized education programs (IEPs) for students with disabilities and complying with provisions in the Individuals with Disabilities Education Act (IDEA). Many schools, however, lack student support teams to identify and provide interventions that can help students achieve academic success and avoid disciplinary actions.

Establishing a student support team, or expanding the role of a preexisting team, to include addressing school discipline issues does not ensure that team's success. Support team members must be provided with quality training and access to a broad array of services for students. Because schools will often lack the internal capacity to meet students' needs, support teams should also be able to draw on a system-of-care through partnerships with various community-based organizations that can help fill gaps in services.

Even with targeted interventions and services, there are some students who will have to be removed from school for disciplinary reasons or who would benefit from being in a different learning environment altogether. There is general agreement that there should be alternative education pathways for all students who are not succeeding in traditional academic settings. There is also recognition that in many places alternative programs lack the rigor, transparency,

and quality of instruction and behavioral supports that are found in traditional schools to assist these students and prepare them for college and career.

Responding effectively to students' behavioral health and related needs to help them succeed at school and minimize involvement with the discipline or juvenile justice system requires a comprehensive approach. Ideally, schools would have a data system to match and guide interventions for students; trained staff to help oversee these services or access to community-based service providers; quality alternative education pathways; and the ability to track students' progress. In light of the limited capacity of most schools and communities, designing and implementing such a system may require long-term planning for even the most advanced school districts.

Chapter Highlights and Questions Addressed

Districts, schools, and educators should use data-driven processes to identify and support individual students who need targeted behavioral interventions, and to guide decisions about how best to allocate limited staff and resources.

- How should schools—and school districts—employ EWSs to identify students who might otherwise experience repeated involvement with the school discipline or juvenile justice system?
- How can school and district leaders and state officials also use EWS data to prioritize staff training, the allocation of resources for particular strategies, or the placement of behavioral health support staff in particular classrooms and schools with high rates of exclusionary disciplinary actions?

School leaders should understand the prevalence of students' behavioral health and related needs in each school and district, each school's capacity to address those needs, and the community resources available to supplement school services.

- How can data from behavioral health surveys, student IEPs, and school discipline systems be used to assess the type of services and supports needed to meet the behavioral health needs of students in a particular school or school district?
- How can gaps in services be identified through a behavioral health assessment, and how can schools and districts address those gaps to provide a comprehensive range of services?

Each school should have a student support team (or teams) to oversee services for youth with behavioral health and related needs.

- How do student support teams work individually and in collaboration with other school-based teams to help youth with behavioral health and related needs?
- How can student support teams use EWSs and systems that monitor the implementation of interventions to track students' progress and determine the effectiveness of services?
- How can schools develop a system-of-care approach that involves community partners to expand the range of services and interventions for students with behavioral needs?

Students removed from campus for disciplinary reasons and students not succeeding in traditional settings should be provided with a quality alternative education placement where there is continuity of instruction and needed services.

- When students are removed from school for disciplinary reasons for short periods of time, how are they engaged in off-campus instruction and provided the necessary social, emotional, and behavioral supports?
- What improvements should be made to alternative education programs so that students removed from school for disciplinary reasons, as well as students not successful in traditional education settings, receive quality instruction from qualified educators and necessary behavioral health supports?
- What mechanisms must be in place to ensure that students in alternative education programs can, when appropriate, successfully transition back to a traditional education setting?

School-Police Partnerships

Overview of the Issue

Although schools are generally safe places, the well-being of students and staff remains of paramount concern in every school across the nation. Elected officials, school leaders, and community stakeholders frequently look to local law enforcement to address this concern. At the same time, there has been increased scrutiny in recent years of the role of officers who serve schools, particularly how they address minor offenses committed by students, and how the presence of officers and their activities on the school campus impact the extent to which students and adults feel safe, secure, and welcome. For the relationship between a school and local law enforcement agency to be successful, police, students, parents, and school staff and leaders must employ a collaborative process to design, implement, and monitor the interface between officers and the school community.

Background

During more than six decades, police and school officials in many districts have formed strong partnerships in which officers have assumed a broad range of duties.[14] How these relationships are structured varies significantly from one school district (and sometimes one school campus) to the next. In some cases, there are specially trained school-based officers who perform enforcement, educational, mentoring, and other activities.[15] In other jurisdictions, off-campus patrol officers provide a variety of crime prevention services and enforcement responses to the school. The involvement of officers is often meant to complement other strategies for safe schools and efforts to encourage positive student and adult behaviors.

Even when there is an everyday law enforcement presence in the school, there are various approaches to overseeing such officers. They may be supervised by the municipal or county law enforcement agency that employs them—or by a police agency under the direct authority of a school district.

Just as concerns have grown about the number of students suspended or expelled from school, so too have concerns increased about the ticketing and arresting of students for minor offenses. In addition, added security measures and a greater police presence in some schools (as often happens following a violent school event anywhere in the country) have sometimes had the unintended consequence of causing some staff, students, and their families to feel the campus is less welcoming or less conducive to learning.[16]

Not every school in the nation will request, need, or be able to fund school-based officers. When the decision is made at the local level to assign officers to schools, careful thought must be given to what role the officers will play, and then police and school leaders will need to ensure that the officers are properly selected, trained, supervised, and evaluated.

The research on the impact of officers in schools is mixed and often lacks rigor. Police professionals generally agree, however, that when there is an effective school-police partnership, students will have more positive views of law enforcement, will make better decisions about risky behaviors, will be more often connected to the services they need, and arrests for minor offenses will be minimized.

Chapter Highlights and Questions Addressed

School-police partnerships should be determined locally, through a collaborative, data-driven process that engages students, parents, and other stakeholders.

- What processes should be followed to determine the best school-police partnership model for meeting the distinct needs of a school or district and the students and families it serves?
- When a school or school district is considering whether to place an officer on a particular campus, or to use a different response model, what information and data should be used to inform this decision?
- What data should be used to measure whether the school-police partnership in use is meeting its intended objectives?

Police should not be engaged in routine classroom management, and whenever possible should use alternatives to arrest for students' minor offenses that can be appropriately addressed through the school's discipline system.

- How do schools, police, and the school community determine the appropriate role for officers who are assigned to schools?
- How is information that clarifies school-based officers' roles and responsibilities communicated to school and police agency staff, and other stakeholders?
- How can school leaders ensure that staff is following policies about when to involve officers in addressing student misconduct?
- How can police ensure that officers are adhering to policies and guidance on responding to minor offenses?

School-based officers working with students should be properly selected, trained, supervised, and evaluated. Off-campus officers should be given guidance on how to respond to students and how to access alternatives to arrest.

- What criteria and process should be used to recruit officers who have the desired qualities and experiences for working with youth in school settings?
- What training should be provided for school-based officers beyond that required of all peace officers in the state?
- What supervision and oversight of school-based officers will ensure that they are effectively supported, and will monitor their progress on shared partnership goals?

School systems and law enforcement agencies should create detailed, written memorandums of understanding when placing officers on campuses and for other school-police partnerships.

- What legal issues do school-based officers and other police personnel serving schools need to address?
- What information-sharing principles, as well as safeguards for staff compliance with privacy mandates, should be outlined in a school-police partnership agreement?
- How are other aspects of the school-police partnership formalized, and how are police and school personnel educated about its provisions?

Courts and Juvenile Justice

Overview of the Issue

Although there are youth who engage in serious delinquent behavior for which referral to the juvenile justice system is appropriate, youth who commit minor offenses at school should typically not be referred to the courts. The long-term consequences for youth who make contact with the juvenile justice system include a greater likelihood of dropping out of school and future involvement with both the juvenile and adult criminal justice systems.[17] When youth are under juvenile corrections' supervision, they must have uninterrupted access to high-quality learning environments; provision of supports and services that meet these students' academic and special needs; and the facilitation of their seamless return to the classroom in their communities.

Background

The number of youth in correctional facilities or in court-ordered community placements has declined dramatically over the past decade in many jurisdictions, with juvenile crime rates at record lows.[18] Even in counties and states where there have been overall reductions in juvenile crime, however, leaders are working to decrease referrals to courts further—especially for minor and status offenses.* As part of these efforts, judicial leaders across the nation are increasingly

* Status offenses are acts that are only considered criminal if committed by a juvenile (e.g., running away, truancy, curfew law violations, ungovernability or incorrigibility, and underage drinking violations).

working with schools, law enforcement, and other stakeholders to keep away from their dockets cases that can be resolved through schools' discipline systems and diversion programs.[19]

Although juvenile justice officials in most jurisdictions strongly believe that the number of school-based referrals to the juvenile justice system can be significantly reduced, few jurisdictions can produce an accurate tally of referred cases. Without reliable data, it is more difficult to make a compelling justification for action and to establish the potential for improvement.

Even without such data, however, evidence of successful diversion programs is emerging across the country. The structure of each state's juvenile justice system is distinct, but each has multiple points at which the police, court staff, probation officers, prosecutors, defense attorneys, and service providers can collaborate to steer students referred to the courts for minor offenses to community-based programs that stress accountability and behavioral change. These juvenile justice professionals can make better decisions for each youth when they are provided with the results of a risk and needs assessment along with information from the school and other agencies serving the student to determine what services, supports, and/or community supervision are the best match. Determining under what circumstances such information should be shared and used requires extensive conversations and written agreements among various stakeholders in the juvenile justice and education systems to ensure compliance with all privacy mandates and to uphold shared principles for the use of student and staff information.

When youth are placed in secure settings, including pre-adjudication detention and longer-term residential facilities, the quality of education services varies widely and often lacks the standards and oversight found in traditional schools.[20] This puts these students at greater risk on their return to school for academic problems that can lead to disengagement and the kind of misbehavior that in turn puts them at risk for another arrest.[21] The lack of coordinated transition plans for students leaving juvenile confinement makes them vulnerable to loss of academic credit, placement problems, and enrollment barriers upon reentry to school that can also contribute to recidivism.

Chapter Highlights and Questions Addressed

The frequency with which students are directed to the juvenile justice system for minor offenses at school or school-sponsored events should be routinely monitored, and guidelines and policies should minimize such referrals.

- Does data exist—and if not, how can it be assembled and analyzed—to determine the number and characteristics of students referred from schools to the juvenile justice system, as well as the types of offenses committed?
- What types of policies and guidelines should be explored to reverse trends in schools and districts where students are referred to the juvenile justice system at disproportionately high rates for minor offenses?

Whenever appropriate, students who are arrested and/or charged with minor school-based offenses should be diverted from further involvement with the juvenile justice system.

- How and in what cases can information maintained by the school be properly shared to guide courts' diversion and disposition decisions?
- When should assessment tools that are designed to determine a youth's risk of re-offending and treatment or service needs be used to inform whether and how a student moves through the court process?
- How can community-based programs and services be better utilized and expanded to meet youths' needs and minimize the need for judicial supervision while addressing the needs of any victims?

Whether in short- or long-term confinement, youth should have access to high-quality educational programming that puts them on a path toward graduation and postsecondary opportunities. Each student returning to school should have a transition plan that facilitates credit transfers and continuation of services.

- How can schools within juvenile correctional facilities attract, train, and retain high-quality educators?
- How can authorities in a correctional setting create engaging learning environments that address students' academic and special needs?
- Are state standards regarding the quality of education in public schools being effectively applied to juvenile correctional settings?
- What criteria should guide decisions regarding where a reentering youth should enroll in school?
- What can transition coordinators and/or educators do to develop an integrated service and academic plan that facilitates reentering youths' immediate enrollment, credit transfers, and successful class placements?

Getting Started

Because the recommendations in this report are comprehensive, the breadth of issues can quickly overwhelm any reader looking for a starting point to improve the approach to school discipline by a community, district, or state.

Implementing all the recommendations in the report at once is an impossible assignment. Users of the report may therefore wonder which policies or recommendations to prioritize, but the truth is there is no right or wrong place to start.

Recognizing that no two states are alike, every school district is different, and each school has a distinct culture and characteristics, there is no one-size-fits-all approach. If there is one takeaway

point in *The School Discipline Consensus Report* that readers must embrace, it is that successful implementation of any recommendation in the report requires the involvement of students and parents, and of individuals serving and supervising students across multiple systems.

A working group of committed individuals—whether at the school, district, or state level—should be created or expanded to include diverse perspectives and broad expertise. This group will likely have many thoughts about where the greatest opportunities and needs exist in their jurisdiction, and, consequently, what policy areas and recommendations should be prioritized. Regardless of where the working group decides to focus its attention, there must be a plan to collect and analyze relevant data to provide a baseline establishing where things stand. This information also provides a benchmark against which progress can be measured.

As the working group looks to assemble data, members should keep in mind four steps, which are explained more fully in the Data Collection and Information Sharing chapters of the report:

1. ***Determine how many students are removed from their classrooms for disciplinary reasons and identify the additional data needed to analyze these numbers thoroughly and effectively.***

Individual schools, districts, and statewide school systems should be able to report how many students have been suspended or expelled, but this information alone is not sufficient to develop a nuanced understanding of discipline trends. To support the kind of analysis needed to develop a strategic plan, the working group will need to ask for additional data and its routine collection if not readily accessible. For example, a school may track the total number of suspensions, but not report how many of these represent multiple suspensions by the same student.

The data should be, but often is not, sufficient to support an analysis to distinguish between in-school and out-of-school suspension, the duration of each suspension, and the type of misconduct that prompted the suspension or expulsion. Suspension and expulsion data collected at the school, district, or state level must be disaggregated, at minimum, by race, disability, age, gender, and type of offense.

2. ***Examine data beyond suspensions and expulsions to inform strategies for improving school climate, behavioral interventions, and partnerships between police and the school community, and for minimizing student arrests and referrals to the juvenile justice system.***

Equipped with existing information about school discipline actions, a working group will need to turn its attention to additional questions about data related to school safety and the learning environment. The group will need to know, for example, what data is available that measures school climate; assesses behavioral health needs; tracks school-based arrests and reported crimes; and monitors other student referrals to the juvenile justice system in a particular school or school system.

Establishing an objective assessment of current conditions and practices in each of these areas is essential. For example, if the working group is interested in increasing security measures at a school, it should first consider school climate survey results of how students and staff gauge their feelings of safety at school and whether security measures make them feel less welcome or more secure. Additional data such as the numbers of students arrested and/or ticketed and the numbers of calls for police service must also be monitored to ascertain what, if any, impact has been made by changes in security measures.

As the working group considers school climate, behavioral health issues, school partnerships with police, and the role of the juvenile justice system, it will become apparent that multiple data collection efforts need to be launched. There are several measures that can help make these efforts more manageable: the working group can identify a coordinator to facilitate data collection; work with school-based teams or individuals already engaged in data analysis and improvement planning; and ensure that surveys on school climate, behavioral health needs, safety, and other topics are efficiently administered. The assembled data can then help guide the working group's efforts to improve policies and practices.

3. Develop information-sharing agreements that reflect a clear understanding of privacy mandates and shared principles.

The efforts described above may involve collecting and analyzing students' education, health, juvenile justice, and other systems' information. A thicket of local, state, and federal laws and regulations protect students' privacy by controlling the release and use of that information. A working group that is assembling information from individuals and agencies serving their students will need to establish a clear understanding of what can be shared, with whom, and for what purposes.

There are still often misconceptions about what data and information can be shared within and among schools and external partners. Too often, a lack of understanding of these legal provisions leads to unnecessary barriers to sharing useful information. Although it is appropriate and necessary to protect the confidentiality of students' information, it is possible to design agreements that spell out appropriate disclosure procedures and help address perceived barriers to information sharing. These agreements may also include guiding principles such as using information in ways that reduce the stigmatization or labeling of students, advance the best interests of identified students, promote school safety, and ensure that data is secured and used only for appropriate purposes.

4. Define success and agree on how to measure it.

If a working group is truly diverse in its composition, the full membership will likely develop a shared commitment to an action plan only when they are convinced that they are working toward an approach that benefits all students in the classroom. To that end, it is important

that the working group's objective not be limited to reducing the frequency with which students are removed from the classroom for disciplinary reasons. No one wants to see misconduct and disorder increase in the classroom just to lower the school's suspension rate.

For every proposed measure of success, it is important to recognize the potential for simply trading one problem for another. Researchers are testing approaches that may ultimately help working groups better understand the dynamics among multiple measures, such as how improvements in school climate indicators are related to improvements in academic achievement or reductions in disciplinary actions.[22] These approaches may provide a good starting point for working group members as they determine which outcome measures to track that define overall success. Such an approach binds stakeholders to a common set of goals and promotes the integration of efforts that otherwise might have limited effect or even work at cross-purposes.

Conclusion

The broad, bipartisan support from experts and stakeholders in the education, health, law enforcement, and juvenile justice systems involved in the development of *The School Discipline Consensus Report* makes clear that improving school discipline systems should be a priority for local, state, and federal leaders alike.

This report is a roadmap—and essential reading—for anyone who wants to make young people feel welcome, nurtured, and safe in school; anyone who is working to close the achievement gap between White students and students of color; anyone who is focused on improving high school graduation rates; and anyone whose goal is to reduce the number of youth locked up in juvenile correctional facilities for minor offenses.

The need to achieve multiple goals is reflected in the multidisciplinary nature of the report's recommendations and underscores why such a diverse national group was needed to chart changes to school discipline policies and practices. The report is designed to be a guide for officials in education, health, law enforcement, and juvenile justice, and their partners in schools and communities across the nation who are committed to using truly collaborative approaches to provide safe, engaging learning environments for all students. Together, these critical stakeholders can engage in the strategic efforts necessary to take school safety and student success efforts to new heights, ultimately keeping more students in classrooms and out of courtrooms.

To view the full report, visit csgjusticecenter.org/youth/school-discipline-consensus-report.

INTRODUCTION

ASK THE PARENTS OF A TEENAGER whether they were suspended from middle school or high school when growing up.* Most will tell you that they were not, although they may reluctantly admit that they had some after-school detentions or were sent to the principal's office.

Presented with the same question, teenagers provide stunningly different responses. Suspension from middle and high school has become commonplace.[1] This trend is particularly alarming in regard to students of color; those with disabilities (especially students with emotional disturbances);[2] lesbian, gay, bisexual, or transgender (LGBT) youth;[3] and others who are disproportionately affected by school disciplinary policies.[4] In some cases, students might be removed from school a dozen times before graduating, or, even more troubling, before they ultimately drop out.[5]

Every student, parent, and educator will agree: Children cannot succeed academically and socially if they are not in the classroom and engaged in learning. And if the classroom and overall school setting do not feel safe, welcoming, and supportive, students are less likely to want to come to school or to work toward education goals. Those students who give up on school—or feel that school has given up on them—are then more likely to become truant, drop out, or act out in ways that put them at risk of disciplinary action. Students who struggle to follow the rules in an unruly or unsupportive environment also feel less invested in their studies and success.

Over the past several decades, schools seeking to maintain safety and create calm and productive conditions for learning have developed ever-lengthening lists of rules that students must follow. To enforce these rules, many schools have come to rely heavily on suspensions and expulsions. There is no question that there are times when removing students from the classroom or school campus is necessary in the interest of safety or order. When suspensions and expulsions become the default response to misbehavior, however, students do not feel safe and supported, the achievement gap persists, other educational goals are undermined, and more kids become caught up in the juvenile justice system.

* A suspension is a school-based disciplinary sanction that temporarily removes a student from her or his regular classroom(s) for a specified period of time (typically no more than 10 days). There are two types of suspension: in-school and out-of-school. An in-school suspension (ISS) requires a student to attend school, but in an alternative classroom or setting for the duration of the suspension. An out-of-school suspension (OSS) prohibits youth from being on school grounds during the suspension period. Expulsion is typically understood as a disciplinary sanction for a serious violation or offense that permanently removes a youth from the school campus where the offense occurred. However, states' definitions of expulsion may vary and in some cases students are allowed to apply for readmission after a specified time period (e.g., one year) to their home school. When suspensions are discussed in the report, they typically refer to out-of-school suspensions unless otherwise indicated.

Many of the students who are being disciplined also find themselves in encounters with police. Officers are often asked by school officials and staff to intervene with disruptive students, or on-site officers may directly observe student misconduct. There are incidents for which arrest is clearly a necessary response, but far more typical are encounters in which officers have considerable discretion in how to respond to minor offenses.* How that discretion is employed depends largely on these officers' characteristics, training, and defined role when responding to students on campus.

DEFINITIONS OF KEY TERMS

Code of Conduct Violation: The school's code of conduct outlines behavior that is expected of students, as well as behaviors that the school district has determined are not permitted by students (and sometimes adults). Code of conduct violations may include tardiness, cell phone use, foul language, disruption, and failure to comply with dress code. The code of conduct might also include listings of other minor and serious violations that may also be crimes. The code typically indicates the disciplinary action that may be taken for particular violations and is provided in writing to students and their parents/guardians.

Minor Offenses: Student misconduct may also be considered an "offense" or "delinquent act." Typically these are defined by statute as acts that if committed by an adult would be considered a "criminal offense." Whether a crime is "minor" is a very subjective determination. Minor offenses, for the purpose of this report, refer to actions from which there is no serious physical or emotional harm and no ongoing threat to school or community safety. These may include disorderly conduct, low-value theft, trespassing, and some destruction of property charges, and may even be tailored to the school environment, such as a state law's definition of disruption of school, assembly, or education. See the School-Police Partnerships chapter for more information on minor offenses.

Juvenile Status Offenses: Status offenses are non-delinquent offenses that are only considered crimes when committed by juveniles. Status offenses include truancy, curfew violations, running away, and underage drinking, among others.[6]

There is considerable overlap between types of offenses; in some cases, code of conduct violations may also be considered "minor offenses," such as when pushing or a scuffle is deemed disorderly conduct. Certain offenses can also be specifically defined by statute as a crime or delinquent act.

* Patrol officers are also more likely to encounter suspended, expelled, and truant students in the community during school hours as victims or participants in criminal activity, particularly when these students are not supervised or placed in an alternative setting. See, e.g., the National Incident Based Reporting System, which revealed that the incidence of crime by youth ages 10–17 during the 2004–05 school year was 26 percent higher during school hours than out of school hours. Yeide, M. and Kobrin, M., *Truancy Literature Review* (Washington, DC: Development Services Group, Inc., 2009), available at dsgonline.com/dso/truancy%20literature%20review.pdf . Crimes against youth ages 10–17 have been estimated as 13 percent higher during school hours than the same length of time after school. MacGillivary, H. and Erickson, G., *Truancy in Denver: Prevalence, Effects and Interventions* (Denver: National Center for School Engagement, 2006), available at schoolengagement.org/TruancypreventionRegistry/Admin/Resources/Resources/TruancyInDenverPrevalenceEffectsandInterventions.pdf .

Educators, health professionals, and law enforcement and juvenile justice officials faced with the research on the millions of students suspended and expelled readily agree that the data reflect a serious problem. Suspensions and expulsions have been shown to increase the likelihood that students will not achieve academic success and will have contact with the juvenile justice system. Students, their families, and communities feel the impact of suspensions, expulsions, and juvenile arrests and detentions for many years. There is increasing recognition among leaders, however, that the education, juvenile justice, and health systems cannot independently resolve problems related to school discipline. Similarly, although parents and youth are essential to crafting a solution, it is unrealistic to expect them to be able to drive change without strong and committed partnerships within these systems.

This report provides a comprehensive set of strategies for policymakers, practitioners, and advocates across systems seeking answers to these questions:

- What can local, state, and federal officials do to support educators and minimize school systems' dependence on suspension, expulsion, and arrest to manage student behaviors?
- And how can this be accomplished while promoting safe and productive learning environments that improve academic outcomes for *all* students while reducing their involvement in the juvenile justice system?

HOW THE REPORT RELATES TO U.S. DEPARTMENTS OF EDUCATION AND JUSTICE GUIDANCE

More than 100 advisors from multiple fields and perspectives gathered for the first time in 2012 to begin outlining the direction and potential recommendations for this report. The School Discipline Consensus Project staff and advisors worked closely with the U.S. Departments of Education and Justice—as did many others—to share the work as it progressed in the 18 months that followed. For that reason, readers will see consistency in many of the recommended strategies for reducing suspensions and expulsions that are included in the January 2014 joint guidance on school discipline.* This report also provides exhaustive detail and covers additional, relevant issues—namely juvenile justice—not contemplated in the guidance. Coming from the field, this report demonstrates how local and state governments can, on their own initiative, realize objectives described in the guidance.

Any strategies to reduce suspensions and expulsions must be nested in a comprehensive effort to provide conditions where teachers and students are engaged and the school community finds the environment safe and welcoming. Schools that only lower suspension rates and declare success without regard for these other factors may be simply trading one set of problems for another.

* The guidance is for public schools in meeting their obligations under federal law to administer student discipline without discriminating on the basis of race, color, or national origin. That guidance and accompanying documents to help guide state- and locally controlled efforts to improve school climate and school discipline can be found at ed.gov/policy/gen/guid/school-discipline/index.html .

About this Report: An Unprecedented Look at School Discipline Policy

There are several elements of this report—in both its preparation and content—that set it apart from other examinations of school discipline issues or calls for change to policy and practice.

First, its vision and recommendations reflect a consensus among students, parents, teachers, school administrators, specialized staff, behavioral health professionals, police, probation, court officials, juvenile correctional administrators, and many other expert advisors.* Leaders in each of these fields came together to work on this report, united by these 10 shared principles:[7]

1. Disciplinary systems that rely heavily on suspensions and expulsions to manage student behavior produce poor outcomes and must be changed.
2. Every effort should be made to keep students in classrooms where they can succeed and be engaged in learning, while providing appropriate supports to educators.
3. The safety of students, teachers, and staff are paramount and may require the infrequent use of exclusionary measures.
4. Issues related to race and the disproportionate impact of school discipline policies on distinct student populations including LGBT students, English Language Learners (ELLs), and students with disabilities, must be met head on.
5. Prevention measures should not continue to be outweighed by reactive interventions and should consider both student behaviors and adult responses. A tiered approach to interventions is needed to support every student's success and to ensure restorative steps are pursued whenever possible before more serious disciplinary actions are imposed.
6. When students' actions cause harm, the students must be held accountable for their actions and every effort must be made to protect victims from further harm and to help with healing.
7. Changes to disciplinary practices must benefit all students—not just those who have been engaged in misconduct—to ensure that classrooms are safe and supportive learning environments for every student.
8. Schools alone cannot solve problems that have roots and remedies in numerous other systems and therefore require a multi-system approach.
9. Practices that are found to be effective and efficient by research and can be implemented with fidelity should be prioritized.

* The project that produced this report was administered in coordination with the Supportive School Discipline Initiative that was launched by the U.S. Attorney General and the U.S. Secretary of Education in July 2011, and was supported by a public/private partnership that includes the Office of Juvenile Justice and Delinquency Prevention, The Open Society Foundations, NoVo Foundation, The California Endowment, and The Atlantic Philanthropies. For more information about the project, see csgjusticecenter.org/youth/projects/school-discipline-consensus-project/ . The advisory group, other expert advisors, and focus group facilitators are listed in Appendix A to the full report. Additional experts who provided extensive feedback are also recognized in the Acknowledgments. In all, the consensus project involved more than 700 individuals through the advisory groups, focus groups, individual conversations, and other outreach to key school and juvenile justice constituents. It builds on, and is meant to complement, the work of national clearinghouses and centers such as those found at csgjusticecenter.org/youth/school-discipline-consensus-project/national-school-discipline-landscape/ .

10. Progress should be continuously monitored using data and feedback from a wide range of stakeholders.

Second, the report combines an exhaustive review of relevant research and extensive input from policymakers and practitioners in multiple fields to identify promising practices and programs. Despite myriad challenges, many individual schools and districts—often in partnership with students and their families, police, court and corrections leaders, the community, and others—have designed innovative approaches to improving school discipline practices with demonstrated success. The recommendations presented in this report build on the research, literature, and promising practices that demonstrate the benefits of relying on non-exclusionary approaches to changing student and adult behaviors and creating the necessary conditions for learning.

Third, the report's extensive scope and integration of multiple priorities from different fields distinguishes it from anything written to date on this topic. Typically, local, state, and federal officials and school leaders find themselves focusing on an isolated aspect of school discipline or a single strategy: What can be done to improve school climate? How can students' behavioral health and other needs be better addressed? To what extent will increasing the police presence in schools affect safety and other goals? How can the juvenile justice system respond effectively to youth arrested on a school campus? Recognizing that these questions actually relate to larger, more complex problems that are inextricably linked, this report addresses these questions and many related concerns within a comprehensive framework.

A "CONSENSUS-BASED" REPORT

The policy statements and recommendations in this report reflect where the advisory group's direction and feedback established common ground in identifying and advancing innovative practices and policies, while being grounded in reality. For example, some group members promote banning all out-of-school suspensions. Yet through ongoing discussions the group accepted that until there are additional supports, structures, and resources for providing positive educational options for students who are suspended that also address their behavioral needs, banning school suspensions altogether would not currently work for all districts—but may be a longer-term goal. As a result, the fact that this report flows from a "consensus-based" initiative does not mean that every advisory group member and expert consultant would have individually chosen the precise wording or even the reach of each policy statement and recommendation as it appears in this final report. Instead, it reflects a point of agreement among stakeholders with very diverse perspectives on an extensive range of recommendations related to school discipline. Whenever possible, the report references when advisors had differing perspectives, concerns, or felt recommendations should go further.

The report is written for a broad audience of individuals and groups who are affected by or influence school policies and practices that are related to student misconduct. The audience includes policymakers at every level of government, students, families, teachers, school and district administrators, specialized and other school staff, behavioral health professionals, child welfare personnel, police practitioners and leaders, defense attorneys, prosecutors, court officials, judges, probation officers, juvenile detention administrators, reentry coordinators, and others.

With such a diverse audience, there are several implications for how the report is structured:

- Readers should be cautioned that because the "agents of change" for implementing a particular policy or recommendation may vary by jurisdiction, sometimes the proposed actions do not specify the particular individual or entity that will carry them out.
- The report is more process oriented than directive of a particular protocol or practice. In many cases, the report sets out steps for a collaborative process in which diverse voices are heard and then data and other information are used to make better, transparent decisions about strategies and resource allocation.

What the Research Tells Us about Who Is Suspended and Expelled

Although detailed data from individual states on their suspension and expulsion rates can be difficult to ascertain, national estimates are that at least 10 percent of middle and high school students (nearly two million students) were suspended one or more times in the 2009–10 school year.[8] States are increasingly being pushed to improve data collection and reporting practices so that even more precise measures can be used to determine the prevalence of exclusionary school discipline practices. At least one-third of the states do not make their suspension and expulsion data easily and publicly accessible, and those that do have widely varying levels of information about the characteristics of suspended and expelled students.[9]

Although laws in every state mandate suspension or expulsion for certain types of serious offenses, relatively few removals occur each year as a result. For example, a Texas statewide study found that just 2.5 percent of all secondary school suspensions and expulsions were the result of misconduct for which state law mandated the removal of the student from the campus.[10] In fact, the overwhelming majority of suspensions are made at the discretion of school officials. Some discretionary suspensions and expulsions are responses to serious misconduct (that may be arrestable offenses as well). The vast majority of discretionary suspensions, however, are for violations of the school code of conduct or minor offenses.

Several studies also confirm that students of color are disproportionately more likely than their White peers to experience suspension for these discretionary offenses.* African-American

* To ensure accuracy of the populations being described, this report uses the exact terminology to describe racial and ethnic groups that is used in the original research cited. When research studies with different terminology are considered together, or there is no supporting research study, the report uses the terms Black, Hispanic, and American Indian to describe these racial and ethnic groups.

students, in particular, are recognized as consistently disproportionately disciplined without evidence of higher rates of misbehavior.[11] Overall, Black, Hispanic, and American Indian students are suspended at disproportionately high rates.[12] In the 2009–10 school year, approximately one in three Black males and one in six Hispanic males in middle or high school were suspended at least once, compared to one in ten White male students.[13] Students of color are also more likely to receive harsher disciplinary action than their White peers for the same offense.[14] Even in schools in which students of color represent the majority of students, they may still be overrepresented among all students who are suspended and expelled (that is, if students of color represent 60 percent of the student population but 90 percent of the students suspended, there is still a disparate impact).

Exclusionary disciplinary policies also disproportionately affect other student populations, such as youth with disabilities. Research that analyzed U.S. Department of Education data indicates that two in ten secondary school students with disabilities were suspended during the 2009–10 school year (the most recent data available at this writing),[15] compared to fewer than one in ten high school students without disabilities. Students with disabilities were also more than twice as likely to receive one or more out-of-school suspensions than other students.[16]

FIGURE 1. THE NUMBER OF SECONDARY STUDENTS SUSPENDED OUT OF SCHOOL AT LEAST ONCE IN THE 2009–10 SCHOOL YEAR

Sources: U.S. Department of Education, Office for Civil Rights, *2009-2010 Civil Rights Data Collection* (Washington, DC: U.S. Department of Education, 2012); Losen, D. and Martinez, T. *Out of School & Off Track: The Overuse of Suspensions in American Middle and High Schools* (Los Angeles: The Civil Rights Project at UCLA, 2013).

Research has also shown that LGBT students are disproportionately affected by exclusionary discipline. LGBT youth, particularly gender non-conforming girls, are up to three times more likely to experience harsh disciplinary treatment than their heterosexual counterparts.[17] Many LGBT students also report feeling isolated and unwelcome in school.[18] Unlike for race, ethnicity, and disability, tracking of discipline disparities for LGBT students is thwarted by aggregate reporting challenges and lack of data systems' attention to self-reported LGBT issues in schools.[19]

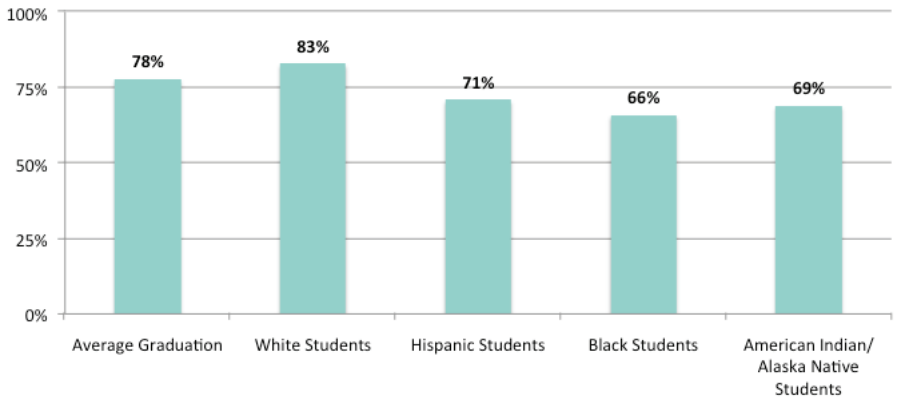
Why Focus on the Issue of School Discipline?

The priorities that many policymakers and practitioners are focused on include increasing graduation rates, closing the achievement gap, improving school attendance, meeting other academic goals with less funding, maintaining safe and productive learning environments, and reducing students' involvement with the juvenile justice system. They may well ask why they should add improving school discipline to their impossibly long to-do lists. If the sheer numbers of students who are suspended or expelled in U.S. schools do not impress, then these policymakers and practitioners should know that their priorities centered on 1) academic success, 2) school safety, and 3) juvenile justice system avoidance cannot be fully realized without making improvements to how schools and communities approach discipline issues. The reason to make this a priority also lies with students, parents, teachers, and others directly affected by how student misbehavior is addressed. The consequences of disciplinary actions and arrests for youth, their families, the juvenile justice system, and ultimately communities can be serious and long-lasting.

Suspensions and Academic Success

Ensuring all students graduate high school with the skills and knowledge necessary for post-secondary academic and workforce success is a universally recognized goal—yet one still out of reach for many schools across the nation. Low graduation rates among Black, Hispanic, and American Indian youth are nothing short of a crisis in some communities.

FIGURE 2. NATIONAL GRADUATION RATES 2009–10 SCHOOL YEAR



Source: Stillwell, R. and Sable, J., *Public School Graduates and Dropouts from the Common Core of Data: School Year 2009–10* (Washington, DC: National Center for Education Statistics, 2013).

Exclusionary discipline is contributing to the dropout crisis, particularly for those students at greatest risk. Research has shown that students who are suspended and expelled are less likely to graduate from high school, and the likelihood diminishes with every subsequent disciplinary action.[20] A study of nearly one million Texas public middle and high school students found that although 18 percent of students with no disciplinary actions failed to graduate, more than half of students with 11 or more suspensions (including in-school suspensions) or expulsions dropped out during the study period (more than 140,000 students).[21] Other research has revealed that if students are suspended from school in 9th grade, they are at considerably greater risk of dropping out of high school.[22]

Although there are many factors that contribute to students' poor academic outcomes, being present in a classroom where they feel supported and can succeed is critical. One reason students' suspensions and expulsions also increase their likelihood of repeating a grade or otherwise falling behind may be because the more days students are absent from school, the harder it is to stay on track. Suspensions can contribute to chronic absenteeism (typically defined as missing 10 percent or more of the days enrolled).[23] Students repeatedly absent from class (for any reason) are more likely to lag behind their peers academically, drop out, and even become involved in the juvenile justice system.[24] Chronic absence has been shown to affect a student's ability to master reading, pass courses, and gain credits.[25]

It follows, then, that when students are suspended, they miss critical instructional time and are at risk of the same negative outcomes as students who are absent for other reasons. Students who lose class time for disciplinary reasons are also more likely to be truant and to have additional future suspensions—all increasing the number of missed days and the risk of not graduating. Research has shown that students who are suspended are more likely to fall behind.[26] The statewide study in Texas demonstrates just how significant a single suspension can be to a student's academic progress: when a student is suspended, the likelihood of repeating that grade doubles.[27]

Students who are disproportionately suspended—such as students of color and ELL students—are among the same students who are most affected by the achievement gap. In 2009, Black and Hispanic students trailed their White peers by an average of more than 20 test-score points on the 8th grade National Assessment of Educational Progress (NAEP) math and reading assessments.[28] Any strategy to close this gap should take into account practices that remove students from school and take them away from the services and supports they receive there.

COSTS OF SCHOOL DISCIPLINE

The financial impact of school discipline on students and schools can be significant. There are losses associated with suspended and expelled students repeating grades or even failing to graduate. Some analysts have calculated the costs related to delays entering the workforce and overall loss in earning power, as well as losses in associated tax revenues.[29] Lower attendance rates due to suspension and expulsion also impact school and district funding because they are tied to state assistance dollars based on Average Daily Attendance (ADA). Under the conservative assumption that every out-of-school suspension represents an absence of 1.5 days, the San Antonio Independent School District lost almost a half a million dollars in state revenue in the 2010–11 school year.[30] In the Fresno Unified School District, students in a single year missed 32,180 days of school due to suspensions, costing the district more than one million dollars in lost state revenue that is based on students' ADA.[31]

School Discipline and Safety

Data reveal that schools are generally safe places—and for some students they are the safest place to be during school hours.[32] Just as juvenile violent crime has decreased overall across the country in the last decade,[33] it has also declined in school settings. While the level of crime varies, overall victimization, gang presence, and the number of weapons found on campus have decreased in most schools.[34] Some schools, however, continue to face significant crime and safety challenges that are being addressed using a range of prevention and response strategies.[35]

Despite the gains made on many campuses, safety remains a top concern for parents, policymakers, and all school communities. The horrific events at the Sandy Hook Elementary School and other high-profile incidents have intensified fear of crime and violence in schools. When asked what the most important factor was in selecting a school for their children, many parents cite a safe environment more than any other characteristic, including school graduation rates, school standardized test scores, and closeness to home.[36] The perception that staff and students are not safe at school following a tragic event has prompted quick legislative action. In response to the fear of future shootings and violence, more than 400 bills were filed in state legislatures in 2013 alone regarding school safety—on subjects ranging from improved school climate and student supports, to building security upgrades, to placing security or law enforcement officers in schools.[37]

How some of these school safety measures are implemented, however, may have the unintended consequence of making some students feel less safe or accepted in school. For example, students, teachers, and families in some communities are concerned that certain measures make schools feel more like prisons than welcoming learning environments. Further,

they believe that any planned responses to incidents and feelings of anxiety should take into account whether the proposed measures will create an environment in which students and staff will feel safer and supported or even more concerned about school safety.[38]

Schools that rely on suspensions, expulsions, and arrests to address student misconduct may be creating an atmosphere in which students and staff feel that the high number of disciplinary actions reflect a persistent threat to their safety. When large numbers of these actions are for minor offenses, students may also feel a level of insecurity and fear of disciplinary action that undermines the very conditions needed for learning. When students are suspended or expelled, they also have fewer opportunities to develop prosocial skills that can help them succeed at school, such as interacting appropriately with peers, developing healthy relationships, and learning how to regulate their emotions and exercise self-control. If unsupervised during suspensions, they also have more opportunity to get into trouble and to deepen their connections with youth engaged in gangs and crimes. All efforts to increase actual safety as well as perceptions of safety must take into account the impact of disciplinary actions.

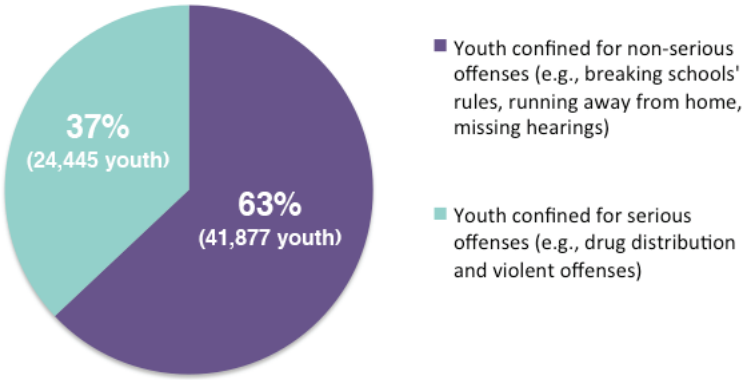
Negative Juvenile Justice Outcomes

Students who experience suspensions and expulsions are also more likely to become involved in the juvenile justice system, particularly students who have been repeatedly disciplined.[39] Although there is no national data publicly available on school-based referrals, and overall juvenile crime is decreasing,[40] there are still jurisdictions that report high numbers or even increases in school-based juvenile court referrals.[41] It is important to consider that even when youth are not placed in a juvenile facility, they may still end up with a juvenile record, which carries many of the same collateral consequences as detention and increases the penalty if they are arrested again.[42]

In the Texas statewide study, students suspended or expelled for a discretionary school violation were nearly three times more likely to have contact with the juvenile justice system in the next school year.[43] Many disciplined students find themselves before probation authorities and courts, which often have limited resources and services to meet these youths' needs. Some students will join the approximately 61,000 youth who are in juvenile justice residential placement facilities on any given day.[44] In states and counties across the country, policymakers are working with leaders in the juvenile justice system to reduce the number of incarcerated youth, knowing that confining youth in correctional facilities increases the chances that they will become further involved in the justice system and suffer lasting consequences.[45] In some states the annual costs of incarcerating a youth exceed $100,000, but incarceration does not tend to produce positive long-term results.[46]

Of particular concern is the number of youth who are arrested and involved in the juvenile justice system for relatively minor incidents.

FIGURE 3. PERCENTAGE OF YOUTH CONFINED IN STATE AND COUNTY JUVENILE FACILITIES FOR SERIOUS AND "NON-SERIOUS" OFFENSES IN 2010



Source: National Juvenile Justice Network and Texas Public Policy Foundation.
The Comeback States: Reducing Youth Incarceration in the U.S. (Washington, D.C.: National Juvenile Justice Network, 2013); available at njjn.org/uploads/digital-library/Comeback-States-Report_FINAL.pdf .

Juvenile justice facilities often are not structured or lack the resources to provide the kinds of services and supports these youth need to address underlying issues and prevent offending behavior from recurring. While away, youth are unable to work on the dynamics and problems they encounter at home, in school, and in their community and tend to fall further behind academically. The experience can carry long-term stigmatization, barriers to education and work opportunities, and other serious collateral consequences.[47]

In sum, although it has become common practice in some schools to remove students from the classroom for disciplinary reasons, relying heavily on such responses has not been shown to be particularly effective in changing student behaviors or in improving academic, safety, and juvenile justice outcomes. There is no question that removing some students from school for serious offenses can improve safety, but the reliance on suspensions, expulsions, and arrests for minor misconduct or typical adolescent misbehavior has not advanced schools' stated goals. The Texas statewide study found that nearly one in seven public middle school students experienced suspension or expulsion 11 or more times between 7th and 12th grade, suggesting that at least for those students, suspension had little impact on their behavior.[48] Furthermore, another examination of a single school district in Texas found that, on average, a student who received a disciplinary response that did not remove him or her from school was nearly 10 percent more likely to progress to the next grade or graduate on time than a student who received an out-of-school suspension for the same offense.[49] Students themselves have also articulated that being suspended does not significantly alter the likelihood that they will change their behavior to avoid future suspensions.[50]

There is also a lack of evidence that the schools that are frequently removing students from the school campus for disciplinary reasons are improving academic achievement among the students remaining in the classroom.[51] For example, when schools serving similar populations were compared across the state of Indiana, schools with low suspension rates had higher test scores.[52] In addition, several large school districts that have lowered suspension rates have made academic gains, including Baltimore, MD, where graduation rates in subsequent years improved,[53] and Denver, CO, where achievement gains coincided with significant reductions in suspensions.[54]

Without a thoughtful, comprehensive approach to school discipline, a school, school district, or state school system cannot deliver the safe, welcoming environment that every parent, youth, and school employee appropriately sees as of paramount importance.

A Groundswell in the Making

Youth, parents, educators, behavioral health professionals, school administrators, public safety officials, judicial leaders, and lawmakers are increasingly recognizing that their efforts to keep students in school and out of the juvenile justice system hinge in part on a new approach to school discipline. The growing number of communities, school districts, and states mobilizing to tackle this issue reflects this trend. The examples that follow illustrate a range of activities that agents of change from different constituencies have been undertaking across the country.

Youth, Their Families, and Their Advocates

Students and their families, and the advocacy groups that support them, are taking action in many communities—sometimes pursuing legal remedies—to minimize the use of suspensions and expulsions and to try to keep youth in classrooms and out of the juvenile justice system. In many school districts, students have expressed confusion, frustration, and anger when they find themselves removed from the school campus for an extended period of time because of misconduct they feel did not warrant such a harsh response.[55] They have little confidence or investment in school disciplinary policies and processes that seem oriented toward excluding large numbers of students from school. Seeing how these policies and practices are undermining a child's educational progress, families and their advocates are joining students to call for changes to school disciplinary policies.[56]

Many communities have pushed forward significant school discipline initiatives, from legislative changes to code of conduct revisions. Youth, parents, and grassroots organizations have been integral to change from communities ranging from Denver, CO to Broward County, FL and from Los Angeles, CA to Buffalo, NY.[57]

The work of local and national advocacy organizations, students, and families has also led to numerous federal civil rights investigations of school discipline policies and practices. The U.S. Department of Education's Office for Civil Rights and the U.S. Department of Justice's Civil

Rights Division receive hundreds of school discipline complaints annually and in the last five years have facilitated dozens of agreements with schools and school districts involving changes to their discipline policies and practices. As a result of these investigations, courts have issued several consent decrees that formalize agreements to prevent and address discrimination in student discipline in public schools, including in Meridian, MS; Palm Beach County, FL; and Owatonna Public School District, MN.[58] When possible, these groups have sought to work with schools and other partners to avoid the need for such actions in the future through collaborative work on policies and practices.

State and Local School Administrators and Educators

Several state boards of education, and/or state education agencies (SEAs), have taken steps to improve school discipline policies, often as a result of local advocacy campaigns and also in response to state legislation (for example, state policymakers in Colorado, Washington State, and Oregon have created stakeholder taskforces and passed legislation to improve data collection and cap the number of days students can be suspended from schools, among other reforms). State education leaders are developing regulations to revise school discipline policies and/or provide additional support to educators to reduce the use of suspension and expulsion. In 2014, for example, the Maryland State Board of Education passed new regulations that require schools to implement positive alternatives to suspension and to use out-of-school punishments only as a last resort. The regulations also require schools to regularly collect and examine data to reduce racial disparities in school discipline.[59]

At the district level, there are calls for school climate and behavioral health interventions to be more prevalent in national and state education reform efforts. There is a strong push for more counselors and mental health professionals to be placed in schools. New and revised teacher and principal evaluation systems that include school climate indicators as a measure of effectiveness are emerging across the country. Evidence-based approaches, such as Positive Behavioral Interventions and Supports (PBIS), restorative justice, and social and emotional learning (SEL) are being adopted in schools and districts across the country in an effort to create safe and supportive learning environments and reduce the use of exclusionary discipline.

In Baltimore, MD, education leaders recognized the need to examine school discipline policies and practices after an extensive review of district dropout data revealed that particular behaviors, sustained over time, were strong predictors of students' failure to graduate. In response, the district revised its code of conduct to institute a graduated system of responses that prevents schools from removing students for minor misbehavior and promotes positive alternatives.[60] The district has developed several tools for assessing school climate and routinely disseminates school-level climate reports that include school discipline data. The district also provides training to build awareness of the importance of creating learning environments that support students and keep them engaged and in class.

As part of the No Child Left Behind (NCLB) Flexibility Waivers granted by the U.S. Department of Education, a consortium of districts in California plans to revise accountability systems to incorporate measures of school climate and school discipline.[61] And low-performing schools across the country are able to select turnaround strategies that incorporate positive approaches to discipline and improvements to the school culture and environment.

Law Enforcement Leaders and Officers

Police leaders and officers across the nation from school districts' own police agencies and from municipal or county law enforcement agencies are increasingly working with schools to create strong partnerships, such as those in Hoover, AL and Milwaukee, WI. Police agencies are also working to reduce the use of arrests and ticketing for minor offenses, such as efforts in Tulsa, OK; Hartford and Bridgeport, CT; and Cambridge, MA. Changes to memorandums of understanding (MOUs) and other efforts to change codes of conduct to clarify for educators, student, parents, and others when officers will be called to respond to an incident have also been increasing, including efforts in Chicago, IL; Baltimore, MD; and Fort Wayne, IN. All of these initiatives have been complemented by a growing call for cross-training officers, educators, and school and law enforcement leaders on the roles and responsibilities of officers in schools. Police professionals are calling for more officer training on serving schools and relevant youth issues. They are also emphasizing community policing approaches when possible to help youth avoid the juvenile justice system, while maintaining the safety and preparedness of schools to respond to critical incidents.

Judicial Leadership

Probation and other juvenile justice professionals are working to divert students to the services they need and to shape supervisory practices to help youth succeed at school and in the community. School discipline is an issue that court officials and judicial leaders around the country are recognizing as central to their goal of decreasing juvenile court dockets and limiting the number of non-violent cases that are processed. Several juvenile and family court judges are taking this issue head on by convening cross-system stakeholders to discuss strategies for reducing youth involvement with the juvenile justice system. Current and former chief justices in California, New York, Michigan, and Texas have convened statewide cross-systems conversations on strategies to reduce the number of youth who come into contact with the juvenile justice system for minor offenses. Several of the resulting school/police/juvenile justice partnerships have developed collaborative agreements for reducing these referrals to courts from schools. Judicial-led initiatives in Clayton County, GA and Connecticut represent examples of ways in which court officials are using their convening power to reduce the number of students referred to juvenile court for offenses that can be dealt with through the schools' disciplinary systems if the schools are provided with adequate resources.[62]

Federal Action

The leaders of a number of federal agencies have made improving the current approach to school discipline a priority through both programmatic and funding initiatives.[63] Nowhere was the commitment to this effort more visible than the unprecedented collaboration that resulted in the launch of the Supportive School Discipline Initiative (SSDI) by the U.S. Department of Education and the U.S. Department of Justice in 2011. SSDI focuses exclusively on supporting schools, districts, and jurisdictions around the country to improve school discipline systems and outcomes for youth.[64]

Building on the innovative and evidence-based practices taking place in communities across the country, federal policymakers have developed multimillion dollar grant programs, technical assistance centers, and other measures to advance progress on school safety and school discipline practices. In addition to the U.S. Departments of Education and Justice Guidance and related products,[65] the U.S. Department of Education has also developed a resource center and clearinghouse through the American Institutes for Research. The clearinghouse provides information on related federal efforts from other agencies, research, and resources focused on school discipline, safety, and climate.[66]

Members of Congress have brought the issues to center stage by spearheading a hearing centered on reducing youth involvement with the juvenile justice system and the use of exclusionary discipline, as well as advancing discussions of school safety.[67]

This report has benefitted from bringing together individuals from each of these groups and perspectives who are enacting policy as well as working on the front lines to find ways in which collaborations and investments of resources could be better leveraged and have a greater impact.

Navigating and Using this Report

This report offers 20 policy statements. Taken together, they provide a vision for how policymakers and practitioners, working in partnership with students, families, community leaders, and other stakeholders, can minimize the use of suspension and expulsion to manage student behaviors. These efforts are meant to improve students' academic outcomes, reduce their involvement in the juvenile justice system, and promote safe and productive learning environments.

Immediately following each policy statement is a discussion of supporting research, the current state of the field, and a series of recommendations that provide action-oriented steps to translate these policies into practice. Under each of the 60 recommendations in the report are explanations and concrete examples illustrating how individual schools, school districts, communities, state agencies, and others have operationalized some or all of the

proposed approaches. The recommendations reflect evidence-based strategies whenever possible, but many practices and programs have not been adequately studied. Because the absence of rigorous research is not a justifiable excuse for inaction, the policy statements and recommendations also build on what is considered promising work being reported across the country.

Particular programs, policies, and other initiatives used as examples have not necessarily been subjected to independent evaluation to certify their impact, so their inclusion in this report does not constitute an endorsement. It is important for schools and districts when selecting approaches to be smart consumers by examining the research or demonstration of success and ensuring programs are tailored to local needs. When choosing and adapting practices for a jurisdiction, there should be an examination of the schools' distinct problems and any contributing factors. The problem definition should drive which evidence-based interventions to use and how progress will be measured. Where the supporting research is weak or missing, interventions should be guided by principles of cultural sensitivity and the particular needs of the school and community, and then closely monitored to ensure that the measures are well implemented and assessed to determine whether they are having the desired effect on students.

The policy statements are organized into four main chapters:

- Conditions for Learning
- Targeted Behavioral Interventions
- School-Police Partnerships
- Courts and Juvenile Justice

There are two additional chapters that address issues that cut across each of the four main chapters:

- Information Sharing
- Data Collection

No chapter is written for any one particular audience. Instead, in keeping with the multi-system approach of the Consensus Project, each chapter has information relevant to readers coming from the education, health, law enforcement, or juvenile justice fields, as well as students, parents and other school community stakeholders. A compendium of complementary resources—including an executive summary, checklists for particular audiences, other relevant websites, and state legislative summaries—is available on the Council of State Governments Justice Center (CSG Justice Center) website at csgjusticecenter.org/youth/school-discipline-consensus-report. They are meant to make this report as useful as possible.

Important Considerations

Readers of this report should keep in mind the following considerations:

The report concentrates on public (including charter) secondary schools (middle and high schools).

That focus, however, should not diminish the importance of policies and practice that focus on younger students. A growing body of research traces academic achievement gaps and other problems that put children at higher risk for disciplinary action or contact with the juvenile justice system to early childhood conditions.

There is considerable and compelling research describing the types of programs and services provided to children who are pre-K or in primary school that can have a significant impact on how a student behaves once in middle or high school.[68] Indeed, middle school teachers appropriately point out that youth who are involved in serious misconduct in school often engaged in misbehavior while in elementary school. Furthermore, recent headlines have highlighted incidents in which children as young as pre-school and kindergarten are experiencing suspension and even arrest.[69]

But taking into account such a wide spectrum of age groups would make the scope of an already expansive report truly unwieldy. For this reason, and because disciplinary actions tend to mount during students' secondary school experiences in both charter and traditional public schools, the policy statements, recommendations, and examples provided in this report focus on public middle and high school students, for whom the majority of suspensions and expulsions take place.[70]

The report recommendations do not always apply to important groups of students, such as American Indian populations.

Visits and listening sessions with students, educators, and other stakeholders engaged with American Indian students revealed that the problems associated with suspensions and expulsions are particularly acute in schools located on reservations. Coupled with the lack of resources for alternative education programs and services or supports for students and teachers, the need for change in American Indian communities is clear. But because schools located on reservations are sovereign entities not governed by the same authorities as public schools, some of the recommendations in the report will not be applicable.

NATIVE AMERICAN STUDENTS*

More than 640,000 school-age students in the United States are Native American.[71] The majority (93 percent) of students attend public schools, with the remaining attending schools operated or funded by the Bureau of Indian Education (BIE) or by individual tribes. The BIE operates more than 180 schools in 23 states, primarily located in rural areas and serving students who live on or near reservations.[72]

Regardless of which school they attend, these students tend to experience poorer educational outcomes than their non-Native American peers. They have higher dropout rates, as much as double the national average,[73] with 10 states reporting graduation rates lower than 60 percent.[74] In 2010-11, BIE schools experienced the lowest graduation rates compared to all states in the country.[75] American Indian/Alaska Native students are also disproportionately suspended and expelled from school compared to White students.[76] A Montana study revealed that American Indian students were almost four times as likely to be expelled from school, and four times more likely to receive out-of-school suspensions as their White peers.[77]

To better support these students, additional research needs to be conducted on disciplinary policies that are culturally appropriate and effective. It is important that states and districts involve tribal leaders in early conversations about changing policies and practices so that they are more easily adaptable in tribal schools and not seen as a mandate, but rather a collaborative decision.

Implicit bias must be examined.

Every section of this report discusses the disproportionate impact of policies on students of color and other identifiable populations, such as students with special needs or LGBT students. These discussions, however, do not examine the important but complex issues associated with implicit bias. There is a range of conditions and factors that policymakers and practitioners must openly discuss and consider as they think about what is causing a child to act out and how adults respond to that misbehavior. Characterizing students based on stereotypes extends well beyond race, gender, and sexual orientation. Other factors, such as historical context, economic status, neighborhood or community culture, and situational conditions influence how certain students are perceived, and how individuals and systems respond to their conduct.[78] At a minimum, schools should use data that takes into consideration cultural factors to make decisions and ensure that training and practices are both culturally relevant and equitable.

* The term "Native American" is used in the sources cited as referring to individuals who identify as American Indian, Alaska Native, and Native Hawaiian.

Students and their families should be partners in any undertaking to improve school discipline policies and practices.

Youth, parents, and their advocates played an important and valuable role in shaping this report and its many recommendations. They engaged in listening sessions, advisory board activities, and other review efforts. Their voices are critical in shaping effective policies and practices. Their input will help gauge feelings of safety, and identify services and supports that help youth feel respected and engaged as well as other factors that affect risk for disciplinary action. Surveys, forums, and other in-school discussions can help identify whether students and their families think existing approaches to discipline are clear, transparent, and fair. Their feedback can inform some of the most effective ways to troubleshoot existing systems.

Although peers and other social entities are influential, families are the first and early shapers of children's behaviors, values, and experiences, and serve an important protective function. Family members may have their own challenges and risk factors that interfere with their important caregiving and teaching functions. Including family members gives access to additional services and supports, and provides schools with valuable information that otherwise might not be considered.

Although the implementation of many of the ideas in this report does not require new expenditures, some recommendations do depend on either new investments or the reallocation of existing resources.

As several of the chapters suggest, there are strategies to improve school discipline that can be done at little or no cost, such as greeting students by name, teaching and reinforcing positive behavioral expectations, and carving out class time for problem solving on issues that are creating tensions among students. The reality, however, is that adopting at least some of the ideas proposed in this report is contingent on additional investments. Beyond tapping into various federal and state funding sources, communities can leverage the investments already being made by multiple systems to support behavioral interventions and school discipline reform. Education, health, law enforcement, and juvenile justice systems all have a vested interest in keeping students in school and out of trouble with the law. Combining resources to meet shared goals can help ensure that each dollar is being well spent and redundancies in services (or conflicting strategies) are being addressed. Further, reducing the number of students unnecessarily removed from school and creating an environment in which students are more likely to attend helps schools preserve per-pupil funding allocations, which can be directed towards professional development for educators or prevention and behavioral interventions for students, among other priorities. Finally, schools need to ensure that investments are made in activities that have clear rationales for implementation, whose effectiveness has been demonstrated, where fidelity to quality standards has been established, and where cost efficiency has been considered.

Readers should focus limited resources on the recommendations that are most feasible for their community and hold the greatest potential for positive change.

The policy statements and recommendations that are laid out in this report represent a menu of options from which policymakers and practitioners should thoughtfully prioritize, based on the distinct needs and existing resources for their schools. The report is not a sequential plan that fits all jurisdictions. To make the best use of this report, readers should engage in a collaborative process to determine their schools' specific needs and where challenges are most acute. Needs assessments are recommended in each chapter of the report and will help inform how readers sequence subsequent activities and allocate resources where they can make the greatest impact.

Thought should be given to how to build capacity and scale-up efforts. Small, immediate gains are critical, but efforts should include a multi-year plan that includes identifying problems, initiating short- and long-term change, sustaining efforts, and bringing efforts to full scale. Finally, there are a number of organizations and entities that provide implementation supports and technical assistance that can supply essential assistance in carrying out these recommendations: for example, OSEP Technical Assistance Center on Positive Behavioral Interventions and Supports; National Center on Safe Supportive Learning Environments; and the Collaborative for Academic, Social, and Emotional Learning; among others.[79]

There are a number of compelling problems associated with school discipline that could not be fully explored in the report.

There is no question that there are many important, high-profile issues that are not given in-depth consideration in this report, but rather are referenced within the discussion of school disciplinary responses, such as the following topics:

- Schools have increasingly shown intolerance for bullying and every state has passed legislation and/or policies to address this misconduct.[80] Because volumes have been written about the topic and considerable guidance and resources exist, that information is not reiterated in the report. Instead, readers are directed to useful resources and bullying is discussed only in the context of responsive disciplinary actions.

- In some states, truancy also has driven ticketing of students (and parents) and other disciplinary actions that run counter to achieving educational and juvenile justice goals.* The report focuses on how enforcement of truancy laws can increase youths' exposure to the juvenile justice system, but does not tackle in-depth the issues of status offense reforms and strategies to address students' absence from school (versus their misbehavior in the school).

- Safe and drug-free schools have been at the top of the national agenda for schools, as evidenced by the expanse of materials, technical assistance, and other resources the report encourages readers to explore. In the context of this report, these issues are only considered in their interplay with school discipline and how improving the learning environment and student engagement can increase school safety and help students make healthy decisions.

- This report does not discuss in depth important issues such as trauma-informed care, adolescent brain science, and other health-based approaches that should inform classroom management, prevention and intervention strategies, and responses to misbehavior. When possible, these are raised in the text as possible training topics and with links to resources for more information.

No two schools — or school districts — are the same.

How ideas in this report apply to states, counties, and municipalities depends on the characteristics of a particular jurisdiction. No policy statement or recommendation is put forward as a one-size-fits-all solution. Some advisors felt the problem statements might even tend to resonate more with individuals engaged in large, urban schools than with smaller rural or even suburban schools. Each school, community, and state has its own distinct characteristics and culture, as well as needs and resources. The recommendations and promising practices from the research and the field will almost certainly need to be tailored. The goal is to help communities develop customized strategies to improve the rationality of school discipline systems that will keep schools safe and engaging, improve academic performance, reduce students' involvement in the juvenile justice system, and minimize the dependence on suspension and expulsion to manage student behaviors.

* In certain states, law enforcement officers (school based and patrol officers) are permitted to issue tickets to students on school campus for Class C misdemeanors. When students receive a ticket they are required to appear in court (often municipal or Justice of the Peace court) with their parent; they typically receive a fine or are required to perform community service. Ticketable offenses on a school campus may include disruption of class, disorderly conduct, disruption of transportation, truancy, and simple assaults. See, e.g., Fowler, D. et al., *Texas' School-to-Prison Pipeline: Ticketing, Arrest & Use of Force in Schools* (Austin: Texas Appleseed, 2010), available at texasappleseed.net/images/stories/reports/Ticketing_Booklet_web.pdf . Parents in certain states may also be penalized for a student's truancy. In Michigan, for example, if a student receives a truancy citation and fails to appear in court, or if a youth is persistently truant, a parent may be charged with a misdemeanor for failure to comply with compulsory school attendance laws. See, e.g., Perkins, T., "First Reading of Truancy Ordinance Targeting Parents with Kids Passes; More 'Teeth' Promised," *mlive,* March 1, 2014, accessed March 25, 2014, mlive.com/news/ann-arbor/index.ssf/2014/03/first_reading_of_truancy_ordin.html . See also overview of Michigan Attendance Laws. Michigan Department of Education Office of Government Services and Customer Satisfaction, *Compulsory School Attendance Policies and Grades* (Lansing: Michigan Department of Education Office of Government Services and Customer Satisfaction, 2002), available at michigan.gov/documents/compulsoryattendance_23182_7.pdf .

CONDITIONS FOR LEARNING

SUMMARY OF POLICY STATEMENTS AND RECOMMENDATIONS

POLICY STATEMENT I

School personnel work in partnership with students and their families; behavioral health, child welfare, and juvenile justice professionals; and other community members to assess and improve the school climate and conditions for learning.

RECOMMENDATION 1: Collect stakeholder perception and disaggregated school discipline data to formally assess and publicly report annually on the school climate and conditions for learning within the school.

RECOMMENDATION 2: Examine the data with representatives from all stakeholder groups to determine trends and identify areas for improvement that will strengthen all students' conditions for learning.

RECOMMENDATION 3: Engage relevant stakeholders, and outside experts if needed, in difficult discussions of underlying issues that may be contributing to patterns of disproportionality revealed in the data.

POLICY STATEMENT II

School improvement plans include strategies and resources for improving the conditions for learning and implementing alternatives to suspension and expulsion to manage student behavior.

RECOMMENDATION 1: Ensure that relationships among students and adults in the school are grounded in respect and trust.

RECOMMENDATION 2: In partnership with students, develop shared expectations for behavior, with adults modeling appropriate behavior and communicating expectations clearly, enforcing them consistently, and applying them equitably.

RECOMMENDATION 3: Engage students through instructional practices that are evidence-based, student-centered, developmentally appropriate, grounded in a real-world context, and that prepare them to be college and career ready.

RECOMMENDATION 4: Involve family and community members with connections to the school through regular and meaningful opportunities to participate in school-based activities and decision making.

RECOMMENDATION 5: Address physical facility conditions and school security procedures to ensure schools are safe and feel secure while also being welcoming and orderly.

POLICY STATEMENT III

District codes of conduct reflect and reinforce positive school climates and advance the goal of keeping all students in safe and supportive schools—by articulating clear expectations for student and adult behavior, as well as exhausting appropriate graduated and restorative responses to students' minor misconduct before resorting to suspension.

RECOMMENDATION 1: Review and modify state laws, if necessary, to ensure they provide a foundation for schools and districts to develop effective codes of conduct.

RECOMMENDATION 2: Regularly engage students, families, educators, and other stakeholders in the school district in discussions about how the code can be improved to clarify positive behavioral expectations for students and adults, and to ensure that disciplinary policies address their diverse concerns.

RECOMMENDATION 3: Design a graduated system of developmentally appropriate responses to misconduct that keeps students in school whenever possible, addresses the harm caused, and considers the factors that may contribute to the problem, while encouraging students to take responsibility for changing their behavior.

RECOMMENDATION 4: Create a space on the school campus for students who are receiving disciplinary actions to go where they can continue to be engaged in instruction and receive social, emotional, and behavioral supports as needed.

RECOMMENDATION 5: Provide students who are facing removal from school and their parents/guardians with clear due process protections and continued educational services.

RECOMMENDATION 6: Assure successful implementation of codes of conduct (both professional and student) by engaging all adults and youth affected by the provisions.

POLICY STATEMENT IV

School administrators and staff receive the necessary training, professional development, job-embedded supports, and performance feedback to create effective learning environments for all students.

RECOMMENDATION 1: Provide current educators with the professional development and ongoing supports needed to build positive connections with students, reinforce expectations for behavior, de-escalate conflicts, implement constructive interventions, and create supportive conditions for learning.

RECOMMENDATION 2: Create partnerships among school districts and educator preparation groups, including university-based and alternative certification programs, to design pre-service programs that include school climate and conditions for learning as integral curriculum components.

RECOMMENDATION 3: Ensure that school principal evaluations include measures that examine the extent to which principals are fostering a welcoming school climate and the conditions necessary for learning for all students.

RECOMMENDATION 4: Expand school climate and conditions for learning indicators in educators' evaluations where a comprehensive school climate plan is in place and/or educators have been provided with appropriate professional development and pre-service training to monitor their progress on implementing strategies that improve the classroom environment.

INTRODUCTION

SCHOOL DISCIPLINARY POLICIES and practices are intricately linked to the conditions for learning in schools. Conditions for learning, often referred to as a critical element of "school climate," can influence the extent to which students misbehave and face disciplinary action. How educators and school officials respond to that student misbehavior in turn affects students' feelings of connectedness, worth, and willingness to learn. As discussed below, students are less likely to misbehave or drop out of school when they are engaged, feel valued at school, and their environment is nurturing and supportive. Although educators, families, and other adults may believe a school discipline system is effective when the school feels secure and orderly, students may feel that discipline or safety measures are implemented in ways that make them feel less welcome, trusted, and safe.

Schools play a critical role in developing the academic, social, and emotional skills that help children learn to interact in a respectful manner, resolve conflict peacefully, and mature into contributing members of their communities.* To effectively develop these competencies, however, students must feel supported, connected to their teachers and staff, encouraged to do well, and physically and emotionally safe—all part of the conditions necessary for learning.

This view of conditions for learning requires an expanded understanding of order and safety in schools. Beyond basic compliance with schools' rules and lack of chaos in the building, order refers to adherence to a culture and accepted norms in which all members of the school community (adults and students) interact in a respectful and largely predictable manner. Creating this type of environment permits school and classroom activities to be carried out effectively. In this view, schools must consider both the physical and the psychological aspects of safety—that is, to what extent do students and staff feel protected from disrespectful, demeaning, or threatening behavior, as well as from physical attacks and violent crime?[1]

Much attention has centered on removing students from the classroom or the school as the primary strategy for addressing student misconduct and maintaining order and safety in schools. However, an overreliance on suspensions, expulsions,[2] and arrests has been shown as counterproductive to achieving many of a school's goals and has had tremendously negative consequences for youth.[3] In contrast, schools that have prioritized strategies for achieving a positive school climate are demonstrating that preventive and productive interventions can not only improve safety and order, but also keep youth in school, engaged, and learning. Schools that are intentionally improving school climate and putting into place alternatives to suspension

* Social and emotional skills, such as empathy, impulse control, and problem solving, are related to an individual's ability to recognize and manage his or her own emotions and form relationships with others.

are also making progress in limiting the disproportionate impact of disciplinary practices on students of color, students with disabilities, and youth who identity as gender non-conforming and/or lesbian, gay, bisexual, or transgender (LGBT).[4]

A Roadmap to the Chapter

This chapter explains what is meant by a positive school climate and supportive conditions for learning. It starts at the school level by outlining the steps in analyzing and strengthening the school climate while reducing disciplinary actions that take youth out of school. It then considers the policies and systems required to support schools in this process. Guidance is provided on how to engage stakeholders in examining policies and practices that shape a school's culture and learning environment. The recommendations call for the development of data-driven action plans to address areas that need improvement. Recommendations also focus on establishing and reviewing district codes of conduct, which articulate behavioral expectations and consequences, to ensure they align with the goals of a positive school climate. Finally, the chapter outlines a continuous improvement process by which educators and other staff should receive training, evaluation, and ongoing support.

Background

Recognition of the importance of a safe, nurturing, and productive learning environment is not new. Decades of research underscore the central role of school climate in creating successful schools and reducing student disciplinary actions, yet school climate and conditions for learning are not universally understood or prioritized. Perhaps because of this, strategies to improve the learning environment are often an afterthought in decision making about school policies. The research and literature reviewed in this chapter are meant to provide a context for the report's recommendations and to help inform the definitions for this report.

KEY TERMS: SCHOOL CLIMATE AND CONDITIONS FOR LEARNING

For teachers to teach and students to learn, they must be safe, connected, and supported in their classrooms and schools. Students and staff must also feel they are valued, challenged, and respected. Although "school climate" refers to the entire quality and character of school life,[5] "conditions for learning" are those elements of climate that students experience personally and that directly affect academic outcomes. Creating these conditions for teaching and learning is achieved through a variety of mechanisms that includes providing educators with the tools, training, and supports to promote clear expectations for and the achievement of positive adult and student behavior. Successful efforts create classroom and schoolwide settings that promote positive relationships, are physically and psychologically safe, and are conducive to instruction that is engaging, relevant, and responsive to students' needs.[6]

School system leaders, educators, and members of the school community know that it is not enough to simply hang student artwork on the walls, have teacher appreciation days, or hold monthly student assemblies to achieve a positive school climate. There is a range of strategies and principles that need to be considered to achieve an environment that is truly safe, nurturing, and supportive for students and teachers.

Perspectives about which strategies are needed to create the best conditions for learning can vary significantly from one school or district to the next. For example, parent engagement may include a monthly newsletter, regular parent meetings during nonworking hours, a parenting program, diversity night celebrations, and parent representatives on the school improvement team or as classroom volunteers. A school that says it engages its parents may be referring to any one or many of these activities. Variation is an appropriate response to differences in the strengths and needs of different schools; however, it can mask the lack of systematic attention to school climate, in which a full range of strategies is considered and then tailored to the distinct needs of particular schools.

What the Research Says

While there are varying perceptions of the meaning of school climate or conditions for learning, policymakers and practitioners agree that all students should have access to physically and emotionally safe instructional environments that support the development of prosocial relationships, reduce risky behavior, increase student engagement and achievement, and prepare youth to be successful members of society. Positive school climate and conditions for learning are associated with the following positive outcomes:

- Few incidences of school violence as well as increased staff and student feelings of safety[7]
- High academic achievement, including improved grades and test scores[8]
- Strong student attendance,[9] which in turn has been associated with improved academic performance and graduation rate[10]
- Minimal engagement in risky behaviors, including substance abuse[11]
- High levels of student engagement and self-discipline, due in part to the emphasis on cooperative learning and respectful interaction that help promote good behaviors[12] (with less likelihood of being referred to the office for disciplinary reasons or to receive a formal disciplinary action[13])
- Strong attachment to school and positive student relationships with adults and peers,[14] which are associated with student engagement and satisfaction[15]
- High levels of staff satisfaction, involvement, and investment[16]

Schools across the nation have been implementing several major approaches to create the necessary conditions for learning.[17] The first three below are focused on developing students' capacities to manage their own behavior and effectively interact with others, and the remaining three are focused on schoolwide mechanisms for building community and understanding and responding proactively to students' needs.[18]

Social and Emotional Learning (SEL)

SEL is the process for learning life skills related to understanding and managing emotions and how to interact appropriately with others. SEL competencies such as problem solving, teamwork, and respectful disagreement, among other abilities, help students develop a sense of self that ultimately enables them to better control their emotions, communicate, and resolve conflicts peacefully.[19] SEL programs also advance the capacity of adults working with students to serve as role models and to better address students' needs. SEL programs have been shown to improve students' social competence, self-awareness, connection to school, positive interactions with others, and academic performance.[20] Schools can use an SEL framework to foster an overall climate of inclusion, warmth, and respect, which can promote prosocial behavior, minimize student misbehavior, and support academic success.

Positive Youth Development (PYD)

PYD is a comprehensive framework that is linked to students' developmental stages. It provides guidance on the supports young people need to become successful, contributing adults. PYD emphasizes the importance of building on the strengths and abilities that youth bring to the classroom rather than focusing on their risk factors or perceived deficits.[21] High-quality PYD programs promote students' physical and emotional safety; senses of belonging, ownership, and self-worth; supportive relationships with peers and adults; and they offer opportunities for skill building. These characteristics have been shown to reduce risky behavior and improve students' social, emotional, and academic success.[22]

Character Education

Character education incorporates a broad range of approaches that promote the academic, social, emotional, and ethical development of young people.[23] It is typically composed of two elements: 1) performance character education, which focuses on teaching students to work hard, develop their talents, and strive for excellence; and 2) moral character education, which helps students develop social skills such as displaying respect, fairness, and honesty.[24]

*Positive Behavior Support (PBS)**

PBS provides a framework for creating schoolwide systems of support that teach and reinforce appropriate student behaviors.[25] Schools following a PBS approach apply a multi-tiered continuum of positive behavioral approaches, focusing first on strategies to improve school climate and behaviors for all students, and then developing targeted supports for students who struggle to meet expectations related to behavior.[26]

* PBS is also referred to as Positive Behavioral Interventions and Supports (PBIS) or School-Wide Positive Behavioral Supports (SWPBS).

School Development Program (SDP)

SDP embraces a nine-element process to foster positive school and classroom climate and create optimal conditions for teaching and learning. It emphasizes the critical link between child development and learning through the alignment of developmentally appropriate curriculum, instruction, and assessment.[27] SDP uses multiple teams to develop a comprehensive school plan to create a supportive learning environment, design and conduct staff development, and assess and modify the plan as needed using a wide range of student and school-level data to ensure continuous improvement. The teams, which focus on school planning and management, student and staff support, and parents and families, engage in decision making by consensus and collaboration.

Restorative Practices

Restorative practices promote strong interpersonal relationships and community building. They also provide students with meaningful opportunities to be accountable for their actions and responsible for helping to make their school a safe and nurturing place. Students are taught basic social skills to problem solve and de-escalate conflict, thereby contributing to healthier school climates.[28] The restorative approach encourages youth who have misbehaved to take responsibility by repairing harm and restoring relationships with the parties affected by the wrongdoing.[29] Adults learn to employ a continuum of preventive restorative practices, most of which address problems that could spark misbehavior if left unattended.

For any of these approaches to be successful, they must be implemented effectively. And although these approaches are distinct, they can and should be aligned.[30] Some schools and districts assume that because they have carried out one or more of these approaches (or some aspect of these approaches), they have created a positive school climate. However, a more comprehensive approach is required to ensure that schools provide the essential conditions for learning.[31]

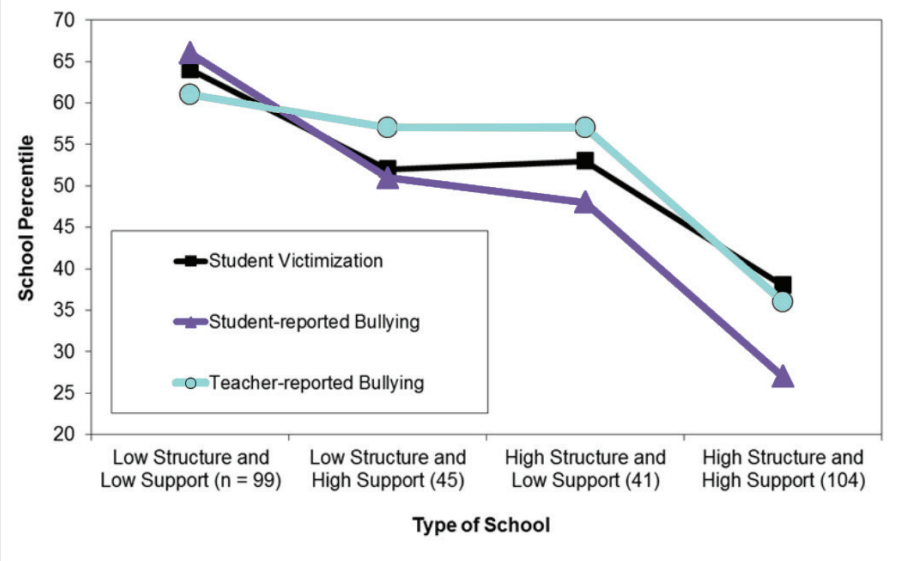
THE VIRGINIA HIGH SCHOOL SAFETY STUDY

The Virginia High School Safety Study found that schools with higher levels of structure and support had less bullying and victimization among their students. The study drew on a statewide sample of 7,300 9th grade students and 2,900 teachers randomly selected from 290 high schools in the state.[32] Students and teachers were surveyed about whether school rules were both fair and strictly enforced; whether students who violated rules were likely to be punished; and whether teachers treated students with respect, wanted them to be successful, and were responsive to requests for assistance, among other questions.

The figure below displays levels of bullying and other victimization across four categories of schools, along the axes of structure and support. Schools with high structure and high support had the lowest levels of victimization and bullying.[33]

High levels of structure and support were also associated with less teacher-reported victimization. A high level of support (but not structure) was associated with fewer student threats against faculty.[34]

Schools with low structure and low support had the highest suspension rates for both Black and White students, and the most disproportionate rates of suspension for Black students.



Source: Reprinted with permission from Gregory, A. et al., "Authoritative School Discipline: High School Practices Associated with Lower Student Bullying and Victimization," *Journal of Educational Psychology,* 102, (2010) 483–496.

The purpose of the study was to develop a validated school climate survey. The resulting instrument, which is called the Authoritative School Climate Survey (ASCS), is designed for both students and educators in grades 7–12 and is undergoing additional analyses to improve its reliability and validity across age, gender, and racial groups.[35]

Current State of Practice

Creating the necessary conditions for learning is not prioritized equally or consistently across school systems, despite evidence that a positive school climate improves students' academic performance and engagement, improves their behavior, and reduces the need for disciplinary interventions. School climate has often taken a back seat to school improvement efforts focused on curriculum standards, testing, and educator effectiveness. Many educators are concerned that in this era of high-stakes accountability they cannot attend to school climate without sacrificing academic achievement gains.

Faced with shrinking budgets, most states and districts have been forced to make difficult decisions about how to prioritize resources. Unfortunately, the resources and supports that promote conditions for learning are usually among the first to be eliminated. Specialized instructional support personnel positions,* non-core academic courses, and supplementary resources for struggling students have also been drastically reduced in recent years, even though these and other supports are critical for learning. These staff and supports help create an environment that meets the diverse needs of students and equips schools with the capacity to recognize and respond to behavioral issues before they develop into disciplinary problems.

Policymakers at all levels of the education system are increasingly interested in just how critical a role school climate and conditions for learning can play in reform efforts, particularly for low-performing schools. The U.S. Department of Education, for example, established principles for improving low-performing schools through Elementary and Secondary Education Act (ESEA) flexibility requests,[36] and through school improvement grants (SIGs) focused on school climate improvement. Schools have the option of using funds for "establishing a school environment that improves school safety and discipline and addressing other non-academic factors that impact student achievement, such as students' social, emotional, and health needs."[37] Some state policymakers and administrators are also increasingly including school discipline and climate indicators in new teacher and principal evaluation systems. The Individuals with Disabilities Education Act (IDEA),[38] too, requires school districts identified as having serious problems to invest federal funds in early intervention services if large racial disparities in exclusionary discipline are detected.[39] While these advancements are promising, policymakers and practitioners at all levels need to better understand the relationship between school climate, discipline, and student success, and to prioritize the creation of positive and supportive conditions for learning in schools.

Building on the work that has been done in schools and districts across the country, and in keeping with a growing body of research, this chapter provides 18 recommendations for

* Specialized instructional support personnel include school-based counselors, psychologists, social workers, nurses, and other staff focused on promoting students' healthy development and academic, social, and emotional skills in ways that position them to achieve better academic and developmental outcomes.

improving school climate and conditions for learning in ways that will help reduce the need for exclusionary discipline practices. School and district administrators and staff know that cultivating the full range of recommended strategies to improve conditions for learning will take time and patience, but by working with students, families, partners in the school community, and others, they can achieve steady improvement. Recognizing the practical realities of the change process is important in implementing the recommendations offered in this chapter:

- ***Transparency is necessary.*** A transparent process anticipates and explains the need for ongoing corrections and charts progress on disciplinary and other measures. Transparency includes a commitment to publicly reporting disaggregated discipline data annually to the public.[40]
- ***The process challenges biases and entrenched thinking among all stakeholders.*** Changing behavior often requires the entire school community to examine its own beliefs and attitudes that may be contributing to patterns of discipline or interventions in which certain students are being treated differently from their peers.
- ***The approach must be comprehensive.*** Ideally the approach to school climate improvement should be wide ranging, recognizing that in some cases improvement efforts will need to be sequenced to deal with the realities of limited funding and resources. A program or targeted strategy (e.g., school safety or bullying prevention) needs to be part of a broader, comprehensive strategy to provide all students with a learning environment that motivates, challenges, and supports them while also keeping them safe.
- ***Top-level and grassroots support is essential.*** Policymakers cannot mandate school climate change. Real reform requires the support and active involvement of the entire range of individuals affected by school policy as well as those on the front lines of implementing it. Although some schools have benefitted from a strong grassroots-led effort, lasting transformations can be undermined if there is not also supportive leadership. School system leaders must be able to set priorities, create the necessary infrastructure, and realign needed resources.
- ***There must be shared accountability.*** Stakeholders—from school staff and bus drivers to community-based organizations to students and their families—must be invested together and collectively responsible for improving the quality of the learning environment.

POLICY STATEMENT I

School personnel work in partnership with students and their families; behavioral health, child welfare, and juvenile justice professionals; and other community members to assess and improve the school climate and conditions for learning.

Before embarking on a process to improve school climate, all stakeholders* must develop a common vision for a positive school climate and the conditions necessary for learning, understand its value in minimizing suspensions and expulsions, and appreciate the urgency in realizing that goal. Creating a common vision will demonstrate a commitment to creating healthy, high-quality educational environments where

- students feel welcome, are connected to adults in the building, and are supported to learn and achieve;
- educators have high expectations for students and work to resolve conflict and address misbehavior in constructive ways that keep students in school; and
- educators have a strong professional culture in which they see themselves as individually and collectively responsible for student success.

When educators and school system leaders walk into a school building they quickly get an impression of the school's climate by observing interactions between students and staff, taking stock of the condition of the building, and witnessing the level of students' engagement and involvement in class. This observational information is important, but is based on very limited information. A more comprehensive examination of the learning environment can reveal patterns of behavior and adult responses that may not be readily apparent yet have implications for student well-being and success, particularly for struggling groups of students. By collecting and analyzing a range of quantitative and qualitative data, including surveys and discussions with stakeholders, schools can develop more integrated improvement efforts tailored to their needs.

Numerous tools have been developed to help schools objectively and reliably measure climate and conditions for learning. While many school climate surveys are locally devised and not empirically tested, a growing number of states and districts are recognizing that school climate surveys must be validated for the target population and their measures must include safety and discipline indicators as well as stakeholder perceptions.[41] The National Center on Safe and Supportive Learning Environments (NCSSLE) maintains a compendium of these validated school climate survey tools.[42] In addition, the U.S. Department of Education is developing a series of national School Climate Surveys for middle and high school students, staff, and parents, which will cover three main domains of school climate—engagement, safety, and environment.[43] Reliable school climate surveys and discipline data can help facilitate data-driven decisions that improve student outcomes.[44]

* This group of individuals that are connected with the school and its students is collectively referred to as the "school community" throughout the document.

Once data has been collected, a well-conceived process is needed for analysis. Through careful examination of the data, schools and districts can identify ways to reduce the use of suspension and expulsion, and address disparities revealed by the assessment related to disciplinary responses by race, gender, ethnicity, English Language Learner (ELL), and LGBT-status.[45]

Engaging all stakeholders also provides a foundation for a shared process where all individuals feel invested in its direction and success. While this can be time consuming and challenging for school leaders, research demonstrates that deeply engaging members of the school community provides the essential keystone for effective school reform.[46]

RECOMMENDATION 1: **Collect stakeholder perception and disaggregated school discipline data to formally assess and publicly report annually on the school climate and conditions for learning within the school.**

In a comprehensive school climate assessment, stakeholder perception data should be examined in tandem with school discipline data collected for all students as detailed in the Data Collection chapter to this report. The assessment should also complement or include data collection on such issues as school safety and behavioral health needs. Discipline data and survey data should also be disaggregated by students' race, gender, ELL, and disability status to allow monitoring of disproportionate impact, and surveys should include questions that allow youth to self-identify their sexual orientation should they choose to do so. The information gleaned from surveys of teachers, staff, students, and other stakeholders can be regularly used for school and classroom decision making. Within the limits of laws prohibiting disclosure of personally identifiable information, this data must be publicly reported at least annually to ensure that the process is transparent. States and districts' annual reports should include an analysis of the data at the macro level and help ensure that data is used to identify trends, address disparities, and determine areas in which additional guidance or support is necessary.[47] Surveys should be administered to maintain the confidentiality of student, staff, and family respondents.

SELECTING A SCHOOL CLIMATE SURVEY INSTRUMENT

When selecting or creating a survey instrument to assess school climate, schools and districts should ensure that the survey

- includes questions related to disciplinary policies, student support and engagement, educator support, integration of prosocial skills into the school day, prevalence of bullying and harassment, and student and teacher victimization;[48]
- solicits student, family, and school personnel responses;*
- will yield reliable information (schools can draw from previously tested surveys as a starting point);[49] and
- can be completed quickly (ideally in less than 20 minutes).

School leaders or improvement team members may also want to conduct focus groups, individual interviews, and direct observations to collect additional information about the learning environment. Schools and districts should prioritize the school climate issues they are most concerned about prior to collecting the data to ensure that the right questions and instruments are used to collect information from the right people. As schools and districts implement strategies to improve their conditions for learning, they should gauge their progress against the baseline data initially collected as well as against the data collected at regular intervals.

SCHOOL CLIMATE DATA COLLECTION GEORGIA STATE DEPARTMENT OF EDUCATION

As part of its No Child Left Behind (NCLB) flexibility waiver, Georgia developed the College and Career Ready Performance Index (CCRPI) to take the place of the Adequate Yearly Progress (AYP) measure as the state's new accountability system. Starting in the 2014–15 school year, as part of CCRPI, student attendance, student discipline, school climate, and substance abuse/violent incidents will be included in the report encompassing the dimensions described below. This "school climate star rating" will be used as a diagnostic tool for school and district improvement. The 5-star overall rating requires high marks on the following components:

School Climate—The climate score is determined by the Georgia Student Health Survey and related staff and family surveys. Seventy-five percent of students in grades 6–12 and staff and family members must complete the surveys. Georgia is also piloting a mental health survey with a sampling of 10 percent of students to identify particular mental health needs. Congruency of responses among stakeholders—for example, whether students and family members agree that they feel welcome in the school building—contributes to the rating as well.

* Although the research does not support that family and other stakeholder perceptions of school climate are necessarily accurate, such perceptions do provide important information about whether these audiences feel welcome in school and reveal perspectives and concerns that can be addressed by school leaders.

Student Discipline—All schools must collect and report data on in-school and out-of-school suspension and expulsion. Each student is counted once (even if the student is suspended multiple times) and the rate is weighted by the severity of the response (e.g., a student with an out-of-school suspension for an offense that caused harm will be weighted more heavily than a student with an in-school suspension for repeatedly talking in class).[50]

Safe and Substance-Free Environment—Schools collect data on the number of violent incidents at the school as well as student survey items related to school safety and substance use.

Schoolwide Attendance—Schoolwide attendance is measured by the average daily attendance (ADA) of students, teachers, administrators, and other staff members.

Each of the four components is weighted equally and averaged into a composite score, which translates into a one- to five-star rating. Schools with lower ratings receive interventions and supports for improving school climate. Georgia is also exploring assigning additional points for schools that have reduced disciplinary disproportionality.

JEFFERSON COUNTY PUBLIC SCHOOLS JEFFERSON COUNTY, KY

The Jefferson County Public Schools system (JCPS) has been working to reduce the high frequency of exclusionary discipline taking place across the district. The district requires every school to continuously collect, report, and monitor school climate and discipline data. Data collection consists of the following:

Comprehensive School Survey (CSS)—Each year schools administer the CSS to all classified and certified school staff, all parents/guardians, all middle and high school students, and all 4th and 5th grade students. The survey focuses on respondents' perceptions of school climate, safety, quality of instruction, and job satisfaction for school staff.

Teaching, Empowering, Leading, and Learning Survey (TELL)—In collaboration with the New Teacher Center, the state of Kentucky is administering the biannual TELL survey, a reliable and validated tool administered to all school-level educators to measure how they feel about their working conditions.[51] The survey looks specifically at the extent to which teachers feel supported and challenged, their ability to manage student conduct, and opportunities for leadership and professional development.[52]

Behavior Dashboard [Discipline Data]—JCPS maintains a just-in-time dashboard of behavior data to monitor in-school and out-of-school suspensions and referrals to alternative education. Data is disaggregated and color-coded by race, ethnicity, socio-economic status, and other factors to help identify when schools and districts are disproportionately disciplining certain groups of students.

Data collected through the surveys and behavior reported in the dashboard is part of the district's quality indicators of schools and used to develop strategic plans and the district's improvement plan. At the individual school level, principals examine school climate data in conjunction with suspension data to develop their annual comprehensive school improvement plans.

BALTIMORE CITY PUBLIC SCHOOLS
BALTIMORE, MD

In Baltimore City Public Schools (BCPS), the Office of Student Support and Safety provides a comprehensive and integrated system of student support services to help schools create and maintain a positive school climate. The resources offered to measure school discipline and climate include the following:[53]

School Climate Report—To help schools better understand their school climate data, the Office of Student Support and Safety routinely disseminates school-level Climate Reports. These reports show comparisons of enrollment, attendance, suspensions, chronic absence, and withdrawals across two years. They also provide questions for administrators and staff to consider, based on the data provided, to help improve school climate and reduce disciplinary incidents.[54]

School Climate Walk Tool—Liaisons from the BCPS Office of Student Support and Safety also conduct "School Climate Walks" in every school in the district. Using an observational framework, liaisons observe how students and adults in the school building interact with each other, the condition of the school facility, and other indicators of school climate. After liaisons have conducted their observations and completed the School Climate Walk assessment tool, they provide feedback to principal support coaches. The coaches and liaisons meet with individual principals to review the findings, disseminate feedback, and offer support.

Safety Walk Tool—This tool helps school administrators collect data to assess the safety and security of school buildings. School police and other members of the security team conduct this assessment, which covers issues including visitor protocols and procedures, entrance security, and monitoring procedures.

While these tools have not yet been statistically tested for validity, they do provide useful feedback to school leaders and to the district about the type of learning environment being fostered in each school. BCPS has found that because the assessment is not used for evaluative purposes, principals are more open and reflective about their schools' climates and have made significant efforts to improve the learning environment based on the results of the assessment.

RECOMMENDATION 2: **Examine the data with representatives from all stakeholder groups to determine trends and identify areas for improvement that will strengthen all students' conditions for learning.**

Once data is collected, school leaders must engage the entire school community and community-based partners in a discussion about what the data reveals about the conditions for learning, and identify any perceived deficits or areas in which more information is still required to isolate the cause of a particular finding. These conversations may happen in a variety of forums and should be ongoing. It is critical that there be a process to ensure that stakeholders are aware of the opportunity to engage with administrators to share their feedback about the data. School leaders can organize meetings specifically to discuss school climate issues with staff, parents, families, and students, or they might choose to leverage existing meetings, such as PTA meetings or back-to-school nights, to hold these discussions. The feedback from stakeholders should be part of reports on conditions for learning made to the district.

Public reports on the data should include possible explanations for particular findings of interest in a way that propels and supports discussion and positive action. School officials should highlight and be prepared to discuss whether particular groups of students appear to be disproportionately impacted by certain policies and practices.

School officials, in coordination with any teams working on these issues, should lead the school community through this process of interpreting the data to identify trends and areas for improvement, and determine next steps. Questions that may help start these conversations include the following:[55]

Patterns

- What are the specific offenses for which students are being suspended most often?
- What percentage of disciplinary referrals results in suspensions? What about other, less punitive actions?
- Are there days, times, or locations where a disproportionate number of referrals occur?
- What are the trends by grade level in feelings of engagement, safety, and in disciplinary actions?
- Is the experience of safety, support, and respect different for different groups of students, such as students from different racial groups, ethnicities, genders, sexual orientations, or academic abilities?
- Are referral rates or suspension rates greater for different groups of students, such as by race, gender, ELL, disability, or self-identified LGBT status?

Consistency

- Is discipline being meted out fairly with respect to subjective offenses?
- How are subjective offenses like defiance or disrespect typically handled? What are the criteria for determining when talking back or misbehavior reaches the threshold for requiring exclusionary disciplinary action or arrest?
- Is staff implementing the interventions consistently?
- Are victims' concerns being addressed consistently?

School leaders may choose to designate a committee or existing team, such as a school improvement or leadership team, to direct and prioritize the school climate work, monitor progress, report data in an accessible and transparent manner, and engage the broader school community in these efforts.[56] Districts can support this work by providing needed additional supports to schools, and even classrooms, revealed by the data as struggling with creating conditions conducive for learning. The information should be used for improvement. Districts can also play a valuable role in facilitating the sharing of best practices for improving school climate and managing student misconduct across schools and districts.

RECOMMENDATION 3: **Engage relevant stakeholders, and outside experts if needed, in difficult discussions of underlying issues that may be contributing to patterns of disproportionality revealed in the data.**

School discipline and climate data should also serve as a springboard for difficult conversations among school staff about patterns of practice that result in disparate impact on individuals or groups of students. These discussions should probe why some students are being punished, and feeling disengaged and unsafe more often than other groups of students. The impact school discipline and climate have on these students and the school community should be considered. For example, educators may not realize the amount of instructional time that students lose when they are suspended for minor offenses, such as dress code or cell phone violations. Surveys or discussions with students may reveal that students who have been suspended for these minor offenses feel less connected to teachers, believe they were treated unfairly compared to their peers, and feel less valued or supported—particularly if they think they had a good reason for violating the rule. Review of the data can lead to discussions with teachers about using alternative responses to misbehavior that keep students engaged in the classroom but meet teachers' needs for attending to other students and maintaining order.

All members of the school staff—from classroom teachers to front office staff to bus drivers—should be involved in discussions to identify the root causes of these patterns. Educators need to be given the opportunity to look at the data and discuss the institutional policies and any underlying cultural, economic, gender, racial, and other biases that may be contributing to the disparity in discipline and lack of student engagement.[57]

Many schools are already having discussions related to achievement gaps among racial groups.[58] By expanding these conversations to include discussions about behavior and discipline issues, educators can contribute critical information about the obstacles to closing the gaps and help develop solutions for addressing the disproportionate impact of exclusionary discipline practices on students of color and other populations. Staff needs to honestly assess beliefs and attitudes with respect to various groups of students. Staff must also then identify ways in which school personnel can work towards creating a learning environment where all students are supported and expected to succeed.

Conversations about equity, race, gender identity, and sexual orientation in relation to conditions for learning and discipline should be ongoing. Schools and districts around the country have instituted several strategies for sustaining a focus on these issues, including the following:

- Engaging a facilitator to help lead some of the conversations with school staff. As neutral third parties, facilitators can raise difficult questions that school leaders may be uncomfortable posing.
- Designing specific professional development for all school staff on cultural competency issues (e.g., race, gender, or sexual orientation) that reflect that school's demographics.[59]
- Organizing discussions where educators, families, and students come together to address barriers to learning faced by particular groups of students;[60] issues related to gender identity and sexual orientation; and concerns about policies and practices that undermine staff and student feelings of being supported and valued.
- Dedicating time during regular district supervisor and administrator meetings to discuss equity and eliminating the achievement and opportunity gaps.

After data on school climate and conditions for learning have been collected, analyzed, and interpreted, the foundation has been set for creating comprehensive school improvement plans. The recommendations in the section that follows help ensure that improvement plans reflect the particular needs and priorities of a school and its community of stakeholders.

POLICY STATEMENT II

School improvement plans include strategies for improving the conditions for learning and implementing alternatives to suspension and expulsion to manage student behavior.

With incident data and an understanding of the school community's perceptions about conditions for learning, school climate, and discipline practices, school officials and their partners can develop a plan to address identified problems and assess the resources available for implementation. To the extent possible, schools should develop a comprehensive School Improvement Plan (SIP), where school discipline, safety, and climate goals and activities are fully integrated into existing academically oriented approaches. As of September 2013, 23 states

required all schools or districts to adopt SIPs, with an additional 16 states requiring schools or districts that have been identified as not meeting performance standards to adopt SIPs.[61] States that do not have statutory language regarding SIPs may have state regulations that provide such direction or may leave regulation to the discretion of district or local entities.

Education leaders often mistake an existing SIP or a school safety plan for a roadmap for improving school climate and conditions for learning. However, SIPs often do not accomplish this goal because they typically focus primarily on academic measures such as test scores and grades. School safety plans tend to concentrate on crisis/critical incidents and physical security improvement measures.[62] Even when conditions for learning and school climate issues are addressed in an SIP or other improvement plan, they are generally not given prominent or detailed focus. Feedback from practitioners indicates that when a comprehensive plan does exist that includes these goals, the plans tend to simply sit on the shelf and are not fully implemented. District officials who are tasked with reviewing SIPs should be helping schools integrate school climate and conditions for learning more firmly in academically oriented plans and providing supports and assistance with implementation.

Given the range of plans that may exist in each school, education leaders should consider how conditions for learning, SIPs, and school safety plans can be coordinated to leverage the work often being done on parallel tracks. When developing school climate aspects of a comprehensive plan, school leaders should take the following steps to ensure the plan is clear and reasonable:

1. Determine specific goals for conditions for learning, school climate, and safety based on available data, including information on crime or safety concerns raised by law enforcement data collection and by surveys on victimization and perceived safety.[63]
2. Develop a work plan with actionable tasks, staff assignments, and a timeline for carrying out activities.
3. Identify specific, measurable indicators that will demonstrate when activities are effective and track them.
4. Develop processes for reviewing progress towards goals and identifying steps to address problems, gaps, or the need to reallocate resources.

SCHOOL CLIMATE IMPROVEMENT PLANS: WESTBROOK PUBLIC SCHOOLS WESTBROOK, CT

In 2012, with the support of the superintendent and local board of education, Westbrook Public Schools adopted the National School Climate Standards, which provide a framework for identifying school climate goals.[64] In accordance with Connecticut's 2010 anti-bullying legislation, which required schools to conduct school climate surveys every two years, the superintendent selected the Comprehensive School Climate Inventory (CSCI), a valid and reliable survey instrument, and required schools to survey annually students, staff, and families in every grade.[65] Schools were asked to examine discipline data along with other student data, such as attendance, tardiness, existence of risky behaviors, and student mobility, that can influence or be influenced by the school climate. This information guided the development of schools' climate goals and activities, which were integrated into their school improvement plans and submitted to the district. The district then identified themes and broad-based goals to develop its safe school climate plan, required by Connecticut state statute.

Once a school climate improvement plan has been developed, resources must be allocated to execute the activities articulated in the plan. School personnel should be assured that they will have time and support to fully implement school climate improvement measures. There are many steps for creating positive learning environments and preventing misbehavior that can be built into routines without the need for additional resources. Other activities will require some reallocation of resources or reprioritization of time to accomplish. The IDEA permits schools to use up to 15 percent of their Part B funds for early intervention services,[66] which can include activities designed to address behavior issues. Some districts may even be required by states to use funds towards behavior interventions and supports.[67] For school climate improvement activities that require additional resources, such as specialized training, curricula development, and hiring additional school staff, resources such as general operating funds can be redistributed to cover costs. Districts such as Oakland, CA, and Nashville, TN, are using existing funds for professional development on integrating approaches that advance social and emotional skills into regular instruction. Using substitute teachers or rotating existing staff to cover classrooms can make it possible for educators to conduct peer observations or engage in professional discussions around effective strategies to engage students and create a culture of learning.

New public funding streams support school and district efforts to create safe and welcoming learning environments. These include funding programs provided by the U.S. Departments of Education, Justice, and Health and Human Services.[68] Private funding sources are also available to support school climate improvement efforts.

PRIVATE SUPPORT FOR SCHOOL CLIMATE IMPROVEMENT

CASEL Collaborating Districts Initiative

The Collaborative for Academic, Social and Emotional Learning (CASEL) has launched the Collaborating Districts Initiative (CDI) to build the capacity of districts to incorporate high-quality, evidence-based social and emotional learning into school improvement efforts. The CDI engages eight large school districts (Anchorage, AK; Austin, TX; Cleveland, OH; Chicago, IL; Nashville, TN; Oakland, CA; Sacramento, CA; and Washoe County, NV) to plan, implement, and monitor systemic changes that will integrate social and emotional learning into their academic programs.[69] In addition to supporting these school districts, CASEL is also documenting lessons learned from the pilot districts to inform the development of tools and strategies that will integrate social and emotional learning in curricula across the country. For more information, visit casel.org/collaborating-districts .[70]

The Philadelphia Foundation's Fund for Children

In spring 2013, the School District of Philadelphia received a three-year grant from the Philadelphia Foundation's Fund for Children to improve school climate.[71] Technical assistance and training is being provided to 20 district schools to help develop a continuum of behavioral support to all students. The work also includes integrating a restorative approach and non-punitive-focused responses to misbehavior to create a positive, inclusive learning environment. Two nonprofit organizations—the Devereux Center for Effective Schools and the International Institute for Restorative Practices—will conduct the training in 2013–16. The School District's Office of Student Support Services will monitor the initiative.

The recommendations that follow are organized into five key dimensions of school climate that administrators and educators at all levels—district, school and classroom—can have a hand in advancing: 1) interpersonal relationships; 2) behavioral expectations; 3) engaged learning; 4) family and community involvement; and 5) physical environment. School climate improvement plans to address these dimensions should include a mix of shorter and longer term efforts to show progress and build trust and support for deeper cultural shifts in schools.

RECOMMENDATION 1: **Ensure that relationships among students and adults in the school are grounded in respect and trust.**

Although strong relationships are critical to a positive school climate, they are often an afterthought, given the other pressures to improve student achievement and school safety.[72] Yet research has demonstrated that when students feel connected to their schools, teachers, and peers, they are more likely to succeed academically, develop as students, and be better behaved.[73] In an effort to promote caring and respectful interactions on a systemic level, many

schools are working to build a culture in which forming trusting relationships is highly valued and developing mutual understanding and shared behavioral expectations binds students and adults into a community of learners. When such an environment is well established, it is easier to respond effectively to misbehavior and enable students and adults to engage in the process of restoring relationships and repairing harm.[74]

Setting the proper tone begins with school leaders, who are ultimately responsible for creating this supportive, trusting culture among school staff.[75] Developing these relationships entails more than simply complimenting staff or holding a staff retreat. Rather, school and district leaders must establish both respect and personal regard for staff, actively listen to their concerns, and promote opportunities to support professional discourse and development.

TABLE 1. STRATEGIES FOR CREATING A POSITIVE CULTURE AMONG STAFF

Supporting All Staff	
■ Designate time for staff to meet and develop positive relationships with youth ■ Ensure all staff are represented on committees that examine school climate issues	
Supporting Classroom Educators and Specialized Instructional Support Staff	**Supporting Other School Staff**
■ Establish common planning time for educators (either by grade level or subject) ■ Create professional growth tracks, with opportunities to take on new leadership roles, such as team leaders, mentors for new educators, and practicum supervisors for pre-service educators' clinical placements ■ Allocate time for professional learning communities (PLC)[76] and other opportunities for educators to observe and interact with peers	■ Invite other personnel (such as administrative personnel, building maintenance, cafeteria staff, and school resource officers) to attend instructional staff meetings on issues relating to managing student behavior and improving school climate ■ Enlist school staff's support in observing student behavior and identifying proactive measures and solutions to problems in settings where there may be no teachers (e.g., hallways, lunchroom, parking lot, or bus)

Developing a culture of professionalism where staff feels valued lays the groundwork for a school climate in which youth-adult relationships are marked by respect and trust. Research has shown that when school staff feel supported, they are more likely to mirror this behavior with students.[77] Supportive relationships among students and adults create an environment that facilitates effective learning and helps educators mitigate conflict.[78]

Short-Term Strategies

Low-cost strategies that can be implemented quickly to create positive relationships with students are outlined in Table 2.[79]

TABLE 2. STRATEGIES FOR CREATING POSITIVE RELATIONSHIPS WITH STUDENTS

All Adults in the School Building

- Learning all the names of students with whom they have regular contact
- Encouraging and supporting student-led and student-organized school clubs that promote a safe, welcoming, and accepting school environment
- Identifying students who are not connected with adults in the building and taking necessary steps to ensure that they become connected (see Stars Activity sidebar following the table)
- Learning personal aspects of the lives of students with whom there is regular contact (e.g., discussions about hobbies, sports, family, and other topics students offer to share)
- Communicating high expectations for all students (e.g., asking challenging questions of all students; expecting high-quality work from all students)
- Modeling politeness and respect in interactions with all students (e.g., smiling at students; making and expecting eye contact; calling students by name; using "please," "thank you," and "excuse me" with students)
- Showing interest in students outside routine interactions (e.g., attending athletic events or providing support for an extracurricular event or activity)

School Administrators

- Greeting students at the school door (and by name when possible), setting a positive tone for the day
- Taking time to meet with all staff associated with the school, including teachers, building maintenance, school nurses, counselors, cafeteria workers, volunteers, bus drivers, school resource officers, and other adults serving students in the school setting
- Regularly walking through the school building, especially during transition times, to talk and promote caring exchanges
- Removing the use of whistles or other discipline "props"
- Identifying "safe spaces" for students, such as counselors' offices or designated classrooms, where vulnerable youth can receive support from administrators, teachers, school resource officers,[80] or other school staff
- Addressing students' needs that are obstacles to engaging in school (e.g., providing discreet access to washers/dryers or gently used clothes or school uniforms so students do not miss school because they do not have clean clothes)

Classroom Educators and Other Support Staff

- Welcoming students as they enter the classroom
- Holding class meetings during which students can regularly share their thoughts and concerns
- Designating time during lunch or after school when students can come for academic support, to discuss personal issues, or merely to interact and communicate with educators
- Developing shared classroom norms with students for expected behavior (e.g., classroom-based social contracts)
- Being mindful of waiting the same amount of time for answers from all students, and ensuring their equal participation in classroom discussions
- Displaying student work regularly
- Being role models for developing positive relationships

EXAMINING STUDENT CONNECTEDNESS: STARS ACTIVITY

As a quick, informal assessment of the quality and depth of relationships among students and adults in the building, many schools perform an exercise, often called a "stars" activity, in which a chart is created with every student's name. Then, all school staff including classroom teachers, support personnel, non-instructional staff, school safety workers, and other staff engaged with youth are asked to mark (a checkmark or a star sticker, for example) each student with whom they have a personal connection—whether it is because they coach the student's sports team, have met with them one-on-one, engage them regularly in a class, or simply have had personal conversations with the student. When staff members have completed the activity, they have a visual depiction of which students are connected and which ones are not. For those students who lack marks, indicating they are disconnected, staff should discuss why a particular student may be disengaged and discuss interventions to engage the student.

WELCOME TEAM: RAINIER BEACH HIGH SCHOOL SEATTLE, WA

Each day, a handful of staff at Rainier Beach High School, a Title I school of approximately 400 students, spends the first period at the front entrance of the school greeting students who are tardy and helps them develop a plan for prompt arrival the next day. When students arrive late,[81] a member of the team leads them through a short reflection exercise and discusses how to be on time regularly. Rather than being a punitive measure, the welcome team's response provides an opportunity for students to talk about the reasons for being late, particularly when it happens frequently, and to underscore for them the importance of punctuality. In addition to serving as a dropout prevention strategy, the process allows the welcome team to form positive relationships with students and can provide the first level of intervention if a student is experiencing problems, such as difficulties at home or on the way to school. The welcome team can help connect students with the services and supports they need.[82]

Students spend an average of three to five minutes with the welcome team. After speaking with the student, welcome team members log the tardy and telephone parents or family members to let them know about the student's late arrival. If a student is chronically late five times within a two-week period, school administrators hold an in-depth conference with the student, welcome team members, and the parents/guardians. This often opens up communication and may help schools identify families in distress that could use additional school and social service supports.[83]

Implemented for the first time in the 2012–13 school year, the program helped Rainer High School reduce tardiness.[84] The school also gained valuable information about barriers to students arriving at school on time, such as public transportation cost and scheduling. The school even set up an automatic wake-up call for several students who said their morning alarms did not work.

Long-Term Strategies

Some schools are enabling more extensive and individualized opportunities for educators and students to foster closer relationships. In these cases, the activities are more time- and resource-intensive, requiring school leaders to be creative in structuring schedules to promote these interactions. Some activities will be easier to implement in small schools, but some aspects may be adapted for large schools as well. A few examples of more formalized ways that school leaders are supporting student-adult relationships include the following:

- Developing a youth council or leadership team that gives youth a voice in decision making.
- Reconfiguring existing staffing and schools to create small learning communities (typically a school-within-a-school configuration) where a group of students (typically 50–200) work closely with a core group of teachers and other adults. Together they develop a personalized environment where learning is tailored to the needs, interests, and aspirations of each student. Educators plan together and the curriculum is typically structured around a theme or unifying principle to add relevance to learning.[85]
- Enabling students, teachers, and counselors to work together over multiple years, such as having school counselors advance with the students they serve from freshman to senior year in high school (see the Student Advisory sidebar).
- Instituting block scheduling, with longer classes that foster greater interaction (e.g., students study math, social studies, and foreign language one semester and English/language arts, science, and an elective the next).
- Assigning all school staff to specific students or groups of students with the goal of developing positive and supportive relationships.
- Supporting students through difficult transitions, such as the transition into middle and high school.

STUDENT ADVISORY: ACADEMY FOR CAREERS IN TELEVISION AND FILM NEW YORK, NY

The Academy for Careers in Television and Film is a small public high school in New York City serving approximately 470 students, grades 9–12, in Queens, NY.[86] Full-time teachers (including gym teachers, reading specialists, and other staff) serve as advisors to groups of approximately 14–18 students.[87] Advisors meet once a month to plan advisory class topics and create developmentally appropriate materials to make group discussions relevant. These materials, such as discussion guides and college preparation materials, can be used for future groups of students to help reduce advisors' workload. Advisors follow students throughout their high school careers.

Advisors meet 4 times a week for 40 minutes to facilitate a range of activities including college and career preparation, group discussions about current concerns, and independent academic time. Advisors have a wealth of student information, including current grades, past grades, PSAT/SAT scores, attendance, lateness to school, lateness to class, tutoring attendance, and other records. They also confer one-on-one with students at least once a month. Conferences are logged in the Conduct Intervention Communication (CIC) online database, which includes anecdotal records of all significant conversations with students and all contact with parents.

The Academy for Careers in Television and Film staff has seen the tremendous impact of the advisory program on student behavior and attitudes. Students feel more connected to school and more responsible for their academic progress. The advisory program has helped contribute to the school's average daily attendance rate, which is among the highest of any unscreened 9–12 NYC public high school,[88] as well as its high graduation rate—96.7 percent for the class of 2013.[89] Parents have also been pleased with the advisory program; rather than meeting with all teachers at parent-teacher conferences, parents attend individualized conferences with their child and the child's advisor quarterly to discuss the student's academic, social, and emotional progress. Advisors are given narrative reports from each of the child's teachers that enable them to facilitate the meetings and discuss the student's performance in all subject areas. Advisors maintain constant communication with parents/guardians through phone calls, email correspondence, and other mechanisms, and have an open-door policy to address any concerns about their students' schooling. They can also facilitate meetings with individual teachers as needed.

SUMMER BRIDGE: CITY HIGH SCHOOL TUCSON, AZ

Through a federal 21st Century Community Learning Center (CCLC) grant,[90] City High School, a diverse public charter school of 200 students, offers a comprehensive summer bridge program for all rising 9th grade students.[91] The weeklong, full-day program is conducted in partnership with a local community organization,[92] and is free for students, with lunch and transportation provided.

Each day students preview the 9th grade math and English/language arts curricula and teachers discuss study skills and common challenges. Educators can assess students and tailor academic programs and supports to their needs. The program includes a school culture orientation where school leaders and educators engage students in a discussion about the learning environment they want and identify roles each person can play in creating it. This allows students to start building relationships with teachers, counselors, administrators, and peers. The Bridge program also offers an opportunity for students to become acquainted with the technology available at school so they can be prepared when they begin classes, and introduces new students to the vast array of before- and after-school programming.

Although City High School has not conducted formal evaluations of the program, staff believes that it helps students make a successful transition to high school and improves cohesion among the 9th grade students. It has also contributed to greater sustained participation by 9th grade students than their older peers in after-school programs.[93]

SUMMER-START ACADEMIC YOUTH DEVELOPMENT

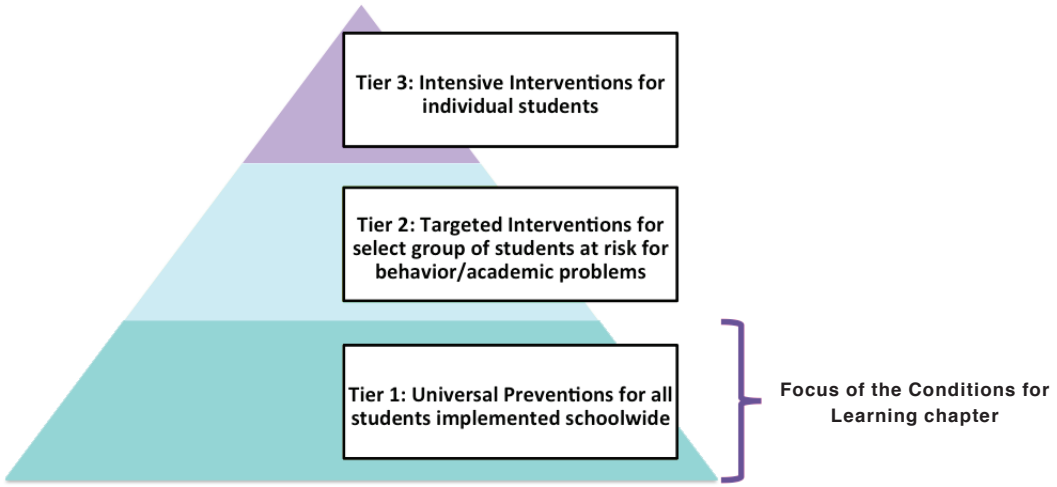
Academic Youth Development (AYD) is a research-based program specifically designed to support students making the transition from middle school to high school, improve their connectedness to school, and increase the number and diversity of students who succeed in high school science and math courses.[94] Summer-Start AYD works with incoming 9th graders to explore and practice activities known to be associated with success in advanced science and math courses. Through the program, students have opportunities to strengthen their connections with peers and instructors by sharing their ideas, working together, and thinking critically about math and science concepts. These skills have been shown to help students adapt to the high school environment and better understand what is expected of them. As a result of AYD, students report higher self-confidence and greater feelings of support from peers and educators.[95] Teachers find improved student communication, engagement, and ownership of the learning environment.[96]

RECOMMENDATION 2: **In partnership with students, develop shared expectations for behavior, with adults modeling appropriate behavior and communicating expectations clearly, enforcing them consistently, and applying them equitably.**

A schoolwide approach to improving the conditions for learning also recognizes the need to establish, implement, and monitor shared expectations for students' and adults' behavior and for the consequences if they fail to meet those expectations. The code of conduct is one way that behavioral expectations for students are conveyed,[97] but educators need to be sure that expectations for both students and adults are built into everyday activities and consistently modeled and reinforced. Students will not feel safe or supported in school if they perceive that schools' rules are enforced in an unfair, harsh, or discriminatory manner. Further, students will not be engaged in school if they feel that they are being singled out for punishment because of their race, ethnicity, ELL or disability status, socio-economic background, gender, perceived sexual orientation, or some other characteristic.

Strategies to establish, support, and reinforce behavioral expectations should be reflected in the school improvement plan. These approaches are considered part of a tiered framework that organizes interventions into levels of intensity based on student need.

FIGURE 2. MULTI-TIERED FRAMEWORK FOR INTERVENTIONS



Multi-tiered frameworks organize prevention-based strategies that identify at-risk students and match them with supports and interventions that meet their behavioral and developmental needs. One example of a multi-tiered framework is Positive Behavioral Interventions and Supports (PBIS).[98] Research has shown that the PBIS framework is effective in reducing the need for disciplinary action and improving students' academic, social, emotional, and behavioral health outcomes.[99]

In these frameworks, the universal tier of interventions includes strategies to prevent misbehavior before it starts by promoting a positive school climate, and specifically establishing, teaching, and reinforcing behavioral expectations. By creating this type of environment for all students, relatively few students should require more individualized supports.[100]

Develop Shared Expectations

Schools and teachers should help ensure that students and school staff understand and agree to work toward meeting schoolwide and classroom behavioral norms and expectations. One simple strategy that many school leaders have implemented is to begin each school year by engaging staff and students in a process to identify and discuss rules for appropriate behavior and commit to being a positive force in the school community. These rules and norms should be developed for behavior across the school campus, including classrooms, and communal spaces such as the cafeteria, and extensions of the school campus such as the school bus or sporting events.

GUIDELINE-BUILDING EXERCISE: DAVIDSON MIDDLE SCHOOL SAN RAFAEL, CA

Educators at Davidson Middle School recognize that behavioral norms and rules are much more meaningful if they are co-developed with students. Teachers begin each year by asking students how they want others to treat them in their classroom. In their homeroom class, groups of students discuss and reach agreement on three ways they want to feel in class. For example, they may discuss the importance of feeling respected, supported, and trusted. Group responses are then compiled into a list. The teacher engages students in a whole-class discussion on identifying behaviors and actions that can engender those feelings. These actions are framed in the positive and posted in the classroom. They also discuss what should happen if a student does not experience the three feelings they identified.

When students in subsequent periods come into each classroom during the first day of school, they have an opportunity to add or subtract from the list of guidelines in each room. The result is a student-developed list of appropriate behaviors on which everyone agrees. Educators at Davidson have found that this process helps foster buy-in, encourages students to take responsibility for their behavior, and creates an environment in which students hold each other accountable for adhering to the agreed-upon behaviors.[101]

Communicate Expectations

Once expectations are established, it is important to communicate them consistently through positive verbal and nonverbal feedback. "Catching" a student displaying the expected behaviors and recognizing him or her for it in the classroom and through other school activities can help build both students' intrinsic motivation to act appropriately and serve as positive peer pressure. Educators can easily communicate and reinforce appropriate behavior through such actions as the following:

- Posting behavioral standards that focus on positive expectations rather than signs that start with "No"
- Modeling appropriate behaviors
- Ensuring that rule-based signage is translated into languages representing the diversity of the local school and community
- Re-teaching expectations after long breaks from school or after a major disruptive event to reset the tone of the learning environment
- Praising appropriate behavior one-on-one or in the class setting and privately reminding/prompting students to correct inappropriate behavior
- Publicly recognizing appropriate behavior in the context of the whole school (e.g., certificates or student-of-the-week awards)
- Contacting family members to tell them about the school's approach to behavior and self-management and to share their children's successes

Students can also exert positive peer pressure to encourage fellow students to follow school norms and behavioral expectations through ambassador and other student-driven programs.

SAFE SCHOOL AMBASSADORS

The Safe School Ambassadors program is a bystander education program that harnesses the power of students to prevent and stop bullying and violence.[102] To foster positive peer relationships, schools identify and enlist peer influencers—those students most often turned to for help or advice—to serve as student leaders and role models. Selected students are trained to help promote positive behavior and watch for students who may be falling behind or victimized. Peer leaders often also serve on leadership committees with teachers and other staff to help develop plans for improving school climate and discipline.[103]

Peer leader programs are grounded in research related to bullying that shows positive peer pressure is an important component of effective intervention. A multi-year evaluation completed in 2011 of the Safe School Ambassadors (SSA) program, conducted in partnership with Texas State University–San Marcos and the University of Georgia–Athens, found reports of improved school climate among students involved in SSA. Students who benefited from the SSA program also reported increased rates of intervention in bullying incidents by their peers. Suspension rates were 33 percent lower on average than pre-SSA rates at schools that implemented the program as designed, while rates at demographically matched control schools rose 10 percent during the years studied.[104]

Consistently Enforce Behavioral Expectations

Educators can establish classroom routines and systems to consistently and equitably enforce agreed upon behavioral expectations and proactively redirect minor misconduct to prevent it from escalating. Examples of actions educators can take include the following:

- Remind the class of norms for learning
- Look for cues (e.g., body language or rising noise level) that indicate students may be moving toward more disruptive or inattentive behavior
- Take a break if students seem to be restless, and have them stretch or move around the classroom
- Use a calm voice to verbally redirect and remind students of the collective norms that they created
- Practice appropriate behavior during transitions and classroom interruptions
- Circulate among students continuously throughout the day
- Make eye contact with or move closer to students who are misbehaving
- Provide clear instructions for each activity
- Develop signals and strategies to reorient students when misbehavior starts to escalate (e.g., flickering the lights)
- Give specific praise when students are behaving appropriately

Although efforts should focus primarily on preventing misbehavior, schools also need to have in place a continuum of fair and predictable responses when students act inappropriately. Corrective measures include the following:

- Taking a student aside privately, to avoid embarrassing him or her, to discuss the problem behavior and try to understand the factors that led to the behavior
- Prompting students to identify and commit to positive actions that are more appropriate
- Encouraging students' self-reflection to examine problem actions and make a written plan for better choices in the future
- Creating a practice of working out conflicts in a fair way where all perspectives are heard
- Communicating with parents or guardians about the problem behaviors and discussing ways in which behavior can be improved

Consequences for misbehavior in which there has been physical or psychological harm caused to another person should reflect a restorative approach that 1) focuses on repairing that harm caused by the misconduct, 2) encourages students to take responsibility for their actions, and 3) helps students learn to avoid such behavior in the future.[105]

As reiterated as a key goal throughout this report, efforts should be focused on keeping students in the classroom when possible and exhausting all alternatives before removing a student from school except when there is a threat to student or staff safety. Consistent responses should also be commensurate with the seriousness of the misconduct.[106] If a student must be removed from the school campus, steps should be taken to ensure the student's successful reintegration to the home school—assuming that in more serious cases any safety and victims' issues can be adequately addressed.

A positive school climate and conditions for learning are clearly undermined when students feel they are being disciplined differently for the same misconduct as their peers. Districts and schools must ensure, by carefully examining survey and discipline data and reviewing individual cases, that particular students or groups of students are not being disproportionately disciplined.[107]

RECOMMENDATION 3: **Engage students through instructional practices that are evidence-based, student-centered, developmentally appropriate, grounded in a real-world context, and that prepare them to be college and career ready.**

Conditions for learning can help generate high levels of student engagement, which is linked to achieving greater academic success.[108] Research confirms that when schools

provide academic supports and interesting, hands-on instruction that is tailored to diverse learning styles, students are less likely to be referred to the office for misconduct or receive a formal disciplinary action.[109] Students are also less likely to misbehave when instruction is developmentally appropriate. Students are engaged when they take an active role in the learning process, find the content interesting and relevant, and have some influence over how and what they learn.[110] In contrast, schools that lack safe and orderly environments and fail to tailor instruction are more likely to have students who are not interested in learning, have poor school attendance, do not perform well by academic measures such as a grades and tests, and fail to graduate.[111]

Despite the proven academic and social benefits of interactive and student-centered instruction, many schools have struggled to adopt these approaches and have met with varying levels of success. The pressure to ensure that students meet particular academic standards and are adequately prepared for standardized tests is typically met with more traditional, teacher-led instruction. Particularly in middle and high schools—where instructional periods are shorter and there is an immense amount of material to cover—interactive, project-based instruction has often suffered. In response, some districts are making concerted efforts to embed more active and student-centered learning in existing curricula, while other administrators and individual educators are finding creative ways to carve out time for instruction that is more responsive to students' distinct developmental needs and interests.

As the Common Core State Standards (CCSS) are being implemented in states across the country,[112] educators are seeking ways to ensure that all students have access to high-quality instruction that engages and challenges them.[113] To master the new academic standards, students will need a strong base of social and emotional skills that can be demonstrated in behaviors such as working collaboratively, appreciating different perspectives, disagreeing respectively, and persevering in solving problems, among others.[114] Several states, including Illinois and Kansas, have adopted Social and Emotional Learning (SEL) standards that align with the new academic standards and ensure that students develop the capabilities to meet them.[115] Districts such as Cleveland and Oakland are also integrating SEL standards and techniques into their response to the Common Core.[116] The development of these social and emotional competencies is also an important part of establishing conditions necessary for learning.

Short-Term Strategies

School leaders should ensure that educators receive training and support to effectively incorporate several characteristics of engaging instruction into daily practice.[117] Table 3 provides some examples of how each characteristic can be demonstrated in the classroom.

TABLE 3. CHARACTERISTICS OF ENGAGING INSTRUCTION	
Characteristics	**Classroom Strategies**
Student choice and voice	■ Give students options for their learning experience (e.g., selecting their own research topics, or what books to read) ■ Have students generate questions they want answers to and issues they want to explore ■ Involve students in aspects of curriculum planning (e.g., if curriculum standards require students to learn and practice writing persuasive essays or speeches, enable students to select writing topics about which they are particularly passionate)
Meaningful and relevant activities	■ Connect learning to students' experiences, interests, strengths, and goals ■ Help students apply their thinking to real-world events and situations ■ Highlight current positive role models in the school, community, and national media that represent marginalized and under-represented groups ■ Describe how content and skills are or will be relevant and useful in their lives
Peer collaboration	■ Give students tasks that require that they work together ■ Vary grouping strategies for students (do not always let students choose their own partners/teammates) ■ Monitor peer interactions to ensure that all group members are actively involved
Active learning	■ Design lessons that allow students to create, experiment, and present ■ Create hands-on learning opportunities (e.g., learning about water quality by building a water purification device) ■ Provide necessary individual instruction but spend adequate time leading group discussion and cooperative learning
Higher-order thinking skills	■ Engage students in problem solving by asking open-ended questions that encourage self-reflection, reasoning, and dialogue ■ Guide students on making inferences based on available information ■ Provide opportunities for students to apply their knowledge or skills to new contexts (e.g., using knowledge of physics to describe how an acoustic guitar works)
Differentiated instructional strategies	■ Use a variety of approaches to teach (e.g., digital learning) and assess lessons (e.g., oral presentations) ■ Provide individual support when needed without embarrassing students ■ Offer opportunities for enrichment to enhance the curriculum and accelerate learning (e.g., English/Language Arts class students conduct a research project on the author or topic of an assigned book) ■ Select materials that are age and developmentally appropriate
Meaningful feedback	■ Ask students to explain their thinking, defend their conclusions, and explore alternate strategies ■ Prompt or provide hints if students have difficulty responding ■ Recognize achievement, improvement, and effort, and encourage students to persist

Long-Term Strategies

Several instructional models have been developed that incorporate the characteristics of engaging instruction. These schoolwide strategies that are being implemented in schools across the nation can support active learning and develop students' critical thinking, problem solving, and teamwork skills.

- ***Project-Based Learning***
  In a project-based learning (PBL) model, students identify challenging problems and collaboratively work toward their resolution. PBL shifts away from teacher-directed instruction and emphasizes student-centered projects connecting knowledge to real-world situations.[118]
- ***Work-Based Learning***
  High-quality work-based learning can help make classroom time more relevant by providing opportunities for students to apply what they have studied to real-world situations. Work-based learning can include internships, apprenticeships, job shadowing, worksite visits, and other partnerships between schools, businesses, and community organizations. Work-based educational opportunities can often re-engage students in learning, particularly for youth at risk of dropping out or engaging in risky behavior. It uses a hands-on approach, a focus on building teamwork and leadership skills, and opportunities to build supportive relationships.[119]
- ***Service Learning***
  Service learning is a teaching and learning strategy that integrates meaningful community service with the classroom curriculum, allowing students to connect academic studies with real-life solutions designed to improve and strengthen communities. This approach extends beyond merely volunteering; students identify community needs, research solutions, plan service activities, implement the activities, and evaluate and reflect on the impact of the experiences.[120]

EXPEDITIONARY LEARNING

Expeditionary Learning (EL) is a K-12 nonprofit organization that partners with traditional public school districts and charter school boards to design and transform schools across the country. EL was created through a collaboration between the Harvard Graduate School of Education and Outward Bound, USA. For more than 20 years, EL has been working with new and veteran teachers to combine academic achievement, character, and high-quality work.

The EL model is characterized by active learning experiences that build academic skills and students' ownership of their learning; rigorous academic projects connected to real-world issues that meet Common Core and other state standards; and a culture of learning that builds persistence, collaboration, critical thinking, problem solving, communication, and independence in every student. EL offers professional development, coaching, Common Core curriculum, publications, and online tools to support schools in developing engaging environments.[121]

BIG PICTURE LEARNING SCHOOLS

Big Picture Learning (BPL) is a nonprofit organization that partners with charter and traditional public high schools to create and sustain innovative, personalized learning environments that build on the assets of the larger community.[122] High school students work with school-based advisors and field mentors to design their own individualized learning programs, which include work-based learning through internships and other real-world experiences that reflect students' distinct interests. In some cases, the program may include a blended learning model in which students can earn credit for work completed both in and outside of school, including some online activities and project-based learning. Common approaches in BPL schools include the following:

- Students create their own 10-week learning plan specifying their goals. For example, if the student is passionate about poetry, the student might pick five poets to study and poetry is incorporated into lessons that cover all the core subjects.
- Parents are a key part of their child's education, meeting four times a year with the student and an advisor to help plan the next 10-week learning plan. Advisors stay with the students throughout high school.
- Schools use performance-based assessments such as portfolios, exhibitions, or presentations.
- During the second semester, students spend two days a week in an internship setting, based on an area of interest. Prior to beginning the internship, students receive professionalism training on appropriate dress for the workplace, how to make phone calls, and what to expect at a job site.

For more information about this model, see bigpicture.org/.

RECOMMENDATION 4: **Involve family and community members with connections to the school through regular and meaningful opportunities to participate in school-based activities and decision making.**

Research confirms that regardless of economic, racial, or cultural background, when educators, parents, families, school partners, and community members work together, there are gains in student achievement, positive youth development, and appropriate student behavior.[123] Family and community involvement in school can take many different forms. The traditional model of family members volunteering for classroom events or field trips has been greatly expanded in some schools to include consistent and active involvement in a growing number of schoolwide decisions and initiatives. The extent to which members of the broader school community are engaged, however, often depends a great deal on how welcome they feel. Evidence also suggests that, although family involvement is equally important during middle and high school, it tends to decline as students get older.[124]

Successful school/family/community partnerships are not stand-alone projects or special one-time programs but are well integrated with the school's overall mission and goals. Effective partnerships draw on the talents, strengths, and capacity of the school community to enhance the learning environment for all students and address the barriers to family engagement.[125] It is easy to rely on and involve the individuals who already regularly show up for school functions and actively participate in activities. The most promising partnerships make special efforts to identify and support the engagement of families who feel disempowered, disconnected, and disengaged.

The following are examples of ways in which schools can effectively engage family members—particularly parents and guardians.[126]

TABLE 4. FAMILY ENGAGEMENT STRATEGIES	
Goal	**Strategies**
Embracing a philosophy of shared power and responsibility	■ Include in important school decisions (e.g., principal selection, school climate improvement, curriculum selection, discipline code revisions, and building upgrades) family and community members who represent the diversity of students, by promoting various opportunities to participate, targeting outreach to encourage participation, and offering a range of mechanisms for family and community members to voice their opinions ■ Establish an organized family forum (PTA, PTO or other group) to address key issues related to the learning environment, safety, and student success ■ Offer parent/guardian educational programs to build families' understanding of the school system and how to guide students through it successfully ■ Provide information about what students are learning, student progress, and how parents and family members can help ■ Hold school meetings focused on students' important education decisions (e.g., selecting courses, college planning) and schedule these meetings at a time that is sensitive to working family members' schedules and a place that is easily accessed ■ Share aggregate student data including academics, behavior, school climate measures, and attendance, in order to garner family support in improving student engagement, behavior, and achievement ■ Survey families to assess their perceptions of the school, concerns, and experience of engagement[127]
Recognizing and celebrating diversity	■ Translate school documents into the native languages of the student population and have translators present at school meetings to bridge barriers of language and culture ■ Encourage the PTA, PTO, or other organized family group to recruit and assemble a membership that reflects the racial, cultural, economic, ethnic, gender identification, and family diversity of the school ■ Discuss and celebrate families' cultural traditions, values, and practices (e.g., designate a night where families from various cultural groups bring in food and share traditional customs) ■ Enlist an individual who is familiar with families' backgrounds and the culture of the school to help school staff and families learn strategies for interacting (e.g., parents from the same ethnic group helping new immigrant parents understand school policies and practices)[128] ■ Organize "community walks" with families, staff, and area residents to better understand the communities in which students and their families live ■ Make sure that the school interior and rituals reflect and value diversity

Building trusting, collaborative relationships	■ Make sure the front office is clearly marked and easily accessible to family members ■ Review and revise administrative forms and procedures to acknowledge diverse families (e.g., forms that ask for "mother" and "father" information, that could be revised to ask for information about up to two parents or guardians—to allow for multi-generational, step-, and same-sex couple families) ■ Attend meetings at feeder elementary and middle schools to help establish trusting relationships early with parents and families who will have students attending the school in the future ■ Promote flexible volunteer opportunities, including chances to mentor and tutor students ■ Design frequent opportunities for families to meet face-to-face with teachers and other school staff to get to know each other (e.g., class meetings, breakfasts, or class observations) ■ Invite families to attend professional development for school staff related to working productively with families ■ Establish regular communication through a variety of mechanisms such as emails, text messages, phone calls, and printed letters or newsletters ■ Ensure that there is a clear, open process for resolving problems ■ Recruit family members to serve as mentors for new families and help provide an introduction to the school ■ Employ home visiting strategies, as appropriate
Respecting and addressing families' needs	■ Invite social services and community agencies to attend parent nights or other school information sessions to improve families' access to necessary supports ■ Open the school building for community use, including after-school programs, tutoring, mentoring, and other community activities ■ Provide food, childcare, and transportation (even arrange carpooling), when possible, for parents/guardians and community members to encourage their participation in school meetings and events ■ When possible, offer busy parents/guardians/grandparents chances to be involved on evenings and weekends

FAMILY INVOLVEMENT SPECIALISTS: METROPOLITAN NASHVILLE PUBLIC SCHOOLS NASHVILLE, TN

As part of its Community Achieves initiative, Metropolitan Nashville Public Schools (MNPS) is working to improve parent, family, and community involvement.[129] MNPS has divided the large school district of approximately 83,000 students into 12 geographic clusters of 6–15 elementary, middle, and high schools. Cluster Support Teams,[130] composed of a social worker, family and youth services officer, clerk, and Family Involvement Specialist, serve the group of schools in each cluster. Behavior analysts and school psychologists may also join the team as needed.

Family Involvement Specialists are hired by the district and have diverse backgrounds, including serving in social service agencies, juvenile justice, refugee resettlement, or as counselors or teachers. Many specialists speak two or more languages. Specialists can provide advice and assistance to parents and families and help them overcome barriers to school involvement, such as navigating the Individualized Education Program (IEP)[131] process, enrolling their student in school, addressing discipline issues, or accessing free/reduced price meals. They also assist homeless families and those in crisis. Staff receives extensive training, including webinars and roundtable discussions with the entire Cluster Support Team. In addition, specialists help train school faculty on how to partner with families more effectively and better understand their struggles. They also bring community partners into schools to help address particular areas of need—whether through a one-time presentation or an ongoing partnership to provide services or training to families and students. MNPS is also making a strong effort to meet parents and families where they are by placing staff in local public housing communities, holding meetings in community centers, and offering support and advice through a call-in radio show in both Spanish and English.[132]

In the 2012–13 school year, members of the Cluster Support Teams facilitated more than 70 trainings, serving more than 5,500 parents and family members. The MNPS parent engagement radio show reached an estimated 60,000 listeners. Partnerships with local community and faith-based organizations have enabled MNPS to distribute district information bulletins to more than 75,000 parents and family members as well. As a result of this work, MNPS has seen a 14 percent increase in the number of active accounts on Parent Connection, the online portal where parents and family members can access students' grades, attendance, and other school-related information.[133]

PARENT SCHOOL PARTNERSHIP PROGRAM: MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND

Since 1989, thousands of parents have successfully completed the Mexican American Legal Defense and Education Fund's (MALDEF) Parent School Partnership (PSP) Program—an initiative designed to deepen the involvement of Latino parents in schools and improve educational outcomes for their students. As of 2013, PSP had been implemented in several major cities including Atlanta, Chicago, Houston, and Los Angeles. Many of the participants in this program are recent immigrants committed to ensuring that their

children receiving a fair and equitable education that prepares them for a college education. The PSP program works to remove language and cultural barriers, and provide parents with the information and tools to become more effective advocates.[134]

Through a series of free roundtable discussions, PSP participants learn how to overcome barriers to school participation, gain an in-depth understanding of their rights and responsibilities, and discuss how to navigate the school system. They learn how to communicate with school staff, contact district and city officials, and access support services.[135] After the course, family members continue to meet every three months as "alumni" to discuss their work to enhance their school-family-community partnership.

Qualitative data collected from the PSP program from 2007–08 indicate that the program helps develop parents' leadership skills, prompting them to take action both during and after their participation. PSP program alumni in several communities have helped to create and sustain school-based parent centers, offer parenting classes, and participate in policy-setting meetings, among many other activities.[136]

COMMUNITY ORGANIZING AND FAMILY ISSUES PEACE CENTER WELLS COMMUNITY ACADEMY HIGH SCHOOL CHICAGO, IL

In 2010, Community Organizing and Family Issues (COFI) opened its first Peace Center for older youth at Wells Community Academy High School, a public four-year high school on the near north side of Chicago. The Peace Center hosts intensive restorative practice sessions and teaches students conflict-resolution skills. Parent facilitators, who are called "peacemakers" or "circle keepers," run the Peace Centers. They are members of the local community and receive extensive training from COFI and other Chicago area organizations on restorative justice practices. The model, first developed by parents in 2005, has been operating in several Chicago elementary schools for eight years.

Twice a week, peacemakers convene groups of students who can ask to be involved or are referred by teachers or parents based on a concern about the student's behavior or that the student is at risk for serious trouble in school or in the community. Peacemakers serve as mentors to youth, teaching them de-escalation and conflict-resolution skills that can be used in school and beyond. Peacemakers are responsible for helping youth resolve conflicts that frequently would otherwise lead to suspension or expulsion.

An assessment of the Peace Centers was conducted by Roosevelt University's Mansfield Institute for Social Justice and Transformation using participatory qualitative research methods. Findings revealed that the Peace Centers have helped implement restorative justice and conflict resolution strategies that enable students to interact with peers and adults in healthier ways. As a result, students are attending classes more and taking greater interest in their education. In addition, the use of the Peace Center has made it possible for administrators at Wells Community Academy High School to reduce their use of suspensions.[137]

Schools are surrounded by local nonprofit organizations, faith-based groups, public agencies, institutions of higher education, and other entities that can be supporters of ongoing efforts. However, many schools do not adequately tap into these resources, often because school leaders and educators do not have the time to forge and manage new partnerships. Even service providers who are working in schools are sometimes not part of a coordinated effort or may not be addressing a priority area of need. Community organizations can serve as critical partners for schools, helping them expand course offerings, offer work-based learning opportunities for students, provide more intensive behavioral health services, and enhance the school in a variety of other ways.[138] Schools can leverage community resources through the following steps:

1. ***Identify needs***
   Schools should be clear about what they want and need from community partners (e.g., help with recreational activities, cleaning/upgrading school grounds, internship opportunities, and child care for young parents trying to finish school).
2. ***Communicate priorities to stakeholders***
   Schools then need to clearly communicate their needs to community-based service providers as well as students, families, and other stakeholders. This expands the outreach for identifying potential partners. Criteria should be developed to ensure the school is able to absorb resources and assistance over time. Transparent communication about priorities helps schools accept only support that is aligned with its goals.
3. ***Map neighborhood assets and resources***
   Schools should identify community resources that are available to support the school and enrich students' learning. Although school administrators and staff may find this time consuming, students can help with this process as part of a community awareness or service project. The National School Climate Center, for example, developed a Community Scale that allows middle and high school students to conduct a short survey of 15 sectors of the community (such as faith-based, local media, and law enforcement sectors) to learn about community members' perceptions of the school and how they might be able to help students and staff.[139]
4. ***Establish partnership oversight***
   School leaders can develop a committee or designate staff, students' family members, or other volunteers to review existing partnerships and develop a coordinated strategy among the business community, local organizations, and public agencies to provide needed resources and services for schools, families, and students. Partnerships should be formalized, when appropriate, through agreements or memorandums of understanding that establish shared expectations, responsibilities, and goals.

Examples of activities that might align with the identified needs discussed above may include the following:

- Coordinating with local businesses to serve as mentors and work-based learning sites for students
- Engaging with available after-school and summer learning programs to connect students with these opportunities. Share curriculum and instructional materials with after-school programs so they can complement and reinforce learning that happens during the school day
- Encouraging community members to attend school events and/or serve as sponsors

While relationships with parents and community organizations may be cultivated most often at the individual school level, these partnerships are often enhanced through coordination at the district level. Districts can develop systemwide policies and practices that support and enhance family involvement in school. Many districts have established offices of family and community engagement. These offices may be involved in conducting school climate surveys and can facilitate community partnerships and encourage schools to address areas that parents and other stakeholders identify as needing improvement.

RECOMMENDATION 5: **Address physical facility conditions and school security procedures to ensure schools are safe and feel secure while also being welcoming and orderly.**

Although schools are generally safe places,[140] some schools continue to struggle with the perception of crime.[141] These measures often do not, however, adequately address issues of emotional safety and low-level aggression.[142] Many administrators have taken steps to increase safety measures in their schools in response to high-profile tragic incidents, parent and staff concerns, and other factors. Many have invested in the installation of metal detectors, cameras, lockable doors, barred windows, and/or other security equipment. These measures are typically written into school safety and/or school improvement plans. Controversy has continued over whether security equipment actually makes students and adults in the building feel safer. Many students report that security equipment and barred windows create a negative school climate by making them feel untrustworthy and as though any missteps will be treated as crimes.[143] Perceptions of the effectiveness and emotional impact of school security equipment appears to depend, in part, on how that equipment is used and the attitude and demeanor of those adults using it.[144]

When deciding whether to install equipment, school leaders should take into account the following considerations:

- ***Security and surveillance equipment are not sufficient to ensure that the school provides a positive, safe learning environment.***
  Research suggests that the most effective way to increase school safety is to foster a positive school climate.[145] School leaders should ensure that decisions whether or not to install security measures take into consideration whether actions have been taken to improve school climate and enhance relationships between youth and adults.
- ***Decisions on security staff and equipment should be made locally, and include school staff, students, families, and local law enforcement.***
  Decisions on the use of school security staff and equipment should be made with an eye towards minimizing negative impact on students.[146] School and district leaders should bring together students, staff, parents, law enforcement, and other members of the school community to discuss the perceived need for the equipment, the implications of installing various types of measures, and how they will be used.
- ***Ensure security measures are actually improving school safety or are still needed.***
  Although school leaders may initially feel the installation of school security equipment is necessary, the need for this equipment may change over time. To ensure that security measures are effectively improving school safety and perceptions of school safety, schools should continually monitor and assess the need for these measures with law enforcement and the school community. Schools should consider the impact of these measures on students, staff, and parents through surveys or other means and adjust the use accordingly.

COLLECTIVE DECISION TO USE SURVEILLANCE EQUIPMENT

Following violence or other school-based crime incidents, some school leaders have brought students, families and educators together to discuss the possibility of installing security equipment. The goal of these discussions is to determine the best way to keep students safe. After weighing the options, many school communities agree to install surveillance cameras as long as they are used only to monitor public spaces and for criminal investigations. They are not to be used for school code of conduct enforcement such as monitoring tardiness, dress code violations, or other minor infractions of schools' rules.

Similarly, if weapons have been found on campus, many administrators have decided, or have engaged the school community in the decision-making process, to install metal detectors. Some leaders have worked to minimize the negative impact of metal detectors by ensuring that they are staffed by someone who welcomes students and makes the process as routine as possible, with the goal of keeping everyone safe and not singling out students based on racial, cultural, or other factors.

Beyond physical security measures, over the past several decades schools and districts have increasingly explored how the building design, layout, and lighting or other environmental factors affect school safety and climate. Crime Prevention Through Environmental Design (CPTED) is a research-driven approach to adjusting physical design to reduce opportunities for victimization.[147] Increasing lighting, cutting back bushes, changing particular paths to the school, and other modifications that make entry and exit safer are all examples of CPTED approaches. Creating changes to the school layout can improve both safety and social interactions. School design can foster collaboration and a sense of community among students and staff in clean and appealing shared spaces. This sense of community can, in turn, reduce violent incidents. When designing school facilities or making alterations to the building and the grounds, educators should consider the following, in consultation with CPTED experts in law enforcement and other partners:[148]

- Minimize the number of unmonitored entrances
- Establish the main point of entry at the front of the school
- Provide a safe, well-marked, and well-lit place for people entering the school
- Require visitors to go to reception areas first to sign in and describe the reason for their visit to a welcoming adult
- Install windows to ensure that office staff can easily see people approaching the main entrance
- Block off secluded spaces, such as areas beneath stairwells
- Design wide, well-lit walkways between buildings

Clean and orderly facilities can communicate pride and respect to students. Students are also more likely to have a greater sense of investment, ownership, and personal connection when they are involved in cleanup or beautification efforts. The condition of school facilities has been associated with students' sense of being welcome in the school building, as well as educator satisfaction, recruitment, and retention.[149]

Leaders who want to improve the physical school building may want to consider activities described in Table 5.

TABLE 5. PHYSICAL CHANGES TO IMPROVE SCHOOL SAFETY AND CLIMATE	
Short-Term	**Long-Term**
■ Ensure that the school facility is properly maintained, lockers and walls are freshly painted, broken windows are fixed, and hallways are kept clean ■ Recruit students to paint murals on the walls, organize school service cleanup days, and participate in other activities to improve the physical school building ■ Post the school's mission statement around the building to give students a sense of purpose and school identity ■ Clean and organize any existing common areas to allow students to meet and gather informally	■ Divide large schools into smaller learning communities to foster positive relationships and personalized learning ■ Maximize natural light and windows to enhance learning and creativity, and to connect students to the outdoors ■ Designate and create spaces where students and staff can meet and work together in small groups to facilitate opportunities for teamwork and group collaboration

MARYSVILLE GRETCHELL HIGH SCHOOL CAMPUS MARYSVILLE, WA

The Marysville Gretchell Campus is home to four small high schools in northwest Washington State.[150] In 2004, recognizing the need for another high school campus, the district superintendent brought together school administrators, educators, students, families, and community members with architects to share input, examine research, and develop a school design plan. The new building was intended to support student learning, reengage teachers, and inspire community support for the school district. The plan adopted several design goals, consistent with promoting positive school climate, including the following:

- Increased the number of collaborative spaces to promote relationships among students and staff
- Created visible places to post student work and statements of the schools' mission and values
- Created distinct spaces for each of the four schools on the larger campus, focused on aspects of each smaller learning community such as arts, technology, and laboratory science

POLICY STATEMENT III

District codes of conduct reflect and reinforce positive school climates and advance the goal of keeping all students in safe and supportive schools—by articulating clear expectations for student and adult behavior, as well as exhausting appropriate graduated and restorative responses to students' minor misconduct before resorting to suspension.

States typically have their own mandates related to school discipline policies, which provide a foundation from which the districts' codes of conduct are constructed. District codes of conduct communicate, in writing, the rules governing behavior in the school setting and prescribe responses for misconduct. It is generally accepted that every district has a code of conduct in place. But in many cases, these codes may have the unintended consequence of undermining a positive school climate and conditions for learning. Many codes focus primarily on punishments for students' misbehavior with little discussion of the type of learning environment the school wants to create and the roles that students, staff, and others in the school community can play in achieving this vision.

Effective codes of conduct go beyond describing consequences for misbehavior; they also establish expectations for positive conduct and outline roles and responsibilities for youth and adults in the school building. To institute these types of codes, schools should convene school personnel, students and their families, and other stakeholders to help develop or update codes and regularly review them for possible revision. When stakeholders feel that they have been coauthors in the development of codes of conduct, they are much more likely to ensure adherence. The codes of conduct that reflect best practices articulate a vision for the school's climate and conditions for learning, make the disciplinary system easily understood and transparent, and provide a range of graduated responses that are commensurate with the misbehavior. Effective codes outline the responsibilities of staff and other adults in the school building. Many states and districts have a professional code of ethics or responsibilities for administrators and educators.[151] National associations also have broad guidance on standards for educator conduct that include cultivating the conditions necessary for learning.[152] States and districts that develop a comprehensive code of conduct for both students and educators underscore their mutual responsibility to meet behavioral expectations and build a positive school climate.

GUIDING PRINCIPLES FOR DISTRICT CODES OF CONDUCT

Several guiding principles for revising codes of conduct have emerged from the feedback offered by researchers and education professionals, as well as a review of codes revised in recent years.[153]

1. ***Expectations for appropriate behavior must be defined for the entire school community.***
   - Outline a process to establish, communicate, and reinforce expectations for positive student behavior.
   - Articulate expectations for adult conduct and positive interactions with youth.
   - Describe strategies to support positive behavior of all students, including youth with intensive behavioral health needs.
2. ***Responses to misbehavior should be tailored to the severity of the offense, as well as to the student's and victim's needs, with the goal of keeping students in school when possible and limiting the use of suspension and expulsion to serious cases.***
   - Explain how consequences for students who engage in inappropriate behavior are matched to the severity of the misconduct.
   - Promote a range of increasingly strong interventions before resorting to suspension when students commit minor offenses.
   - Address the needs of victims, including taking steps to assist with healing, requiring the student causing harm to take responsibility and participate in restorative actions, and devising safety plans.
   - Limit expulsions to extreme cases, and if students must be expelled, they also must have access to an alternative education setting.[154]
3. ***Ensure that disciplinary measures are consistently and properly implemented.***
   - Use easy-to-understand language and definitions of key terms. When definitions for these terms are vague (such as defiance, disorderly conduct, insubordination and failure to obey school rules to describe discretionary offenses), they can be interpreted as criminal offenses rather than disciplinary actions. These types of discretionary responses tend also to generate the greatest amount of racial and ethnic disparity in school discipline and exclusion.[155]
   - Clarify the general rights and responsibilities of members of the school community, including students, educators and other personnel, parents, and police and/or security personnel.
   - Require the analysis of school discipline policies and practices to address disparities.
   - Reiterate the need to consider students' special needs when addressing misbehavior.
   - Detail the clear and transparent due process procedures that will be used for students accused of inappropriate behavior to ensure they are treated fairly and are adequately supported, including access to learning and steps to keep pace with their classmates.
   - Include mechanisms for encouraging parent, community, staff, and student input on code revisions.

The first recommendation under this policy statement focuses on analyzing state laws and policies to determine how they can provide a better foundation for individual district and school codes of conduct. The recommendations that follow in this policy statement, however, do not need to be implemented sequentially. For example, while there are clear benefits to revising state laws and policies, there is no need for districts to wait for such action before updating their codes of conduct or undertaking other measures to address conditions for learning and discipline issues.

RECOMMENDATION 1: **Review and modify state laws, if necessary, to ensure they provide a foundation for schools and districts to develop effective codes of conduct.**

State laws and regulations vary with regard to addressing aspects of school discipline.

ADDRESSING SCHOOL DISCIPLINE IN STATE LAWS AND REGULATIONS

State legislation and regulations typically address the following aspects of school discipline:

- Articulating maximum and minimum duration of out-of-school suspension
- Requiring the exhaustion of other forms of corrective action prior to removing students from school
- Defining offenses that warrant expulsion from school
- Mandating reporting of disciplinary data to meet federal and other requirements
- Requiring the provision of alternative education services when students are removed from school
- Establishing protections that must be afforded to special education students
- Delineating students' due process rights

Statutes and policies in some states, however, are silent on some of these issues. For example, until 2013, Washington and several other states had no cap on the number of days a student could be suspended out-of-school in an academic year.[156] It wasn't until 2014 that the Maryland State Board of Education passed regulations that require local school systems to adopt policies that reduce long-term out-of-school suspensions and expulsions and ensure districts provide education services to students who receive these disciplinary actions.[157]

EXAMPLES OF STATE LEGISLATION RELATED TO SCHOOL DISCIPLINE

At the time of this writing, many states are amending state law or state education regulations to limit students' exclusion from school and encourage local districts to adopt more constructive consequences for disciplinary infractions. The following are examples of state legislative reform that took place in 2012 and 2013:[158]

California

The California governor signed several bills into law related to school discipline:[159]

- AB 383 (2013) gives the superintendent discretion to provide alternative interventions to suspension or expulsion for students.
- SB 1088 (2012) prohibits public schools from refusing to enroll or readmit students solely because they had contact with the juvenile justice system.
- AB 2537 (2012) gives more discretion to school principals to use alternatives to expulsion in disciplining students. The new law also clarifies that students will not face mandatory expulsion if they bring to school personal medications or imitation firearms such as toy guns.
- AB 2616 (2012) changes state truancy rules, gives administrators discretion not to refer a student to juvenile courts for a fourth offense, and lowers truancy fines, among other provisions.

Colorado (2012)

Colorado HB 12-1345 requires districts to adhere to the following:[160]

- Avoid involving students in the criminal or juvenile justice systems when addressing minor misbehavior that is typical for a student's "developmental stage."
- Implement "proportionate" discipline that reduces the number of out-of-school suspensions, expulsions, and referrals to law enforcement.
- Implement prevention strategies such as restorative justice, peer mediation, counseling, and other approaches designed to minimize student exposure to the juvenile and criminal justice system.
- Collect data related to school-based arrests, tickets, and court referrals. Reported data will be disaggregated by a student's age, gender, school, and race or ethnicity, and by offense.

Indiana (2013)

- SB 338 requires the establishment of a commission to study and evaluate issues related to absenteeism, including the effectiveness of alternative programs for students suspended or expelled from school.[161]

Massachusetts (2012)

The following policies will be enacted as of July 1, 2014:[162]

- Students excluded for more than 10 consecutive school days, whether in or out of school, are entitled to educational services during that period.
- School officials should use their discretion in deciding disciplinary actions, avoiding removing students from school until all other alternatives have been exhausted.
- Students cannot be excluded from school for more than 90 school days in a school year.

Washington (2013)

SB 5946 requires the Office of the Superintendent of Instruction to convene a task force to develop standard definitions for discretionary actions and data collection standards related to school discipline. In addition, the law includes the following provisions:

- Limits short-term suspension from school to 10 days in a school year. Long-term or "emergency" suspensions must have an end date of not more than one calendar year from the incident. Limits the use of expulsions to the most serious cases and only as a last resort.
- School districts should make efforts to have suspended or expelled students, who are still required to receive educational services under state law, return to an educational setting as soon as possible.
- School districts should convene a meeting with the student and the student's parents or guardians to create a reengagement plan tailored to the students' individual circumstances, including any needed supportive interventions.[163]

State boards of education and state education agencies (SEAs) should work with a broad range of stakeholders (representatives of school personnel at every level, behavioral health professionals, police, probation, court officials, prosecutors, defense attorneys, child welfare and community service providers, students and their families, and others engaged with students) and lawmakers to examine whether their state mandates and policies provide adequate frameworks for codes of conduct.[164] When revising state laws and regulations, policymakers should consider the following steps to keep students in school and on-track to graduate, while maintaining school safety:

- ***Eliminate zero-tolerance policies to return more discretion to administrators to decide when to use suspensions and expulsions and to consider the circumstances surrounding the student's misconduct, the needs of victims, and other factors.***

  States should empower administrators to use their best judgment when determining how to respond to disciplinary incidents. News headlines often highlight the extreme situations in which students are disciplined for minor offenses (such as not knowing they had a cold medication in their backpack) that could be addressed through modifications to zero-tolerance laws and policies. To the greatest extent possible, and except in situations where safety or victims' issues dictate otherwise, administrators should work to keep students in school and provide them with the necessary behavioral supports.

- ***Limit the number and length of out-of-school suspensions.***

  At a minimum, states should cap the number of consecutive and/or overall days in which a student may be placed in out-of-school suspension. Individual school districts may elect to establish a cap that is even lower than the ceiling provided in state law or policy. Several states, including Arkansas, Ohio, and Pennsylvania, have established a maximum out-of-school suspension period of 10 consecutive days.[165] This period aligns with the Individuals with Disabilities Education Act (IDEA) definition of what constitutes a change in educational placement.[166] In addition, states can establish a limit for the total number of days a student can be removed from school in a given year. For example, students in California cannot be suspended for more than 20 cumulative days in a school year.[167]

- ***If a student must be removed from school, he or she should continue to receive instruction and have access to necessary support services.***

  There has been some resistance to promoting alternative education placements for suspended or expelled youth because some policymakers and practitioners fear such placements are used as "dumping grounds" for students who misbehave or underperform. Alternative education placements also often do not meet the same standards as traditional educational settings and can even exacerbate some youths' problem behaviors.[168] Still the majority of stakeholders believe that students should not be removed from school, particularly for longer periods, without having any place to go where they can continue to receive educational services.[169] All students who are suspended or expelled (and are still required or wish to be enrolled in school), appealing a disciplinary action, or are unsuccessful in the traditional school setting, should have access to high-quality alternative educational settings with qualified personnel.[170] Students should be referred to needed support services and must have an opportunity to make up any work they missed while out of school and be awarded credit for work completed while in the alternative setting.[171]

- ***Conduct and publicly report on data collection regarding disparate impacts of disciplinary actions on students of color, students with disabilities, and youth who identity as gender non-conforming and LGBT.***

  States should require that schools and districts collect and report at least annually the numbers and types of school disciplinary actions and their impact on identified groups of students. This responsibility can be spelled out in codes of conduct. Even in schools in which students of color represent the majority of students, these students may still be overrepresented among those who are suspended and expelled. High numbers of suspensions and expulsions may also require the need to reexamine or revise policies and practices outlined in the schools' or districts' codes.

SUSPENSION AND EXPULSION IN CHARTER SCHOOLS

The number of charter schools has more than doubled in the past decade, and now represents about 6 percent of the nation's public schools, serving nearly 2.3 million students.[172] National data shows that charter schools are serving a growing number of Black and Hispanic students, and students eligible for free or reduced-price lunch.[173]

Some state laws require charter schools to adhere to the same disciplinary policies as traditional public schools, while others allow charter schools to set and enforce independent disciplinary standards. Because of the lack of consistent oversight, some families, advocates, and educators are concerned about the potential for charter schools to push out students who pose behavior or academic challenges.[174] In response, many charter schools state that tough disciplinary standards are precisely why families have chosen these school settings.

Data from Chicago Public Schools for the 2012–13 school year showed that students in charter schools were 11 times more likely to be expelled than students in traditional public schools.[175] Data from the Washington, DC Public Charter School Board for the 2011–12 school year showed that charter schools suspended and expelled students at widely varying rates.[176] Although some charter schools did not report any discipline incidents, other schools suspended or expelled from 2 to 70 percent of the student population. Further analysis found that 11 charter schools accounted for 75 percent of the reported expulsions.[177] Data collected in Los Angeles for the 2011–12 school year showed that suspensions in charter schools were 9.2 percent compared to the district average of 3.1 percent.[178]

Concerns about such data have led a number of school districts to examine district and charter discipline policies. In New Orleans, for example, officials from the Recovery School District (RSD) created a working group of charter school leaders and school system officials to develop consistent discipline guidelines. As of the 2012–13 school year, both charter and district public schools follow the same expulsion policy and use the same hearing office.[179] Similar efforts are underway in San Diego and a number of other districts across the country.

RECOMMENDATION 2: **Regularly engage students, families, educators, and other stakeholders in the school district in discussions about how the code can be improved to clarify positive behavioral expectations for students and adults, and to ensure that disciplinary policies address their diverse concerns.**

Although nearly all districts have a code of conduct, the codes are often incomplete, outdated, or reflect a narrow, punitive approach to student misconduct. To determine what changes need to be made, districts and schools should engage in a collaborative information-gathering process. Districts and individual schools can hold a series of meetings to gain feedback on how students, families, staff, and other adults in the school feel the code is working and how it

can be improved. Bringing these stakeholders together—as well as hearing the views of union representatives, school board members, behavioral health professionals, prosecutors and defense attorneys, and other juvenile justice officials such as judges, law enforcement and probation officers, and other agency representatives who interact with students—provides opportunities for diverse perspectives to be heard. These conversations can help develop consensus on discipline procedures to keep students in school and out of the juvenile justice system whenever possible. Engaging a wide range of individuals who work with students, or encounter students when they are in trouble, can also stimulate buy-in for the process and for implementing the changes to the code.

These discussions should start with questions to determine how well students, parents, and family members feel the current code is working and ways in which they believe it should be improved. Questions might include the following:[180]

- How well do you understand the current code of conduct?
- How transparent is the process for how the code is implemented?
- Does the code describe students' rights as well as responsibilities?
- Do you feel the expectations set out for student and adult behavior are clear and appropriate?
- Do the consequences for misconduct seem appropriate for the type or severity of the offenses?
- How can codes of conduct recognize and celebrate responsible and "good" behavior and not just focus on problems?
- What does the school climate and discipline data reveal about the impact of current policies in the code? Are particular student groups being affected more than others?
- How should the code of conduct be improved?

Every district should regularly review its code of conduct. At a minimum, districts should examine the code annually to determine if any adjustments (typically minor changes) are needed. Any policies or procedures that were implemented in the previous school year may have had unintended consequences that will need to be addressed as well. If the state changes regulations related to discipline, districts must be sure their codes reflect those changes. Districts should also conduct a major review of the code at least every five years and at that time engage a broad range of stakeholders in discussions about whether the code needs to be revised. Any changes must be highlighted and clearly explained to everyone in the school community using multiple outreach mechanisms, so that all individuals affected by the code of conduct are fully aware of its provisions.

School leaders must be able to explain how the code of conduct will be responsive to the full range of concerns of students and their families, educators and other staff, and other stakeholders. Much of this report focuses on students who are being disciplined, but it is also important to consider the needs of victims and of students whose studies are interrupted by classroom disruption. School leaders should publicly recognize concerns, describe how they are being addressed, and explain how the new approach to discipline corrects shortcomings and enhances or complements what is currently working at the school.[181]

RECOMMENDATION 3: **Design a graduated system of developmentally appropriate responses to misconduct that keeps students in school whenever possible, addresses the harm caused, and considers the factors that may contribute to the problem, while encouraging students to take responsibility for changing their behavior.**

When developing graduated systems of responses to student misbehavior, many districts allow schools significant latitude in dealing with less serious offenses, while underscoring that suspension and expulsion should not be default responses to minor misconduct. Codes of conduct should convey, however, that serious harm, removals mandated by law, and threats to student or staff safety will result in exclusion from the classroom or school. If students are suspended out-of-school, it should be for no more than 10 consecutive days, and any student removed from the school campus for disciplinary reasons should have access to education services, supports, and/or alternative education placement when available.*

Many incidents of misconduct are the result of students' lack of social and emotional skills, so infractions or disruptions should be considered not just as a disciplinary matter, but also in the context of the youths' development. The code of conduct should encourage developmentally appropriate and culturally responsive reactions to student misconduct. Youth respond differently to various types of interventions, so graduated responses should take into consideration the individual's developmental stage and other characteristics that will change behavior going forward. The intervention for a particular student may need to intensify with the severity of the offense and/or the refusal or inability to change behaviors. Adults must also model positive social and emotional skills by responding with efforts to understand and resolve the underlying causes for problem behaviors. Research has shown that the majority of suspensions result from low-level, discretionary offenses, and that these types of offenses result in a disproportionate impact on students of color, students with disabilities, LGBT students, and other vulnerable student groups.[182] To ensure students are not removed from school unnecessarily, codes of conduct should

* There are advisory group members who feel that 10 consecutive days is too long and creates significant barriers to reengagement, students' ability to keep pace with their peers, and other related problems. The 10-day limit seems, however, based on interviews and legislative research, to be the most commonly accepted period of suspension, perhaps because it is also consistent with the IDEA's criteria for a change of placement.

- specify that minor infractions, including truancy, dress code violations,[183] cigarette smoking, and cell phone violations do not result in students' removal from school;
- clarify ambiguous catch-all terms, such as "disruptive behavior" and "disobeying school rules;"[184]
- eliminate "three-strikes" policies that mandate districts to harshly punish students for an accumulation of minor offenses;[185] and
- require that for minor offenses, less serious interventions be tried or considered before removal from the classroom.

To break the cycle or escalation of minor misconduct, many schools have focused efforts on establishing learning environments where behavioral norms are clear and consistently revisited, and where students feel comfortable talking about disagreements. Some schools have adopted such approaches as PBIS, SEL, and others in combination or alone.[186] Others are adopting restorative approaches to address misunderstandings before they escalate and to redress the wrong done by misconduct when it does occur.

When disagreements arise in the classroom, the restorative approach encourages educators and students to discuss the harm that has been caused to school staff and other students. This can take place after school, during the students' lunch period, or at some other time that does not interfere with instruction. Students engaged in the misconduct are asked to listen and to try to empathize with those harmed by the misbehavior and others' perspectives. They are also asked to respond to questions such as these:[187]

- What happened?
- What were you thinking at the time?
- What have you thought about the incident since?
- Who has been affected by what happened and how have they been harmed?
- What about this experience has been the hardest for you?
- What do you think needs to be done to make things right?
- What do I/we need to do to ensure this situation does not happen again?

Even a restorative approach recognizes there are situations when the type of exchange described above simply is not sufficient. In instances when a student's behavior warrants an elevated response, rather than removing a student from campus, schools can implement more individualized restorative options. Such an option to address conflict among a small group of students would typically occur through community conferencing or peer/administrator-led mediation.[188] In situations where individual students require even more targeted responses, they might attend a youth court, where students appear before a panel of their peers and take responsibility for wrongdoing.[189] For all of these restorative strategies, victims and the

youth who have caused harm must agree on the consequences and outcomes. These restorative approaches provide an alternative to employing an exclusionary response and allow school officials to consider how students will best learn why they must change their behavior.[190]

BUDDY ROOMS

Adapted from the Responsive Classroom model,[191] many schools are implementing "buddy teachers" or "buddy rooms" as a non-punitive strategy to help students calm down and regain their self-control following a minor behavior incident. Although educators' efforts focus on keeping students in the classroom, there may be times when changing locations, just for a brief period, is helpful.

Students are sent to another teacher's classroom where they have an opportunity to think about the incident and then complete a reflection exercise to identify what happened, why it happened, and what they plan to do differently to ensure it does not happen again. Students are only out of the classroom where the incident occurred for 10 to 15 minutes, but this time away helps them regain their composure and return to the classroom with more focus.

At the first opportunity, the student's primary teacher sits down with him or her to discuss the incident, go over the student's reflection paper, and make a plan to ensure that inappropriate behavior does not continue. This restorative follow-up helps students repair the harm done and take accountability for their actions. If students are sent to a buddy room more than twice, more intensive restorative interventions are put into place to address students' behavioral needs.

Restorative responses to student misbehavior and code of conduct violations should follow a continuum, with school staff and administrators employing the lowest level of intervention required before moving to the next. Responses to code of conduct violations should take into account the seriousness of the incident; the type and extent of harm caused (physical, emotional, and property); students' prior conduct and record of behavior; previous interventions; environmental triggers; students' special education status; and behavioral health and other needs/circumstances.

Educators, parents, and other stakeholders who are unfamiliar with the successful implementation of restorative practices may be resistant based on the perception that punishments are not adequately severe. The response to such criticism is that restorative requirements can often be harder to meet than sitting at home during a suspension. Restorative responses require students to take responsibility for their behavior and to act to repair the harm caused to relationships or property. Students may need to complete community service, attend after-school programming, or serve as tutors to younger students. Although additional research is needed, restorative programs are reporting positive results.[192] Data from Boston Public Schools showed that suspensions and expulsions dropped by more than 80 percent from the 2010–11 school year to the 2011–12 school year after implementing a restorative approach to discipline. Particularly striking were the decreases in suspensions and expulsions for physical fights, attacks, and sexual assaults.[193]

IMPLEMENTING RESTORATIVE PRACTICES

The adoption of restorative practices is growing in jurisdictions across the country. However, many schools encounter difficulties putting them into practice and gaining buy-in from students, staff, and families. The following considerations are suggested for implementing this approach:[194]

1. Time and space

Schools must be ready to embrace restorative approaches in all student and staff interactions, and understand that it will take time to see results. Full adoption and implementation is an ongoing process requiring specially designated space within the school building for long-term restorative activities.

2. Administrative leadership for securing stakeholder buy-in

Administrators must understand the value of a restorative approach and allocate the time needed for full implementation. Too often restorative practices are carried out in a piecemeal fashion, such as trying to conduct a peer mediation program without a clear understanding of the underlying principles and purpose. Administrators at the school and district level must also ground and integrate restorative approaches in the values and culture of the school community.

3. Training and ongoing support for staff

Educators need to be trained on how to integrate a restorative approach into their everyday instruction and interactions with youth. Professional development is particularly important for supporting relationships and building a classroom community that is comfortable discussing feelings and addressing conflict when it arises. Training on restorative practices should be reinforced through coaching and group discussions in professional learning communities and other forums.[195]

4. Adequate implementation assistance

Adopting a restorative approach may not require additional funding, but will require additional staff capacity. Many schools are tapping into community organizations with relevant expertise that can help coach staff and put practices into action. Districts may also fund teams to help coordinate and lead implementation at the school level.

5. Consistent data collection

Schools should include data related to their restorative efforts in their greater school climate data collection. Data that can be collected includes the number of restorative interventions held, the number of suspendable offenses that were diverted, and whether a student commits the same offense again.

6. Appropriate follow up

Follow up is critical to the success of any agreement made through the restorative process. When students commit to certain action steps, administrators, teachers, and/or representatives from the student body must take responsibility for ensuring that the student carries out these tasks and that relationships are adequately restored.

Educators should also recognize that the restorative approach is not appropriate for every situation. If, for example, the incident results in serious harm and the victim does not want to engage in a restorative process, this approach is not an option. Restorative practices may also be ineffective in changing behavior. If a student chooses not to participate, refuses to take responsibility for his or her actions, or does not take steps to repair harm done or to change his or her behavior, schools and districts will need to consider alternative responses, including those outlined in the chapter on targeted behavioral interventions and other sections of this report.

RESTORATIVE PRACTICES IN CALIFORNIA

San Francisco Unified School District

In 2009, the San Francisco Unified School District (SFUSD) adopted district-wide policies to train and provide continuing professional development to staff on carrying out restorative practices. SFUSD has developed an implementation guide and supports school site leaders through a monthly professional learning community.[196] Following the application of restorative practices, the district reported a reduction in suspensions from 3,098 suspensions issued in the 2009–10 school year to 1,921 in the 2012–13 school year.[197]

Demonstrating its commitment to the approach, the local teachers union (United Educators of San Francisco) included restorative practices as part of its contract. In addition to stipulating that each school year start with a discussion about how restorative strategies can be used in the classroom, the contract also states that when a teacher recommends a student for suspension, the teacher and the school administrator have the option of discussing alternative responses that reflect a restorative approach.

Oakland Unified School District

In 2010, after a three-year pilot of restorative practices at an Oakland Unified School District (OUSD) middle school, the school board passed a resolution to adopt a district-wide policy of restorative practices in an effort to move away from punitive, zero-tolerance policies and eliminate racially disproportionate disciplinary outcomes.[198] Through the restorative process, OUSD is working to integrate positive behavioral supports and social and emotional learning at participating sites. It also has been strengthening family engagement in issues related to school climate and discipline. The district reported a 46 percent decrease in out-of-school suspensions at one high school,[199] and a nearly 50 percent decline in suspensions at a second high school,[200] both for the 2011–12 school year during which they implemented restorative practices.[201]

Fresno School District

In 2013, the Fresno Unified School Board voted to implement restorative practices in several schools and authorized $500,000 to expand the use of restorative practices in the district.[202] Fresno Unified students, who created a youth advocacy group, *Students United to Create a Climate of Engagement, Support and Safety* (SUCCESS), are working with the district to develop the specifics of the plan, which will emphasize interactions among students and educators to repair relationships and help students learn from their mistakes.[203]

RECOMMENDATION 4: **Create a space on the school campus for students who are receiving disciplinary actions to go where they can continue to be engaged in instruction and receive social, emotional, and behavioral supports as needed**.

If a student's disruption or misbehavior warrants a short time-out (and there is no immediate threat or safety issue), he or she should have a place within the school to cool down, receive behavioral supports, and consider how to have better handled the situation. Often called "student planning centers," these spaces are an alternative to traditional in-school suspension, which typically serve as a holding room where staff watch over misbehaving students. In contrast, planning centers offer students a caring environment with staff trained to provide social and emotional supports and to help students work towards managing their behavior. Students should be immediately engaged when they enter the planning center, to share what happened and why they acted out.

Effective student planning centers include the following characteristics:[204]

Staffing

- Ideally, student planning centers are staffed by certified educators who can provide instructional, social, and emotional support to students. The reality may be, however, that schools have paraprofessionals or other well-trained staff in the student planning centers due to staffing limitations.
- To the extent possible, certified, specialized support staff (e.g., counselors or social workers) should be available to work with students and provide additional behavioral health and other support, with adequate time allocated.

Structure/Content

- Time in the planning center should be limited and supervised, if possible, by certified instructors to ensure that students keep up with schoolwork. Some jurisdictions wanted to limit students' time in the planning center to 30 minutes while others advocated for up to one day. Students should spend enough time in the planning centers to adequately discuss and address the problem behavior but not so much that they are unnecessarily missing important instructional time. Schools should ensure that students receive all instructional materials they missed, and academic support should be provided to help students keep up with their studies.
- Schools should use established support structures, such as after-school and tutoring programs, if students need additional academic assistance or reteaching of concepts.
- Time should be set aside for individual counseling focused on addressing the root cause for misbehavior and providing necessary interventions and support.
- Students should be encouraged to reflect upon their behavior and identify alternative choices.

Restorative Follow-Up

- The student, teacher, and other involved parties should have opportunities to sit down and discuss the incident. This can be done before or after school, or during lunchtime.
- If appropriate, staff and students should discuss ways in which the student is going to take responsibility for his or her actions and repair the harm done.
- Schools should ensure parents/family members are aware of their student's placement in a planning center and the steps being taken to improve the student's behavior and succeed at school.

STUDENT PLANNING CENTERS: CLEVELAND METROPOLITAN SCHOOL DISTRICT CLEVELAND, OH

In the 2010–11 school year, the Cleveland Metropolitan School District (CMSD) launched student planning centers as a district-wide approach to replace traditional in-school suspension.[205] These planning centers provide support and interventions that focus on the needs of students and help prevent the escalation of inappropriate student behaviors by addressing underlying academic, social, and behavioral issues.[206]

The planning centers are staffed by paraprofessionals already working in the school building who receive extensive training on the planning center model, understanding behavior, de-escalation strategies, and their role as planning center instructional aides (PCIA). PCIAs are full-time employees who work as support staff in individual classrooms when they are not needed in the planning center. Special education teachers also spend a few hours each day in the planning centers.

Students are referred to planning centers by school staff or can request to be sent to the planning center. No more than 15 students are in a planning center at the same time for each class period for grades K–8, and no more than 20 students at a time for grades 9–12.[207] Ideally, missed assignments are uploaded to the central computer system and students can access and complete them in the planning center. PCIAs use the social and emotional learning framework already in place in the district to discuss with students what happened and to have them think about alternative strategies to handle the situation. The goal of the planning center is to prepare students to return to their classrooms as soon as possible through the development of de-escalation techniques, problem solving, social skills, and anger management.[208] If necessary, students with more intensive behavior needs are referred to student support teams.[209]

The transition from traditional in-school suspension to planning centers was not without its difficulties. Principals and teachers in some schools expressed concern that students could self-refer to the centers to get out of classes. Educators reported, however, that they soon realized the value of a place for students to go to calm down rather than staying in and disrupting the classroom. Some personnel were unsure of how the planning centers should be used and how they differed from traditional in-school suspension. CMSD addressed these concerns through strong district leadership. The superintendent and other leaders educated stakeholders about the rationale and importance of the shift to planning centers and provided ongoing staff development. The initial results of planning center implementation are promising. Examination of CMSD discipline data shows that suspensions have decreased by 25 percent from 2008 to 2014. The percent reduction in behavioral incidents has been greatest in schools rated "high" on their implementation of planning centers, compared to those rated "medium" or "low."[210]

RECOMMENDATION 5: **Provide students who are facing removal from school and their parents/guardians with clear due process protections and continued educational services.**

To ensure transparency and promote trust, schools and districts should clearly articulate due process rights for all students, including how hearings will be conducted and decisions rendered in a timely manner. When a student is charged with a code of conduct violation in which he or she will be suspended or expelled, school officials should ensure that the student, parents or guardians, and staff involved understand why the student is facing removal and have an opportunity to discuss the situation.[211] The code of conduct should clearly specify the following steps:

Notification of Charges

Students and their parents should receive written notice of the disciplinary charges, including a description of the incident and a citation of the specific policies or rules from the student code of conduct that the student is charged with violating. Notice should also detail the specific process for parents or guardians to request a hearing to challenge the suspension or expulsion. Notices should be translated into the family's native language, if needed, and receipt confirmed by a school administrator.[212]

Conference with Students and their Families

Students facing suspension and expulsion should be informed of their right to request that a parent or guardian, attorney, or an advocate be present for any interview conducted by the school administrator or other school personnel.[213] If appropriate, students should be informed of any alternatives to non-mandated suspension, including such diversion options as a youth court or community-based treatment services. Educators should also be involved in this process to ensure clarity about what steps are being taken to address the behavior and prevent future occurrences. This conversation should be held before a final disciplinary decision is made so that students, families, administrators, and other school personnel have an opportunity to discuss the situation and any underlying reasons for the misbehavior. This is also an opportunity for a school to review its out-of-school suspension decisions to ensure that students are not being suspended for infractions that could be dealt with in school.

Additional protections for students facing expulsion should include the following:[214]

- Schools and districts should provide students and their families with information on legal assistance groups that can help them navigate the appeals process and represent them during the disciplinary hearing.
- A time limit of 15 days following the confirmed receipt of a disciplinary ruling should be set for students to file an appeal of the disciplinary decision.*
- Hearings should be held promptly to ensure that students who are expelled can find an alternative education placement quickly, and that those who have their cases dismissed can return to their home classrooms as soon as possible. Enough time must be provided, however, for students and their parents/guardians to be informed of the disciplinary charge(s) and proposed punishment, review any supporting evidence, and secure representation if they should so choose (some states currently provide as much as 45 days for this process).
- Schools (both charter and district) should contract with the school district to use its hearing officers or hire an independent arbitrator to ensure consistency in decision making.
- The student should have the opportunity to appeal the decision of the school-based hearing to the local or state board of education, with accommodations for non-native English speakers, such as the ability to appeal in their native language.
- Schools should continue to provide educational services to students during appeals processes if no alternative education program is available to help the student stay on pace with his or her classmates. The student should also work on completing any requirements for reinstatement, such as a substance abuse or anger management program.

* Jurisdictions could set shorter limits, or longer amounts of time in cases where parents and families need additional time to get materials together and apply for an extension.

DUE PROCESS UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)

Under the IDEA, students who have been identified as needing special education services are afforded additional due process protections for suspension and expulsion.[215] A school may order a suspension or placement in another educational setting for fewer than 10 days, but must continue to provide accommodations articulated in the student's Individualized Education Program (IEP). However, if the student has a change in placement (a suspension lasting more than 10 days or an expulsion) or there is a "pattern" of shorter suspensions, IDEA requires that the school conduct a "manifestation determination," which is an evaluation of the possibility that the behavior was the result of a disability. This must occur within 10 days of any decision to change a child's placement because of misconduct.[216]

Manifestation Determination

A school cannot suspend or expel a disabled student when the student's behavior was a manifestation of his or her disability. To make this determination, the school must convene a meeting with the student's IEP team and parent/guardian to discuss the student's needs, evaluation data, current program placement, supplementary aids and services, and whether the behavior intervention strategies provided were appropriate and consistent with the IEP, among other considerations.[217]

If the Determination Is Yes

If the determination is made that the behavior was a manifestation of the student's disability, he or she cannot be suspended or expelled unless it is considered an "emergency suspension" due to the student posing an immediate threat to the safety of classmates, teachers, or self.

The IEP team must take immediate steps to conduct a Functional Behavioral Assessment (FBA)[218] and develop a Behavior Intervention Plan (BIP). If the student already has a BIP, the IEP team must meet to review and change the plan to address the student's problem behavior. A review of the plan must take place after every proposed suspension.

If the Determination Is No

If the behavior was found not to be a manifestation of the student's disability, school personnel have the authority to apply the relevant disciplinary procedures to the student in the same manner as to students without disabilities. However, the district must continue to provide special education and related services as articulated in the student's IEP.

Parents and students can appeal the results of the Manifestation Determination, as well as decisions about special education eligibility or placement by requesting an appeal hearing.

RECOMMENDATION 6: **Assure successful implementation of the codes of conduct (both professional and student) by engaging all adults and youth affected by the provisions.**

The success of a code of conduct depends on the extent to which it is implemented with fidelity. Most schools simply distribute the code of conduct to staff, students, and parents or guardians at the beginning of the year and ask them to read and sign it. Students and staff typically never see the code again unless a rule has been violated. Educators often do not receive training on the procedures articulated in the code of conduct or on how they can support students and better manage behavior. Rarely do families and community members have opportunities to learn about the policies and procedures included in the code of conduct beyond reading it when it is distributed.

The code of conduct should be a living document that regulates how students and adults act toward each other. It should be revisited often and discussed in a variety of forums. It is important that students and parents know about the school's expectations for student and adult behavior, as well as what happens when these expectations are not met. As mentioned earlier, schools can ensure that students and families understand behavioral expectations and consequences through training, distribution of the code of conduct in a variety of languages, and multiple outreach methods (e.g., email reminders or PTA meetings dedicated to reviewing key components).

For educators and other school staff, the rollout of a new code or revisions to the code should include information on how the code was developed and who participated in shaping it. Code of conduct training should be provided to teams of educators and other personnel (e.g., principals, classroom teachers, support personnel, bus drivers, specialized instructors, and school resource officers) on strategies and procedures reflected in the code, to ensure that all personnel are engaged together from the beginning and everyone is receiving consistent information.[219] Training can support swift and successful implementation of the code of conduct and ensure that all adults working directly with youth understand the underlying philosophy and related strategies. Training can also clarify the roles of school personnel in enforcing code of conduct violations and improve decisions about when police or juvenile justice officials (e.g., probation officers) should be called in for support. Induction programs should also incorporate code of conduct training to ensure that new teachers are clear on behavioral expectations, discipline policies, and procedures from the start.

TABLE 6. TOPICS OF SCHOOL CODE OF CONDUCT TRAINING	
All Staff	**School Administrators**
■ How the code was developed (emphasizing the role that educators and other personnel played in its development) ■ Setting, modeling, and reinforcing behavioral expectations in the code ■ The graduated sanctions for misconduct, stressing the need to keep students in class when possible ■ When it is appropriate and not appropriate to call in police ■ When information can be shared, with whom, and for what purpose ■ Negative consequences of suspensions, expulsions, and referral to the juvenile justice system	■ Strategies for meeting with students and families to discuss misbehavior and consequences ■ Strategies for supervising and supporting staff to ensure that they are effectively employing alternatives to student removal from the school (except where safety concerns are an issue) ■ Processes for examining student misbehavior and responses ■ Due process procedures (to ensure that students are treated fairly and that there is consistency in implementing the protocol across schools) ■ Data collection and analysis of how implementation is affecting particular groups of students (particularly disproportionate impact on students of color, those with disabilities, and others) ■ Rights of certain student populations regarding discipline due process (e.g., IDEA law) and related information-sharing issues (e.g., what information can be provided to courts or students appealing decisions)

Table 6 details potential training topics related to the code of conduct.

In addition to training specifically related to the code of conduct, it is necessary to provide training and professional development on school climate and classroom management issues including the following:

- **Prevention strategies:** Establishing, modeling, and reinforcing expectations related to behavior and providing supportive classroom environments
- **Intervention strategies:** Implementing restorative practices and other alternatives to suspension
- **Considerations when forming responses:** Understanding implicit bias, cultural competency, child and adolescent development, de-escalation techniques, creating safe spaces for LGBT youth, the impact of trauma-informed approaches, and the impact on children of exposure to violence

POLICY STATEMENT IV

School administrators and staff receive the necessary training, professional development, job-embedded supports, and performance feedback to create effective learning environments for all students.

Ongoing staff training and supports can provide the necessary tools to promote positive school climate and to clarify its role in reducing disciplinary actions. Effective professional development on school climate and classroom management is associated with increased staff retention, safety, instructional time, and engagement in learning.[220] In contrast, when educators lack training and resources, student outcomes can include lower academic achievement, inappropriate referrals to special education, and excessive referrals of youth for disciplinary sanctions.[221] Schools also need mechanisms in place to assess and support educators and other staff as they put newly acquired skills and strategies into practice.

States and districts are working hard to provide educators with comprehensive training and professional development related to academic content, particularly in light of the Common Core State Standards (CCSS) and accountability requirements that focus on students reaching specific performance targets. To achieve these competencies, however, educators need to have the skills to create supportive environments and learning opportunities that engage students and reduce disruptions due to misbehavior. Although most educators recognize the importance

of professional support and development, these often do not take place because of time and resource constraints. When training and professional development on school climate are provided, they are often presented in a stand-alone format that does not draw connections with the training on academic content. Most in-service professional development for educators currently working in schools and pre-service training for teaching candidates focuses on academics,[222] leaving few opportunities for skill development related to student support, establishing expectations for student behavior, social and emotional learning, cultural competence, and healthy relationship building. The pre-service training related to classroom management that is typically provided is insufficient to support the school climate change that most schools want to achieve.

Professional development for current educators should provide opportunities to foster collaboration among school leaders and staff through professional learning communities (PLCs) and other forums. It may also require putting into place new structures and supports, and reallocating resources to support these efforts.

As districts support these school-level, in-service efforts, they should also be working with educator preparation programs to ensure that new staff has a holistic approach to learning that embraces students' academic, social, and emotional development and that includes an understanding of positive behavioral approaches such as PBIS and restorative practices. This will help new staff embrace and sustain the collective vision for school climate. Over time, if pre-service programs focus on adequately preparing educators coming into schools, schools will not need to divert as many resources towards in-service professional development related to these issues.

Training and professional development should be coupled with an evaluation process to ensure that educators are meeting expectations for improving school climate. Indicators can be built into existing evaluations for school principals, teachers, and other staff to gauge progress toward goals and highlight areas in which additional support or training are necessary. Information gathered should help support the professional growth and development of educators and other staff—not for punitive measures.

RECOMMENDATION 1: **Provide current educators with the professional development and ongoing supports needed to build positive connections with students, reinforce expectations for behavior, de-escalate conflicts, implement constructive interventions, and create supportive conditions for learning.**

Educators need multiple opportunities to learn and practice new strategies for creating positive learning environments and effectively supporting and managing student behavior to keep students in the classroom. Educators benefit from learning strategies that have proven effective in fostering strong relationships with students, providing engaging learning experiences, and establishing respectful classroom communities. Educators also recognize the value in learning more about the consequences of past strategies, such as learning about structural inequalities* related to race, gender, sexual orientation, and ability that may impact how certain students are treated.[223]

Many schools and districts assume educators come to the classroom with these skills and therefore do not address the skills adequately through in-service training. If school climate issues are addressed through in-service professional development, the short-term and disconnected nature of most staff trainings typically does not result in a fundamental change in practice.[224] Educators also report insufficient opportunities to collaborate with their peers to discuss effective strategies to improve school climate.[225]

Professional development on school climate issues should happen early and often. New teacher induction for recently hired teachers is a key point at which districts should focus efforts to develop educators' skills in school climate and behavior management. Discussions should go beyond dealing with the results of misbehavior to explore potential root causes and underlying child and adolescent development theory that can inform appropriate responses. There should also be ongoing professional development to help educators share effective strategies and reflect on practice. Professional development should not be provided only for classroom educators, instructional support personnel, and other school staff, but also for school and district leaders.[226] Efforts should be made to integrate training related to school climate into existing professional development activities around academics and curriculum. For example, a review of new math standards could include discussion on how to make content meaningful and relevant to students. Educators could also brainstorm and receive coaching on particular approaches to integrating social and emotional skills into academic content and developing hands-on lessons that link to real-world applications.

* Structural inequality has been defined as a condition wherein one group of people is attributed an unequal status to other categories of people. This dynamic is continued and reinforced by an assembly of unequal relations in roles, functions, decisions, rights, and opportunities. See, e.g., Liao, T. F., "Conceptualizing and Measuring Structural Inequality," (New Haven, CT: Center for Research on Inequalities and the Life Course, Yale University, 2009).

CONNECTICUT SCHOOL CLIMATE TRAINING

Connecticut has a history of prioritizing and providing school climate support to educators. In 2004, through the Connecticut Accountability for Learning Initiative, the state offered to educators in all districts free training related to several key priorities, including school climate improvement, providing culturally responsive education, and differentiated instruction for ELLs. Currently, the Connecticut State Department of Education provides extensive statewide school climate training at no cost for educators and principals, with priority given to those working in schools with the greatest need. The seven days of training consist of the following three components:

1. **Two-day basic training seminar** focused on what school climate is, why it is important, and strength-based models and effective strategies to establish a positive and respectful school climate.
2. **Three-day advanced certification training** to build the knowledge and skills of educators. This train-the-trainer model helps develop the capacity of educators to go back to their home schools and provide basic training and on-site technical assistance to other school staff.
3. **Two-day training for school climate committees.** As part of Connecticut's anti-bullying law, each school is required to establish a "safe school climate committee." This training helps committee members understand their roles and responsibilities, as well as providing them with examples of how to use school climate data to inform their improvement efforts.

For more information see sde.ct.gov/sde/cwp/view.asp?a=2618&q=321794 .

Schools and districts may want to consider the topics in the following table as some of the many that can be offered for professional development related to school climate and behavior management.[227]

PROFESSIONAL DEVELOPMENT TOPICS

Creating Nurturing and Safe Learning Environments

- Creating healthy relationships with and among youth
- Building strong learning communities in the classroom
- Organizing the physical classroom space to promote positive behavior and student learning
- Developing students' social and emotional competencies and cross-walking new CCSS with SEL competencies[228]
- Celebrating individual differences, and tailoring classroom management and teaching styles in response to cultural diversity*
- Examining implicit bias and cultural assumptions that may underlie disparities in treatment of students based on race, gender, sexual orientation, and special needs, among other characteristics[229]

Effectively Managing Student Behavior

- Creating healthy relationships with and among youth
- Establishing norms and expectations for behavior and reinforcing them in daily classroom and schoolwide activities[230]
- Implementing the code of conduct, including using alternatives to classroom removal for student misbehavior when possible and providing guidance on when to use last-resort options such as out-of-school suspension, expulsion, or calling police to intervene (and the consequences of employing those options)[231]
- Understanding and addressing the impact of trauma on learning and behavior[232]
- Examining data, behavior, and attitudes to ensure that certain student groups are not being disproportionately impacted by disciplinary policies or practices
- Addressing safety concerns and the needs of victims, and using restorative practices, de-escalation techniques, and other positive interventions when possible
- Drawing on an understanding of child and adolescent development to engage and respond to students

Targeted and Intensive Behavioral Interventions

- Understanding the principles and practices related to multi-tiered frameworks for organizing prevention and intervention strategies[233]
- Identifying students with more intensive behavioral needs through the use of early warning systems and other screenings/assessments as well as through classroom observation
- Building awareness of the role of student support teams (or other support personnel) and the referral process for services or special education evaluation
- Adhering to special education legal mandates
- Collaborating with families
- Implementing trauma-informed care approaches, including for children exposed to violence
- Using data to drive decision-making related to intervention strategies
- Using functional behavioral assessments and implementing behavioral intervention plans
- Carrying out a range of evidence-based behavioral health interventions tailored to individual students' needs and pursuing alternatives to suspensions, expulsions, and arrest
- Assisting students returning to the classroom from long absences, suspension, or juvenile detention

* Classrooms are becoming increasingly diverse, and educators are taking steps to ensure that schools respect and value this diversity and infuse cultural relevance into teaching and learning. Culturally competent schools and classrooms establish learning environments that embrace equity and high expectations for behavior and academic performance of all students.

BUILDING EDUCATORS' CULTURAL COMPETENCY: INDIANAPOLIS PUBLIC SCHOOLS INDIANAPOLIS, IN

In 2004, the Governor of Indiana signed legislation that requires school districts and accredited teacher training institutions to provide courses, policies and practices, and ongoing professional development to promote cultural competency. This legislation is intended to encourage the development of educators who can work effectively in culturally diverse settings, hold high expectations for all students, and increase their students' academic achievement.[234]

The Indianapolis Public Schools (IPS) has taken several steps to implement these mandates. In the 2010–11 school year, IPS schools were required to create annually revised individual plans for developing their staff's cultural competence. In the 2012–13 school year, the district required schools to integrate cultural competence into their official School Improvement Plans (SIPs), which were then submitted to the state.[235] Plans typically include several strategies:

- As a first step, IPS has each school administer a validated and reliable online self-assessment survey called the Intercultural Development Inventory to all educators.[236] It is used to assess educators' awareness, knowledge, and skills related to addressing the needs of culturally and linguistically diverse students.[237]
- Building on the self-assessment results, staff engages in conversations at the school level about how best to deliver culturally competent supports to students.
- Cultural competence is also integrated into instruction. In 2011, IPS began requiring educators to incorporate multicultural themes into lessons. To help teachers, the district created several curriculum guides.
- Many schools also have a Diversity Cadre composed of school staff and family members who help coordinate training, promote cultural activities, and establish an atmosphere that is responsive to a diverse student population. The Diversity Cadre meets with the Office of Multicultural Education every two months.[238]

In addition to the more traditional training or professional development programs, schools should encourage peers to share effective strategies and practices with each other. In a 2013 survey of high-performing teachers, respondents expressed that the most valuable professional development occurred when they had time and opportunities to test different instructional strategies, observe other teachers' methods, and receive feedback on their own teaching practice,[239] a finding that is consistent with feedback from other educators in the field. When designing professional development systems, district and school leaders should consider the following activities and ensure that information is being used to provide supports and additional training:

- ***Professional Learning Communities (PLCs)***
  As discussed earlier, teams of educators and specialized instructional support personnel can engage in regular dialogue to discuss problems and possible strategies for effectively managing student behavior and creating safe and welcoming learning environments. PLCs are often grade-level or subject-matter teams, but can also be cross-disciplinary around a particular theme or area of common interest such as better integrating technology into instruction or developing interdisciplinary project-based units. Typically PLCs convene during professional days or common planning times, although certain groups may choose to meet before or after school as well. PLCs or peer learning networks can also help support school and district leaders looking to share promising practices.

- ***Coaching***
  By observing teaching and behavioral management practices and then offering feedback, coaches can help educators enhance their skills to address problem behaviors while maintaining a positive environment. Coaching allows educators to consider more effective ways of addressing discipline issues. Some schools are implementing "real-time" (or "bug-in-the-ear") coaching, where educators have a wireless earpiece and coaches provide real-time feedback on classroom management and instructional strategies.[240]

- ***Mentoring***
  In mentoring relationships, a "master" educator provides support and one-on-one consultation to a less experienced teacher. Experienced mentors have accumulated many effective classroom management techniques and insights over the years, which they are able to share with their mentees.

- ***Videotaping***
  In-service educators are increasingly placing greater value on videotaping classroom lessons to determine ways they can more effectively reinforce positive behavior and respond to minor student misconduct. Videotaping exercises can also provide opportunities for educators to work with administrators to discuss ways they can improve their approach to handling persistent classroom disruptions. Waivers may be necessary when videotaping students.

- ***Learning Walks***
  Learning walks provide educators with informal opportunities to observe their peers in practice. A small group of educators goes from classroom to classroom to observe other teachers in action. The purpose is to observe—not evaluate—and to borrow practices and methods that work. To ensure that the teachers being observed feel comfortable, it is important to set ground rules before the walks, including an understanding that educators will only look for the positives in every room. The group then holds a debriefing session to discuss the positive practices.

MY TEACHING PARTNER

My Teaching Partner (MTP) is a system of professional development supports for educators (preschool through high school) designed to help improve teacher-student interactions through regular reflection and feedback.[241] Developed by the University of Virginia's Center for Advanced Study of Teaching and Learning (CASTL), MTP uses educators' videotaped instruction to provide individualized coaching to classroom teachers.

Every two weeks, teachers videotape their own instruction and send this footage to their coach. The MTP coach then reviews the video, using a validated and empirically based measure called the Classroom Assessment Scoring System (CLASS).[242]This tool examines dimensions of teaching including creating positive learning environments, effectively setting behavioral expectations, and engaging all students through interactive teaching strategies.[243] Following review of the videotaped lesson, the coach engages the teacher in a self-reflection process and together they develop an action plan for the next coaching cycle.[244] Over time, coaches and teachers develop strong relationships and are able to honestly talk about practice, address concerns, and express fears.[245]

CASTL hopes to adapt the model to PLCs as a way to deliver support in a cost-efficient and sustainable way. Educators would share videos of their practice based on the CLASS, provide feedback, respond to prompts and exemplary videos, and set joint and individualized goals for their next recordings. This type of collegial interaction helps build within schools a trusted community of educators committed to learning new strategies through video observation and reflection.[246]

A recent study in middle and high schools showed MTP to be effective in reducing office referrals and eradicating racially disproportionate discipline in MTP classrooms.[247] The study also provided evidence that MTP benefits both new and veteran teachers and that positive results hold over time. Educators have reported that seeing videos of themselves is a powerful self-assessment mechanism.[248]

RECOMMENDATION 2: **Create partnerships among school districts and educator preparation groups, including university-based and alternative certification programs, to design pre-service programs that include school climate and conditions for learning as integral curriculum components.**

Although districts and schools need first to address the skills of educators already engaging with their students, they must also ensure that efforts to change culture and practice are not undermined by incoming educators who have not been oriented to new approaches. By partnering with institutions of higher education and other education preparation groups, districts can help design pre-service programs that reflect the district's vision for creating a positive school climate and provide the necessary coursework and clinical experience

to prepare educators to manage classrooms. For school leaders this includes a particular focus on the factors that contribute to a positive school climate, the skills and strategies necessary for achieving supportive learning environments, and how to use data to inform improvement efforts.

The educator preparation landscape is becoming increasingly diverse, and candidates are able to choose from a range of university-based and alternative routes to certification.[249] In 2011, the U.S. Department of Education reported that 69 percent of preparation programs were considered "traditional" institutions of higher education, 21 percent were classified as "alternative routes" based in institutions of higher education, and 10 percent were alternative programs not based within institutions of higher education (such as Teach for America).[250] There is great variation among and within programs in terms of standards, content, and structure. Most programs, however, include some type of subject matter content and coursework on instruction, as well as clinical experiences in a school setting.

Although most educator preparation programs are primarily oriented towards curriculum, instruction, and content knowledge, they all typically include some type of classroom management course. These courses, however, tend to focus more on reactionary responses to misbehavior rather than proactive, preventive approaches.[251] In addition, instruction on classroom management is generally detached from practice in most programs so that educators-in-training have little opportunity to practice the strategies they learn through their coursework.[252] Increasingly, though, accreditation bodies and programs are recognizing the importance of creating the kind of learning environment that stimulates favorable behaviors and academic achievement. In 2013, the Council for the Accreditation of Educator Preparation (CAEP) Board of Directors approved new accreditation standards,[253] which require, among other knowledge and skills, that candidates demonstrate an understanding of the 10 InTASC standards,[254] including a specific standard on learning environments: "The teacher works with others to create environments that support individual and collaborative learning, and that encourage positive social interaction, active engagement in learning, and self-motivation."[255]

Coursework should be coupled with classroom observations and clinical experiences. School districts can collaborate with institutions of higher education to identify and provide clinical placements in a range of settings (urban, suburban, rural), and can also help recruit new educators who would be already familiar with district policies and practices. However, clinical experiences must expand beyond candidates spending a single day or similarly brief period as observers in a particular setting. Instead, placements must offer in-depth experiences where teacher candidates have ample opportunity to interact and adequately understand the distinct school context, preparing them to work in a range of settings.

ATTENTIONAL TEACHING PRACTICES COURSE: UNIVERSITY OF PITTSBURGH PITTSBURGH, PA

In 2013, the University of Pittsburgh School of Education launched a professional learning experience for its Masters of Arts in Teaching (MAT) candidates relating to social and emotional learning and creating supportive instructional environments in high schools. Developed through a collaboration between the Departments of Instruction & Learning, Psychology & Education, and the Center of Urban Education, the year-long Attentional Teaching Practices (ATP) course provides 20 hours of initial coursework before students' clinical placements begin, and ongoing meetings for the remainder of the year. The ATP course includes two primary components:

- **Psychological space for learning:** ATP participants learn how to examine a classroom and get a sense of how students are reacting to the teacher, their peers, and other environmental factors. Using the CLASS tool as an initial framework,[256] course participants review videotaped lessons and discuss instructional interactions, specifically what they observe of students' emotions and engagement, as well as teachers' self-awareness and regulation.
- **Capacity-building for teachers:** ATP course participants focus on building their own prosocial, healthy behaviors and develop strategies to apply these skills to their teaching.[257]

Review of the literature and interviews with practitioners about best practices indicate the following are elements of strong pre-service programs that support educators' ability to cultivate a positive school climate:[258]

- ***Strong partnerships with the school district***
  The relationships between pre-service programs and the school district should be reciprocal. They should share a vision for the competencies that all teachers need to create supportive learning environments and provide mutual support to achieve that vision. Districts can provide high-quality clinical placements for pre-service educators and train supervisors to provide constructive feedback. Pre-service programs can ensure that future teachers receive the preparation they need to support the district's culture and priorities. These programs' staff, particularly those housed at institutions of higher education, can also help provide professional development for in-service educators and share research on school climate and effective practices. Expert higher education faculty can also collaborate with districts on research and evaluation to examine school climate indicators and measure improvement.
- ***Extensive coursework related to issues of social and emotional learning, cultural competence, school climate, and discipline***
  Pre-service coursework should cover establishing and reinforcing expectations related to student behavior, designing engaging learning experiences that foster students' social and emotional skills, and de-escalating and managing conflict. Coursework should also emphasize the need to consider adolescent development, the impact of trauma, behavioral health, culturally appropriate responses, and other factors. Coursework must stress the long-term

consequences for students and families caused by suspensions, expulsions, and referral to the juvenile justice system, as well as when there are effective alternatives. This includes addressing the role that school personnel can have in dismantling patterns of inequality when they are revealed through analyses of discipline disparities.

- ***In-depth clinical experiences***
  Most educators find clinical experiences to be the most valuable part of their pre-service training. Effective pre-service programs provide adequate clinical experience (ideally one year) to allow students opportunities to observe the development of routines and rules at the beginning of the year and monitor how classroom climate is established and how it is carried forward throughout the year.

- ***High-quality supervising teachers***
  Supervising teachers work with candidates to build their skills and reflect on practice. Supervisors serve as a model for pre-service educators and should be skilled in the principles of school climate. Mechanisms should be put in place to ensure that teaching candidates are effectively trained and supported.

- ***Field training in hard-to-staff schools***
  Strong pre-service programs place teaching candidates in both high-performing and struggling schools. Assignment to a wide range of educational placements and settings helps teaching candidates develop skills to work with different types of administrators, educators, and students so they are fully prepared to enter the teaching workforce. Pre-service educators can help struggling schools improve school climate and subsequently improve outcomes for students by helping to reduce student-teacher ratios, providing one-on-one support to struggling students, and developing strong, supportive relationships with students, among other activities.

- ***Understanding of the range of backgrounds and cultures within the school(s) they work with***
  Classes, internships, and research opportunities focused on race, socioeconomic class, and culture should elevate aspiring teachers' awareness of cultural and implicit biases, particularly for educators with backgrounds that differ from their students. Coursework should emphasize the strengths of diverse school populations and explicitly discuss gender expression and how educators can best support LGBT students as well as students with special learning needs.

  These experiences put aspiring teachers in contact with community members and enable them to understand local cultural institutions and resources that the school can use. These interactions and experiences increase teaching candidates' understanding of their students. For example, the Academy for Urban School Leadership (AUSL) Teacher Residency program in Chicago has developed an education research course on urban issues in which pre-service program participants learn about the historic context of their assigned school and have opportunities to research the local community. They interview community members, map resources, and discuss ways to facilitate school partnerships. Aspiring educators also discuss in group settings the different dynamics in serving a diverse population of students.[259]

- ***Assessments of pre-service educators' competencies in establishing supportive learning environments***
  Evaluations are integral to charting pre-service educators' skill development, including the ability to engage students and families, exhibit cultural competence, demonstrate classroom management skills, and promote a positive and supportive learning environment.[260] Following extensive pilot- and field-testing, more than 480 educator preparation providers in 32 states and the District of Columbia are implementing the edTPA, a performance-based assessment. The edTPA became fully operational in September 2013 through a collaboration between the American Association of Colleges of Teacher Education and the Stanford Center for Assessment, Learning, and Equity. Through video clips and performance observations, edTPA assesses the extent to which teaching candidates engage students in learning and create supportive and interactive learning environments, among other skills.[261]

Developing skills and supports for current and future educators and providing constructive feedback on their performance is difficult to achieve without district and school leadership and support. Because so much of an educator's success depends on the priorities and resource decisions made by school leaders, it is important that there are processes for providing feedback to principals as well.

RECOMMENDATION 3: **Ensure that school principal evaluations include measures that examine the extent to which principals are fostering a welcoming school climate and the conditions necessary for learning for all students.**

Studies have shown time and again the critical role that school principals play in creating and sustaining a positive school climate.[262] They set the tone and priorities of a school, communicate expectations for quality teaching and learning, and put policies and procedures into place that can create an environment of open communication, high expectations, and trust. School leaders also play a role in identifying professional development for educators and make hiring decisions to ensure that new staff embraces the school's values. Despite the critical impact school leaders have on student success and school climate, many principals are not formally evaluated in any meaningful way on this measure. Evaluations typically focus narrowly on aggregate student academic achievement and test scores, rather than incorporating multiple measures that reflect an administrator's role in supporting students' learning experiences.

Just as teacher effectiveness has gained the national spotlight, principal evaluation is also emerging as an issue of concern to the public and policymakers alike. In 2012, the National Association of Secondary School Principals (NASSP) and the National Association of Elementary School Principals (NAESP) released a proposed framework for principal evaluation, which includes school culture as one of the domains.[263] Some districts also are amending their principal evaluation systems to examine the principal's role in improving school discipline and school climate.

SCHOOL CLIMATE IN PRINCIPAL EVALUATIONS

Chicago Public Schools

The Illinois State Performance Evaluation Reform Act (PERA) requires all districts to design and implement performance evaluation systems that assess teachers' and principals' professional skills as well as incorporate measures of student growth. As a result, Chicago Public Schools (CPS) launched a new principal evaluation system in January 2013.[264] The new evaluation system incorporates multiple measures, including test scores and student growth. These measures also include observations of school principals that specifically examine these aspects of school climate:

- Creating a culture of professionalism among staff
- Fostering a positive school culture
- Promoting family and community engagement

Principals are observed twice a year by their Chief of Schools. Following the observations, Chiefs meet with principals to review feedback from the observations. Principals have the opportunity to discuss goals with Chiefs before their first observation and also submit a self-assessment that informs their overall rating.[265]

Spokane Public Schools

In 2010, the Washington State Legislature passed a bill authorizing a pilot Teacher/Principal Evaluation Project (TPEP).[266] Spokane Public Schools (SPS) was one of eight districts selected to participate in the initial pilot. The following year, the state identified 65 districts to participate as "early adopters" of the pilot work and, along with the initial eight districts, helped pilot test several different frameworks for evaluating teachers and principals.[267]

In 2012, another law passed requiring all schools in the state to adopt new evaluation frameworks for school leadership and teachers from among those pilot tested.[268] The state's Office of the Superintendent of Public Instruction (OSPI) identified the Association of Washington School Principals' (AWSP) Leadership Framework and The Marzano School Leadership Evaluation Model as approved school principal evaluation frameworks.[269]

In the 2013–14 and 2014–15 school years, principals and assistant principals in their first three years on the job will be part of the new evaluation system. In the 2015–16 school year, the new system will expand to include all principals and assistant principals. Of the eight evaluation criteria on the AWSP Framework, several metrics reflect school climate:

- **Culture:** Establish, support, and sustain a school culture that encourages continuous improvements for all students and staff.
- **School Safety:** Develop and annually update the comprehensive safe schools plan (including prevention, intervention, crisis response, and recovery).
- **Community Engagement:** Communicate and collaborate with individuals connected with the school.

SCHOOL CLIMATE IN PRINCIPAL EVALUATIONS *(continued)*

The Marzano Leadership framework devotes an entire domain to school climate that examines how a school principal

- continuously improves his or her professional practice;
- forges trusting relationships with faculty and staff;
- ensures that faculty and staff, students, parents, and the community perceive the school environment as safe and orderly; and
- acknowledges the success of the whole school, as well as individual students and adults.

The "Cooperation and Collaboration" domain also examines the school leader's ability to ensure that educators, students, parents, and community have formal ways to provide input into school decision making.[270]

RECOMMENDATION 4: **Expand school climate and conditions for learning indicators in educators' evaluations where a comprehensive school climate plan is in place and/or educators have been provided with appropriate professional development and pre-service training to monitor their progress on implementing strategies that improve the classroom environment.**

Although evaluation systems for classroom educators have been the subject of intense debate, every state has some type of such a system. There is general agreement that educators face near impossible tasks not only in satisfying academic mandates, but also in meeting expectations for helping children deal with social, emotional, family, and many other issues that can affect learning. There is considerably less consensus, however, about how to evaluate educators' efforts given the expectations and resources they are provided to achieve their goals. Most teacher evaluation processes have consisted of short, infrequent classroom visits conducted by principals or other building administrators. Administrators have varying levels of training on observational protocol, which has resulted in inconsistent performance ratings and has raised concerns about the limited usefulness of feedback to educators.[271]

The development of educator evaluation systems is an ongoing challenge. Because of state law changes, priority points attached to federal funding opportunities, and federal ESEA flexibility, in 2013 more than 40 states were moving to design and implement new systems of educator evaluation based on multiple measures such as observations; student data; and surveys from students, parents, and other staff.[272] Other states and districts are including in their educator evaluations additional indicators related to school climate and managing student behavior. Many states and districts have gone further, adopting or adapting research-based frameworks as a foundation for observation evaluations, such as Charlotte Danielson's Framework for Teaching.[273] Classroom environment is one of the four domains of this framework and includes indicators for assessing educators' success in "creating an environment of respect and rapport;

establishing a culture for learning; managing classroom procedures; and managing student behavior."[274] Observations can provide important information on the quality of the learning environment that educators create. In conducting observations, it is important to use a validated observation tool. In addition, training should be provided to school administrators and other staff who conduct observations on how to effectively identify appropriate practices and provide constructive feedback.[275]

Observation data alone does not sufficiently provide a holistic picture of whether educators are effectively implementing school climate improvement strategies. Observation data should be supplemented with additional measures to assess educators' use of classroom management techniques and skills in creating the conditions necessary for learning. Research has shown that the most effective educator evaluations include multiple measures that reflect the complex nature of effective teaching.[276] These measures include the following:

- ***Survey:*** Gather student perceptions of the learning environment.[277]
- ***Student discipline data:*** Include how often an educator refers students to the office or to in-school disciplinary settings, and requests officers to intervene;[278] the outcomes (e.g., referral to student support team or counselor, additional assessments, or sent back to class); and any disparities.
- ***Self-assessment:*** Include opportunities for educators to reflect and provide examples on strategies they have used to foster a positive learning environment and minimize student misbehavior.[279]
- ***Peer-assessment:*** If possible, allow peers to provide information on the extent to which educators are effective in promoting a healthy classroom climate.

Evaluations should be used to inform and help improve educators' practice, rather than as a punitive measure. The following elements should be included in the continuous growth process:

- ***Post-evaluation conference***
  Administrators should share evaluations with educators and give educators an opportunity to respond. They can discuss ways to improve instructional practice to sustain positive learning environments, effectively employ alternatives to suspension, and provide students with the services and supports they need.
- ***Professional growth and development***
  There should be a strong system of professional development and support to help educators strengthen practice and reach goals. The content of the professional development should be aligned with evaluation indicators to ensure that educators know what will be evaluated and have ample opportunity to learn and practice these skills. Results from the evaluation will then inform what additional professional development will be needed. School climate should also be part of all educators' professional growth

SCHOOL CLIMATE IN EDUCATOR EVALUATIONS: LEADING EFFECTIVE ACADEMIC PRACTICE (LEAP) IN DENVER PUBLIC SCHOOLS DENVER, CO

In the spring of 2011, Denver Public Schools (DPS) began piloting a new system for evaluating and supporting educator effectiveness. Designed in partnership with teachers and school leaders, LEAP provides educators with a multiple-measure view of their teaching practices as well as access to professional development to support continued growth. LEAP was fully implemented in DPS schools in the 2013–14 school year for classroom teachers. The district is also in the process of launching new evaluation and growth systems for school leaders and special service providers.

Half of LEAP is based on student academic growth, including state measures, school measures, and Student Learning Objectives (to be implemented in the 2014–15 school year).[280] The other half of the system is composed of "professional practice" measures including the following:

- **School leader and peer observations**, which examine indicators related to classroom learning environment and instructional practices, using the DPS Framework for Effective Teaching as a rubric.[281]
- **Professionalism measures** use a DPS-created rubric to examine how well teachers contribute to a positive school climate and a culture that fosters student learning.[282]
- **Student perception surveys** that examine students' views of how teachers facilitate learning, support students emotionally, provide an engaging learning environment, and have high expectations for student behavior and academic effort.[283]

plans, with specific goals clearly articulated and regularly revisited and revised.

It is also recommended that educators and their representatives and advocates be involved in the design of evaluation systems. This can increase buy-in for the inclusion of school climate indicators and improve the overall effectiveness of the system. Including school climate indicators in performance evaluations, however, is not without challenges. Most indicators are measured through observation, which can be costly, time consuming, and potentially misleading if based on a small snapshot. Districts and states need to provide the necessary resources to school leaders to conduct high-quality observations that thoroughly examine practice and

provide valuable feedback to educators.

Conclusion

When schools provide appropriate conditions for learning—a safe, supportive, welcoming school climate in which students and teachers feel valued and able to meet high expectations—students are more likely to achieve academic and behavioral goals.

School climate and disciplinary actions are inextricably linked. When students are engaged and connected with teachers and peers they are more likely to stay out of trouble and in school. Disciplinary actions that routinely remove students from school for minor misbehavior or code of conduct violations can undermine feelings of fairness, attachment to school, and the other elements of a school climate that make it possible for students to learn. Understanding, prioritizing, and promoting a positive school climate requires both aggressive school leadership and the commitment of all adults working in schools, students and their families, and the entire school community.

KEY TAKEAWAYS

- School leaders, teachers, students and their families, and others engaged with the school need to share a common understanding of what a "positive school climate" really means and how to measure progress in achieving the conditions necessary for learning.
- Schools that prioritize positive school climate strategies can redirect the focus of responses to student misconduct from primarily reactive approaches to prevention strategies.
- Policymakers and school leaders need to provide the supports and structures to improve conditions for learning, which means resources cannot continue to be dedicated so narrowly to supporting academic achievement goals and accountability mandates.
- Meaningful change to school climate must be data driven and requires the active support of all stakeholders, including school administrators, teachers, and staff; behavioral health, child welfare, law enforcement, and juvenile justice professionals; community service providers; and students and their families.
- School policies must reflect principles of fairness, equity, and transparency, particularly in regard to disciplinary policies that have been linked to a disproportionately negative impact on students of color, youth with disabilities, and students who self-identify as LGBT.
- School codes of conduct should promote positive adult and student behaviors and provide a graduated system of responses to misbehavior that focuses on keeping students in the classroom, ensuring that they take responsibility for their actions, and addressing their behavioral health needs—with removal from school an option of last resort or in response to safety and victim needs.
- Although some school climate strategies require no additional resources, others clearly require that additional training, professional development, structures, and time-allocations be provided or enhanced for educators and other school personnel to effectively implement them.
- School climate work needs to be better integrated into school safety planning, student support team efforts, and other activities that involve law enforcement, behavioral health professionals, and others working with students in the school.

TARGETED BEHAVIORAL INTERVENTIONS

SUMMARY OF POLICY STATEMENTS AND RECOMMENDATIONS

POLICY STATEMENT I

District leaders, school administrators, and educators develop and use data-driven processes to identify and tailor responses for individual students with more intensive behavioral and related needs early and to guide decisions on resource allocation and providing interventions.

RECOMMENDATION 1: Develop and use early warning data systems (EWSs) as a tool to identify students in need of targeted and intensive academic and behavioral supports—including interventions that can help prevent disciplinary actions—and ensure the school community is clear on how the EWS will be implemented.

RECOMMENDATION 2: Incorporate students' strength-based indicators into the EWS and use this information to guide the provision of tailored and intensive interventions.

RECOMMENDATION 3: Ensure that state and district officials, school leaders, and educators analyze and use EWS data to guide decision making at the classroom, school, district, and state levels.

POLICY STATEMENT II

The range and intensity of students' behavioral health and related needs is fully assessed, as is the school and district capacity to meet those needs.

RECOMMENDATION 1: Assess students' aggregate behavioral needs to inform the school's action plan for providing a comprehensive set of multi-tiered, targeted, and intensive interventions.

RECOMMENDATION 2: Assess the school's internal and external staffing and systems capacities, expertise, and resources, and identify gaps in services to develop a comprehensive and cohesive system of tailored interventions.

POLICY STATEMENT III

School leaders and staff establish or enhance a school-level interdisciplinary student support team(s) to meet the needs of students with more intensive academic and behavioral needs.

RECOMMENDATION 1: Ensure that the development or enhancement of the student support team(s) is responsive to the school's distinct characteristics and includes a transparent referral process for students who may need more intensive academic and behavioral supports.

RECOMMENDATION 2: Clearly define the roles and responsibilities of the student support team as a whole and of individual members, to help ensure that students' needs are fully identified and addressed appropriately, and that students and their families are engaged in the process.

RECOMMENDATION 3: Give student support teams the necessary resources and supports to complete their tasks effectively, including providing an electronic system to track students' academic and behavioral improvement goals, monitoring their progress over time, and measuring the effectiveness of intervention strategies.

POLICY STATEMENT IV

Schools and districts use a systems-of-care approach to provide a comprehensive and multi-system array of intervention strategies to address students' behavioral health and related needs.

RECOMMENDATION 1: Develop partnerships with external providers to deliver behavioral health and related services to individual students on and off the school campus.

RECOMMENDATION 2: Leverage multiple funding sources including combining resources to support the development of partnerships and the delivery of services.

POLICY STATEMENT V

States and school districts provide all students, including those removed from campus for disciplinary reasons, with access to high-quality alternative education services that address the students' social-emotional, behavioral health, and academic needs.

RECOMMENDATION 1: Provide all students removed from school for short-term disciplinary violations with an alternative education option that affords continuity in learning and any needed behavioral health supports, as well as mechanisms for fully reintegrating the students back to the traditional school environment.

RECOMMENDATION 2: Establish a continuum of multiple pathways for all students who are not succeeding in traditional education settings and align the pathways with students' academic, behavioral health, and related needs.

INTRODUCTION

STUDENTS IN PUBLIC SCHOOLS across the country have a range of behavioral health needs that can vary significantly in both type and severity.* Nationally, one in five children has a diagnosable mental health disorder,[1] and one in ten children has a mental illness that is severe enough to impair how he or she functions at home or in school.[2] Most of these children do not receive adequate support to address their mental health needs.[3] Students in poverty, children in the child welfare system, and children of color are more likely to have behavioral health issues, and are less likely to receive services to meet their needs than their peers.[4]

Lack of both supports and targeted, appropriate responses that address students' behavioral health needs can result in chronic misbehavior or other conduct of concern. These behaviors may in turn lead to the imposition of exclusionary disciplinary measures or even arrests, as well as a host of negative academic and behavioral outcomes. These students need more supports and interventions to keep them engaged in the classroom and from misbehaving than the school climate-related approaches discussed in the previous chapter. Numerous research studies conducted in the last few decades provide evidence that students with behavioral health needs face particular challenges in school and are more likely to have lower academic performance, drop out of school, and experience higher rates of school disciplinary actions.[5]

A Roadmap to the Chapter

Given the well-documented relationship between behavioral health and school discipline, the policy statements and recommendations in this chapter outline a comprehensive approach by schools, families, and communities to work together to support students that have behavioral health needs that cannot be addressed through whole-school efforts. The majority of this chapter discusses recommendations to improve outcomes for students with behavioral needs, in particular how addressing this population of students is related to reducing the use of exclusionary discipline. Students who are repeatedly disciplined, however, may also have other unmet needs, including academic or physical health needs, that should also be integrated into efforts to provide more targeted responses to student behavior. The following are key components of this integrated approach:

- Providing accessible, real-time data that can help educators and other staff identify early the students who are at risk for poor academic and behavioral outcomes as well as formal disciplinary actions.

* Although the physical health needs of students are of critical importance (particularly given the evidence that nutrition, vision, presence of lead, and myriad other health factors have significant impact on students' success in schools), this publication focuses primarily on mental health and other behavioral health needs that are often directly related to disciplinary actions. For the purpose of this report, behavioral health includes mental health and substance abuse issues, and their co-occurrence.

- Conducting a comprehensive assessment of the school's and the community's capacity, resources, and existing policies for providing targeted behavioral health and other interventions based on the student population's needs.*
- Building internal capacity by assigning responsibility to student support teams to ensure that intervention strategies are coordinated and tailored to individual student needs, and monitoring progress and the effectiveness of implementation.
- Establishing partnerships with external providers to supplement internal resources and provide access to a range of interventions to support students within a larger system of care.
- Providing students removed from school—and all students not successful in a traditional school setting—with a quality alternative setting to continue their education and receive needed services.

Background

Creating a positive school climate and culture, discussed in the previous chapter, should translate into fewer disciplinary actions. A positive school climate sets appropriate expectations and encourages respectful and supportive interactions. It also changes the ways in which school leaders and educators react to misconduct by creating a graduated system of appropriately scaled responses.

Additionally, coordinated school health promotion efforts (e.g., health education, mental health services, physical education, and nutrition services) can help de-escalate behavior problems, as well as prevent the need for more intensive interventions. As stressed in the previous chapter, district and school leaders can improve overall student health and positive interactions in the school by ensuring that behavioral health and related issues are integrated into school improvement plans, curricula, lesson planning, and in professional development opportunities for educators and other school-based staff. For example, schools can incorporate trauma-informed approaches into their school improvement plans or into teachers' instructional strategies.

Educators, parents, students, and other stakeholders agree, however, that a supportive school environment and efforts to promote health goals for all students are only the first steps. Schools must also provide targeted supports and interventions to minimize exclusionary discipline practices, improve student academic outcomes, and respond effectively to students with greater levels of behavioral needs.

* This report does not discount the need to support students who have other challenges, such as housing, academic performance, and poverty, but the primary focus of this chapter is on behavioral health and related needs.

WHAT DO WE MEAN BY BEHAVIORAL HEALTH NEEDS AND DISABILITIES?

The term "behavioral health" refers to a state of mental/emotional wellbeing and/or choices and actions that affect wellness. The behavioral health needs that students may have include substance abuse or misuse; alcohol and drug addiction; serious psychological distress; and emotional, mental, and behavioral disorders. These include problems ranging from unhealthy stress to diagnosable and treatable diseases, and from serious mental illnesses to substance use disorders, which are often chronic in nature but from which people can and do recover. The term "behavioral health" is also used to describe the service systems that promote emotional health and recovery support, as well as the prevention and treatment of mental and substance use disorders and related problems.[6]

This report also refers to students with "special needs" or "disabilities." Not every student with a behavioral health need is identified as having a disability in school, and students with disabilities also may not have behavioral health problems. To be identified as having a disability that qualifies a student for services under the Individuals with Disabilities Education Act (IDEA),[7] a child must receive a full and initial evaluation. Under IDEA a "child with a disability" falls under one or more of 13 disability categories:

1. Autism
2. Deaf-blindness
3. Deafness
4. Emotional disturbance
5. Hearing impairment
6. Mental retardation
7. Multiple disabilities
8. Orthopedic impairment
9. Other health impairment
10. Specific learning disability
11. Speech or language impairment
12. Traumatic brain injury
13. Visual impairment, including blindness

This chapter focuses on all students with behavioral challenges, including those with behavioral health needs and students who receive IDEA evaluations and are identified as having a disability. [8]

What the Research Says

Research demonstrates that students identified with disabilities are disproportionately involved in the school discipline system as well as in the juvenile justice system.[9] Studies of secondary school students with identified disabilities found that they were suspended at nearly triple the rate of their peers without disabilities.[10] Students with emotional disturbances (a category used under IDEA),[11] and children who have experienced trauma—a disproportionately large percentage of whom are children of color—have an increased likelihood of coming into contact with the school disciplinary and juvenile justice systems.[12] Furthermore, African-American students with emotional disturbances have the highest rates of suspensions among students from any disability category or racial group.[13]

Many children in the public education system have experienced multiple traumas. Every year millions of children suffer personal tragedies (such as the loss of a parent) and/or are exposed to violence, either as victims or witnesses in their schools, homes, or communities. The National Institute of Mental Health defines childhood trauma as "the emotionally painful or distressful experience of an event by a child that results in lasting mental and physical effects."[14] Research shows that youth who have had traumatic experiences tend to have more difficulty regulating their own behavior and emotions, impulsivity, and defiance, which can greatly affect their classroom behavior and academic outcomes.[15] Not surprisingly then, the prevalence of children with exposure to trauma is also higher in juvenile justice settings than in the general population.[16] Untreated, chronic exposure to traumatic events in childhood can lead to more significant behavioral health issues in the adult years. Although the presence of an emotional or behavioral problem does not automatically translate into student misbehavior, these issues put students at greater risk for academic difficulties, involvement in the school's disciplinary system, and contact with the juvenile justice system.

Why Should Schools Be Involved in Providing Targeted Behavioral Interventions?

With the increased demand on educators and administrators to improve academic performance and the majority of resources allocated towards this goal, schools struggle to meet the behavioral health and related needs of students. There are a number of reasons why schools are the logical place for students to receive these services:

- Although schools' main focus is education, the connection between behavioral health and academic success is supported by evidence as well as educator experience.[17]
- These services support learning, and providing them at school enhances their impact and reduces time lost to receive services in the community during school hours.
- Schools have the most frequent contact with children and youth, and as a result are typically the place where students' behavioral needs are identified.

- Given the number of external service providers and community agencies that interact with schools, these institutions are a natural place where efforts to support behavioral needs can be integrated and coordinated.
- Accessibility to services is better when services are provided in schools (as there are not as many issues related to transportation or to coverage for treatments).
- Schools are familiar to parents and students, and may be the place where they feel most comfortable receiving services.

Current State of Practice

It has become increasingly apparent that a significant percentage of many schools' student populations needs targeted behavioral interventions, and that such services can be critical to reducing the frequency with which students are removed from school for disciplinary reasons. Schools, however, have been absorbing budget cuts over the last decade that have contributed to the reduction of behavioral health and support staff and the availability of their services. Even schools and districts that have adequate staffing often lack the necessary systems and structures to properly support targeted behavioral interventions. Conversations with practitioners reveal deep concerns about the chronic lack of resources and a shortage of critical behavioral health and other professionals. Against this backdrop, schools triage limited services primarily for students with the most intensive needs and struggle with the increasing number of students who require support.

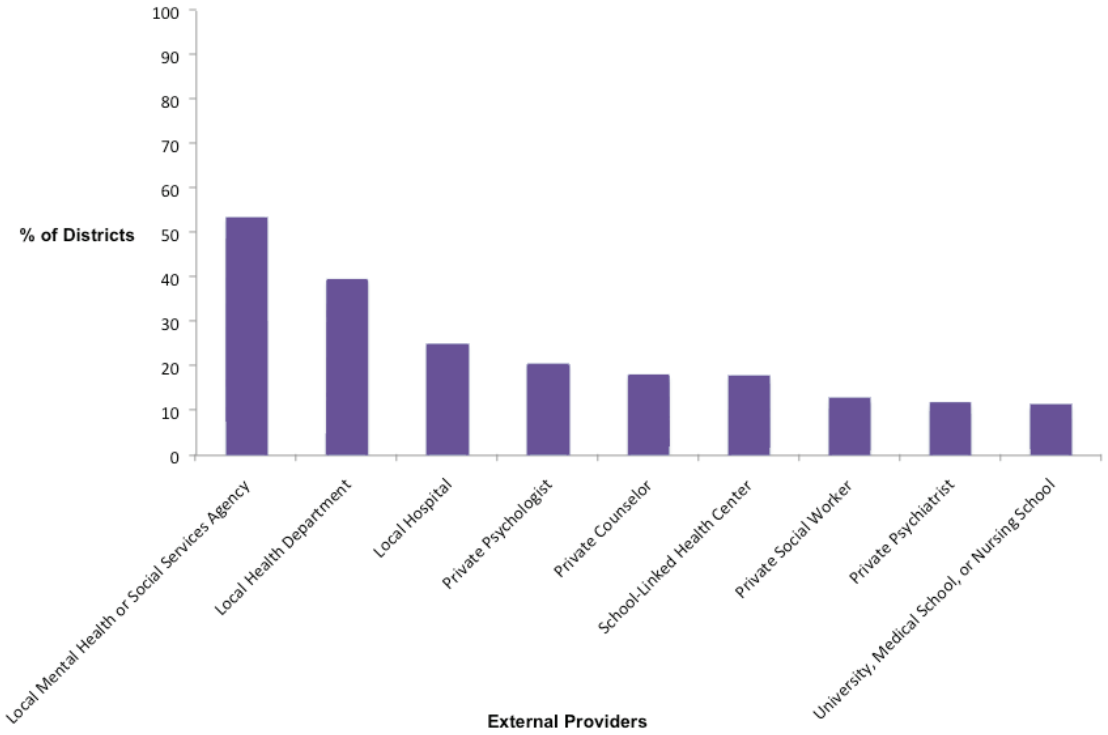
School Capacity to Address Targeted Behavioral Needs

To provide behavioral interventions and related services, many elementary and secondary schools traditionally use their own staff and supplement the work of these professionals through contracts with external service providers. Districts use a variety of funding streams from federal, state, local, and private sources to support behavioral health initiatives; however, resources continue to fall far short of long-term funding needs for effective school-based interventions.[18]

According to a 2012 national survey of school health policies conducted by the Centers for Disease Control (CDC), 60 percent of responding districts used arrangements with external organizations or healthcare professionals to provide mental health and social services. Figure 1 details the types of agencies and providers used by those districts with external partners.*

* The CDC survey had a response rate of 77 percent, with 804 of the 1,048 eligible district agencies responding.

FIGURE 1. EXTERNAL PROVIDERS OF MENTAL HEALTH AND SOCIAL SERVICES USED BY SCHOOL DISTRICTS



In other findings, 28 percent of the districts in the survey indicated that in their middle schools they adopted a district policy that specifies a required minimum ratio of counselors to students, and 32 percent of responding districts required this for high schools.[19] Most schools across the country provide some type of behavioral health service, with the most common being individual counseling, case management, and group counseling.[20]

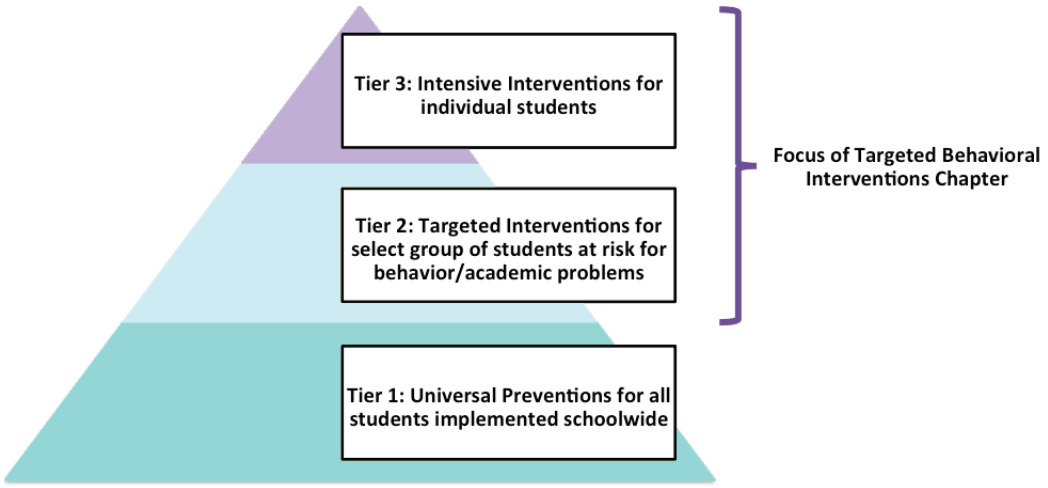
Current Approaches to Providing Behavioral Interventions

School and district leaders throughout the nation are developing innovative approaches to make the most efficient use of resources to meet the needs of their students through a multi-tiered approach modeled after work in the public health field. While there is no single, uniform multi-tiered model that schools and districts have adopted, some of the most popular frameworks involve three levels of interventions. The first tier, applied to all students, comprises school-wide universal strategies aimed at developing a positive and safe climate in the school and in each classroom (as discussed in the previous chapter). The second and third tiers of services concentrate on a subset of students for whom Tier 1 universal supports are insufficient. These students exhibit greater levels of need that call for tailored interventions (Tier 2) and more intensive interventions (Tier 3). If Tier 1 universal strategies are implemented effectively in a school, research demonstrates that the percentage of students who require Tier 2 interventions

should be about 10 to 15 percent of the student population and Tier 3 interventions should be expected for about 5 to 10 percent of all students.* This means that universal strategies will have to be more comprehensive in places where the overall level of student need has been determined to be high.† Multi-tiered frameworks recognize that some students will need more targeted interventions than others, but the starting point for providing supports is creating and sustaining a positive learning environment for all. Even though many schools are moving toward adopting a multi-tiered framework, there are still numerous challenges to achieving efficiencies in matching interventions to student needs and aligning fragmented services.

There are many cases where schools and districts are employing tools to maximize the efficiency of a multi-tiered model of interventions. In some places, schools and districts are using early warning data systems (EWSs) and other tools to identify students who are at greater risk of dropping out of school and experiencing other poor academic and behavioral outcomes.‡ Some schools have also established interdisciplinary teams of educators and other school-based staff who problem-solve and develop individualized plans for students who would particularly benefit from additional engagement, including Tier 2 and Tier 3 interventions. Such teams then closely monitor student progress to ensure that interventions are effective and students are achieving personal growth. It is difficult, however, to find examples of where the various pieces of an effective intervention framework and delivery system (using data-driven tools, monitoring progress, teams of educators working together) are used to their fullest potential.

FIGURE 2. MULTI-TIERED FRAMEWORK FOR INTERVENTIONS



* Positive Behavioral Interventions and Supports (PBIS), Response to Interventions (RTI) and other tiered intervention frameworks estimate that these percentages of students will need Tier 2 and 3 levels of interventions to be successful in school. These percentages are also used by some of the practitioners and researchers who were interviewed for this project.
† See Policy Statement II, Recommendation 1 for a discussion about conducting a behavioral needs assessment to determine the level, type, and severity of needs in a school.
‡ Although some advisory group members raised concerns about calling these systems "Early Warning Data Systems" because of the connotation the term may have in the juvenile justice field, this term is used in this report as it is the most commonly used term among education practitioners to refer to these systems.

Although many school systems are taking steps to improve the delivery of services to students with more intensive behavioral challenges and related needs, most are using piecemeal approaches rather than developing a comprehensive community/school integrated system. For example, just having an identification tool for youth at risk for disciplinary action or dropping out is inadequate if a school does not have the necessary support structure to match those students with needed interventions and services. Similarly, a multi-tiered framework for interventions is not sufficient if there is no capacity to monitor school-wide data as well as the progress of the students receiving services.

It is difficult to succeed in helping students with intensive behavioral needs if schools and districts are acting alone. District and school leaders must collaborate effectively with community- and faith-based organizations, public agencies, families, specialized instructional support staff, other stakeholders, and students themselves to establish a comprehensive system that builds on the research and successful experiments that have been carried out in schools and communities across the country. By working together, schools and communities can leverage and combine resources and expertise to build a system that emphasizes the collective responsibility of all educators and adults serving higher need students. The policy statements and recommendations that follow address implementation challenges that practitioners and policymakers are facing, and the lack of structures and integrated approaches that impede the delivery of interventions to students.

POLICY STATEMENT I

District leaders, school administrators, and educators develop and use data-driven processes to identify and tailor responses for individual students with more intensive behavioral and related needs early and to guide decisions on resource allocation and providing interventions.

As the Introduction to this report suggests, students who are continually involved in the disciplinary system are more likely to repeat a grade, drop out of school, or become involved with the juvenile justice system. In a study of nearly one million secondary public school students in Texas, 15 percent were disciplined more than 11 times between their 7th and 12th grade years.[21] This data suggests that the schools' disciplinary strategies are not working for those students who are being suspended over and over again. Large numbers of student suspensions and the recurrent suspension of a single student are just two of many indicators that a school should examine its provision of multi-tiered interventions or allocation of resources.

EWSs are increasingly being implemented as an early-identification tool that schools can use to better support students with significant academic and behavioral needs. EWSs can also inform efforts to more aggressively help prevent students' repeated involvement in the disciplinary system. EWSs use key predictive indicators related to academic performance, attendance, and behavior to provide information to educators, school and district leaders, and service providers about students who are off track to graduate or at risk of dropping out of school. Most EWSs are developed at the state or district level. These systems are sometimes connected to state or district longitudinal data warehouses that store individual student-level information used by policymakers, administrators, and educators to make decisions related to improving student outcomes and the quality of instruction. Through these data warehouses, each student is assigned a unique identifier that tracks his or her individual records across time, location, and the education continuum.

In other cases, states and districts use longitudinal data to create predictive models, and then districts and schools apply those models to real-time data on student attendance, behavior, and course performance collected at the school level. Some individual schools have developed their own versions of an EWS or other early-identification tool, though many times these tools are spreadsheets that are less capable of providing the real-time reports that can most effectively guide student supports and interventions, especially when large numbers of students are in need. Some highly effective schools, however, have been able to expand simple tools that draw on teacher and adult knowledge of students along with hard data. Over time school leaders use early indicators to build these tools into more responsive, real-time systems. A smaller number of districts and schools have become early adopters of more sophisticated electronic data systems developed at the district or state levels that are showing great promise.

The primary mission of districts and schools using EWSs has been to identify individual students who are struggling academically, chronically missing school, or receiving poor behavior marks

or disciplinary actions. There are some concerns that these EWSs can or will be used to label, segregate, isolate, or push low-performing or disruptive students out of their classrooms or schools. Policies and oversight are required to prevent the misuse of these systems and also to ensure that the information gleaned from an EWS is used to help educators intervene early enough to prevent students' dropping out, being held back, or other negative academic consequences. The data also should be used by educators, individuals with mental health expertise, specialized instructional support staff, and other adults in the school who work with youth to provide tailored services and supports to help keep students in the classroom and out of the disciplinary and juvenile justice systems. All of these adults should receive proper, ongoing training and professional development on using these tools only for identification, referral, and service-matching purposes at the student level.

Beyond its use for identifying students and service matching, EWS data can also help identify schools and districts struggling or failing to address the academic or behavioral needs of students. Using such data, district leaders can more effectively focus their technical assistance and support efforts on places where there are large numbers of suspensions and expulsions. EWSs can also help to identify schools that are referring a disproportionate rate of particular groups of students for behavioral interventions or special education evaluation. This data can help school district and state leaders tailor professional development and training, allocate resources for particular programs and initiatives, and determine staffing for behavioral health or other professionals.

Despite these benefits, efforts to create and use EWSs still appear only in pockets across the country. Information on the precise number of states, districts, and schools that are currently using an EWS is difficult to ascertain. Even among early adopters of these systems, information on the effectiveness of the systems is limited. Surveys of practitioners and reviews of the literature reveal that more research is needed on the availability of such systems, how they are currently being used, and the implementation challenges in bringing the systems to scale. What is clear is that EWSs can provide valuable information, which, if used appropriately, can assist educators and administrators in better supporting students with intensive needs. Reports also indicate that these tools can be used to more effectively direct resources and build capacity in schools and districts that may need assistance in developing alternatives to suspension and expulsion.

The following recommendations focus on

- the need to develop or expand the use of EWSs to better support students at risk for involvement in the disciplinary system and who have behavioral and academic issues;
- indicators that should be included in EWSs to guide targeted behavioral interventions and how the data should be interpreted by professionals; and
- district and state leaders' use of EWS data to prioritize resources and technical assistance to those schools and districts that have high rates of exclusionary disciplinary actions, particularly for students of color and students with disabilities.

RECOMMENDATION 1: **Develop and use early warning data systems (EWSs) as a tool to identify students in need of targeted and intensive academic and behavioral supports—including interventions that can help prevent disciplinary actions—and ensure the school community is clear on how the EWS will be implemented.**

States and school districts are at varying stages of developing and using EWSs. For those jurisdictions that have not yet developed an EWS, a staged approach may be the best method to get a system up and running quickly, with modifications and improvements to be made over time. Initially, states and districts developing an EWS should include a minimum set of research-based academic and behavioral indicators correlated with poor academic outcomes, such as those associated with the failure to graduate. To date, most of the EWS indicators have focused on academic problems or behavioral issues that can predict the greater likelihood of dropping out of school—and not on the more intensive behavioral needs that may be associated with being suspended, expelled, or arrested. Examples of predictive risk factors for dropping out of school can be found in Table 1.[22]

TABLE 1. EXAMPLES OF HIGHLY PREDICTIVE RISK FACTORS FOR DROPPING OUT OF HIGH SCHOOL FROM DISTRICT STUDIES

Type of Risk Factor	Philadelphia, PA	Fall River, MA	Chicago, IL*
■ Academic performance	■ Earning an F in English or math during 6th or 8th grade ■ Failing courses and falling behind in credits in 9th grade ■ Failing to earn a promotion from 9th to 10th grade	■ Very low grades or attendance in 4th grade ■ Significant decline in grades from 5th to 6th grade ■ Significant decline in GPA from 8th to 9th grade ■ Being retained in any grade during grades K-8 or in high school	■ Receiving more than one grade of F in core academic courses or not enough credits to be promoted during 9th grade
■ Educational engagement	■ Low attendance (80% or lower) during 6th, 8th, or 9th grade ■ Receiving a failing mark for classroom behavior during 6th grade	■ Significant drop in attendance beginning in 6th grade	

* Chicago Public Schools added behavioral indicators of major and minor behavioral incidents into their early warning system at the request of school-based practitioners.

A significant body of research exists about which risk factors and indicators are associated with an increased likelihood of dropping out of school. For example, research demonstrates that academic indicators such as receiving failing course grades (especially in math or English), earning low grade-point averages, or receiving low scores on standardized achievement tests can predict the likelihood of students dropping out.[23] Research also reveals that absenteeism and truancy rates are highly correlated with student dropout, with one longitudinal study indicating that students with these behaviors are six times as likely to drop out as their peers.[24] Similarly, another study found that the biggest risk factor for failing the 9th grade is the number of absences in the first 30 days of high school.[25] Other common and strong factors found to be highly predictive of dropping out of school are poor student behavior and low levels of engagement. In a study of 6th graders in Philadelphia, students who received unsatisfactory behavior marks from teachers had only a one in four chance of making it to the 12th grade with their age group.[26]

At a minimum, these criteria, known as the ABCs—attendance, behavior, and course performance—should be included in the first stage of any EWS implementation. Given the negative impact of high rates of exclusionary discipline across the country, there should be more attention in EWSs paid to disciplinary actions that take students out of the classroom. The research also suggests that repeat disciplinary offenses are a key predictor of juvenile justice involvement. Capturing data on behavior through one indicator alone (such as teacher behavior marks on report cards or the number of suspensions) is not sufficient. Discipline indicators that should be a part of the foundation of an EWS include the following data that is already collected by most schools:

- Office referrals
- Referrals to student planning centers (also referred to as in-school suspension or redirection rooms in many places), including type of violation or offense
- Detentions
- Out-of-school suspensions, including type of violation or offense
- Expulsions, including type of violation or offense

Additional Indicators to Help Craft Effective Prevention Strategies and Targeted Interventions

After establishing an EWS with these basic indicators, states and districts should consider additional indicators they might want to incorporate into the system. These indicators should provide information that will help the adults supporting students identified by the EWS to shape more effective interventions and implement more powerful prevention strategies.

It is important for individuals implementing EWSs to be certain that everyone understands that simply because a child has a particular status or indicator (such as placement in the child welfare system or receiving special education services), this does not mean he or she is more likely to misbehave—only that the student may be at higher risk for poor outcomes.

This information only becomes potentially relevant once the student is signaling through attendance, behaviors, or course performance that he or she is in need of additional supports to succeed. Similarly, the presence of certain indicators should be used for service matching and support and not as an excuse to push a child out of school (e.g., if there has been an arrest for a minor offense). With these cautions in mind on how the information from the EWS may be used, the following indicators can be integrated:

- Referrals from schools to outside agencies, including mental health providers and substance abuse treatment centers
- Mobility, including housing issues, child welfare placements, school transfers, referrals to alternative education placements, and migrant or homeless status[27]
- Status of involvement in particular federal programs, such as special education, English language learner (ELL), free and reduced lunch
- Delinquent acts (crimes, including type of offense)
- Strength-based indicators (such as hope, motivation, and resiliency)[28]

ADDITIONAL INDICATORS THAT RELATE TO STUDENT OUTCOMES

In addition to the research already presented on certain risk factors that are universally known to be predictive of poor academic outcomes (attendance, behavior, and course performance), other indicators or student characteristics have also been associated with negative student outcomes, including their likelihood of future juvenile justice involvement. Students who are highly mobile, such as those in the foster care system, make less academic progress than their peers and experience greater challenges in building relationships with adults and other students.[29] Homeless children, another highly mobile population, are also more likely to be absent from school, have a mental health issue, repeat a grade, be placed in special education, and fail academically.[30]

English language learners also experience more negative outcomes than their peers. According to the National Center on Education Statistics, in 2011 the gap between 8th grade ELL students and non-ELL students in the National Assessment of Educational Progress (NAEP) reading assessment was 44 points.[31] ELL students are also more likely to be overrepresented in special education.[32]

Many studies also demonstrate that students in poverty experience a higher level of trauma and toxic stress that can lead to more negative student outcomes. More on trauma can be found in Policy Statement II. Research shows that children living in poverty have more emotional and physical stressors, which can severely impact brain development as well as mental health, attention, and problem solving, among other critical functions.[33] Links have also been found between poverty and chronic absenteeism.[34]

Studies have shown the impact that delinquency can have on academic performance and vice versa. Students who do not achieve academic success or who feel disconnected from school are more likely to commit delinquent acts, and poor school performance is also related to the seriousness and frequency of offenses.[35] Studies have also demonstrated that high rates of recidivism are correlated with poor academic performance.[36]

The availability and accessibility of student-level data can vary significantly across states and districts. To determine which of these indicators to include in an EWS, states and districts first need to understand data availability and the collection source. It is important to identify any barriers to school staffs' ability to collect or receive data from others. For example, although child welfare data and mental health data can be useful in guiding the delivery of interventions and avoiding redundant services, most state longitudinal data systems do not yet have the capacity to link education data with data from other public agencies, and therefore cannot match individual student education records with mental health referrals or involvement in the child welfare system. Only a few states can currently link data from social services, mental health, juvenile justice, and other public agencies with individual student-level education data. Districts and schools need to determine how they can access student-level data, and how they can do this in an appropriate way that complies with all federal laws and regulations.

LINKING EDUCATION DATA SYSTEMS WITH OTHER PUBLIC AGENCIES' DATA SYSTEMS

Data collection and sharing of student educational records requires compliance with the Family Educational Rights and Privacy Act (FERPA), as well as state privacy laws and district regulations. FERPA protects the privacy rights of students and their parents by requiring states to ensure that parents/guardians have access to their child's education records and to keep those records confidential unless the parent consents to disclosure (or the student, if he or she is over 18 years of age).

Because FERPA does not define "parent" in the law, however, a child welfare agency can assume the role of parent/guardian if it is legally responsible for the child. Some jurisdictions have defined the term "parent" in state statutes to specifically include child welfare agencies. Child welfare agencies can also gain access to student education records through a FERPA exception by getting a court order or subpoena. Given that child welfare cases are already involved in the court system, these agencies can seek a court order that requires schools to release records for a particular child to any party listed on that court order (such as a caseworker, attorney, or child-appointed advocate).

Due to actual and perceived barriers associated with FERPA (as well as other privacy laws and political issues related to data governance), many states do not currently have the capacity to link individual student education records with individual records in the child welfare system. In most states the unique student identifiers in state longitudinal data systems often do not match the identifiers in other systems. Conversations about linking education data systems with other agencies are currently taking place in many states that are building out their systems. In the interim, individual jurisdictions are creating mechanisms for sharing critical information about students with additional stakeholders in appropriate ways.[37]

The following examples are from jurisdictions that have successfully facilitated information sharing among child welfare, juvenile justice, and education agencies:

Florida

Florida created a template for local child welfare agencies and school boards to share student information electronically. The template permits data sharing in compliance with FERPA and state child welfare confidentiality laws. The agreement "applies to children who are placed by the court in all available placement types, including licensed foster care, placement with relatives or other adults, as well as situations where children are permitted to remain in, or be returned to, their own homes under Departmental supervision." The agreement cites relevant federal laws, as well as Florida statutes that apply to information sharing between agencies serving youth.[38]

South Carolina

South Carolina has developed an Education and Health Passport to maintain records for all children in foster care. The passport is designed to help foster care providers when enrolling children in school or taking children to medical/mental health care appointments; providers are responsible for keeping this information confidential. Information to be included in a child's passport folder includes the following:

- Grades in school
- School records
- Medicaid card
- Developmental assessments
- Records or assessments from child care providers
- Immunization records[39]

In addition to training educators, school leaders, and other adults with access to EWS data on their proper roles and responsibilities, schools may want to take additional steps to ensure that EWS data is used appropriately and does not stigmatize or label a child as a "problem student." Schools and districts should create ethical guidelines for the use of data, and ensure that there are safeguards to protect student privacy. Limitations and clear prohibitions should be spelled out as well. Students in the foster care system living in a group home, for example, may feel uneasy or embarrassed about teachers' knowing that they are in the child welfare system, but incorporating this data into an EWS, if used correctly, can be helpful in guiding the type of intervention that a teacher may prescribe. A teacher with this knowledge would be able to understand that an under-performing child living in this type of environment may not have parents who can be involved in the child's education. Similarly, a student in this setting may not have access to a quiet place to do homework, and with this information the teacher may recommend after-school programs or another supportive place for the student to do his or her work. In these circumstances the

information is used to benefit the child. At a minimum, however, ethical guidelines about the use of data should ensure that educators do not further disclose this information.*

Building Local Knowledge

Once a state or district determines which indicators to use in an EWS, or after the initial development of an EWS with the foundational indicators listed above, staff may want to conduct an analysis to validate which indicators are most predictive of particular outcomes for their population of students. Many districts that were early adopters began the development of their EWS with a local validation process, but for districts and states that want to get a system up and running as quickly as possible the validation process can take place at a later point. This process can help build local knowledge over time related to which indicators best predict specific outcomes for a particular school district's population. The EWS can then be modified based on the results. This might seem like a difficult step, but although there are universally known indicators that all EWSs should incorporate, each school or district is distinct and other indicators may need to be added or changed over time to be more site specific. Predictive analyses involve a longitudinal study of a group of students to determine which indicators, or combinations of indicators, are highly correlated with student success or failure. (Many school systems do not currently have sufficient data for previous years to allow this backward-looking type of analysis from the start, but they can conduct such analysis at a later point as they continue to track data over time.)

Predictive analyses also involve setting a threshold or score to determine when academic or behavioral interventions from a teacher, counselor, or other school staff member should take place. These "trigger" points or cut-off scores that prompt action can be a number of failing grades in core subject areas, a precise grade-point average (lower than a 2.5 for example), or a certain number of unexcused absences in a given period of time. Trigger points that flag students at risk for particular negative outcomes may be different in each state or district, and can change over time as new data becomes available. For example, a district may begin to collect new individual-level data about students, such as participation in after-school programs or other activities, and may want to integrate this new information into the EWS and use these indicators to determine additional trigger points. Changes in student demographics or achievement rates over time may also warrant a reexamination of trigger points. Conducting a local predictive analysis is important to account for why students drop out or are disciplined and the types of behaviors, characteristics, and indicators that are associated with those outcomes in a particular district.

To conduct a predictive analysis, validate trigger points, and develop or improve EWSs, many early adopter states and districts have turned to national experts and consultants. Researchers at the Everyone Graduates Center at Johns Hopkins University and at the National High School Center, for example, have worked with a number of districts and states to conduct local analyses and validate indicators to help them develop an EWS. Other districts have used internal resources to conduct similar analyses to build their systems.

* For more on ethical guidelines and exchanging data more broadly, see the chapter of this report on information sharing.

EXAMPLES OF EXTERNAL RESEARCHERS ASSISTING WITH PREDICTIVE ANALYSES

Arkansas

Arkansas partnered with Johns Hopkins University in recent years to conduct a predictive analysis to identify early warning indicators that could be used to prevent students across the state from dropping out of school. Researchers studied two cohorts of graduating students in Arkansas, beginning with their 4th grade data, to see which students graduated, dropped out, or continued their enrollment. They then conducted analyses to determine which indicators best predicted the outcomes. The types of data examined included demographics, attendance, course grades, standardized test scores, mobility, socioeconomic status, ELL status, and disciplinary data. The study revealed that students attending school less than 85 percent of the time, having a fall GPA of less than 70 percent, being over age in the 9th grade, and being suspended two or more times were the strongest indicators of dropping out of school. Researchers then examined statewide data to determine if there was any variation across more than 250 districts in the state. This analysis showed that in the majority of districts these indicators were similarly as strongly related to dropping out of school.[40] Using this information, the Arkansas State Department of Education developed and piloted its EWS in 2009–10. The state provides district staff, principals, teachers, and counselors with training on how to collect and interpret the data and also sends daily reports to educators from the system.

Spokane, WA

The Spokane Public School District conducted a predictive analysis with the help of an external researcher, and contracted with a software company for the development of its EWS. The predictive analysis followed two cohorts of students from 3rd through 12th grades (more than 6,000 students) using data available in the district's Student Information System. The analysis identified one of three possible outcomes for each student: 1) transfers out of the district, 2) drops out of school without a diploma, or 3) graduates. The analysis found that 86 percent of dropouts had early warning signs, and this information was used to identify tipping points for both the elementary and secondary levels. In high school, the analysis demonstrated a strong correlation between receiving failing grades and dropping out, as well as the number of unexcused absences and disciplinary actions. In regard to student discipline, serious suspension-causing events had a negative effect on chances of graduating, particularly when these events occurred in middle and high school.[41] Using information from this analysis, Spokane developed an EWS that can help identify students at risk of dropping out as early as the 3rd grade by creating a composite risk-factor score for each student. The district analyzes data nightly and provides educators with real-time individual student-level data that tracks performance targets and goals through a data dashboard. The dashboard is interactive, and educators can look through multiple levels of information, focus on particular time periods or grade levels, or even compare school-level outcome data to other schools in the district.[42]

RECOMMENDATION 2: **Incorporate students' strength-based indicators into the EWS and use this information to guide the provision of tailored and intensive interventions**.

To date, most EWSs include indicators that focus solely on students' negative behaviors or academic outcomes, and support systems use this data to inform the provision of interventions. There is growing recognition, however, that collecting data on students' strengths and using this information to better match individual supports and services is also critically important. Strength-based assessment has been defined as "the measurement of those emotional and behavioral skills, competencies, and characteristics that create a sense of personal accomplishment; contribute to satisfying relationships with family members, peers, and adults; enhance one's ability to deal with adversity and stress; and promote one's personal, social and academic development."[43] Other experts and researchers have also included environmental or external assets in their definition of strength-based assessments, which can also be drawn on to facilitate interventions (e.g., strong parental involvement in school).[44] There are a number of reasons why using strength-based indicators is beneficial, including the fact that it involves and empowers children and families in the intervention process in a positive, constructive way, and it allows educators to set positive expectations for students.[45]

Educators, student support teams, and service providers should use strength-based indicators to help identify students who may be at risk for poor academic and behavioral outcomes as well as to guide interventions. For example, EWSs that incorporate strength-based indicators can also flag students for having low numbers of strengths or assets. Studies that have looked at the relationship between students' strengths and particular outcomes found that the number of assets a student has could also help predict a student's involvement in high-risk behaviors, such as alcohol or drug use, sexual activity, or violence.[46] (Some of the indicators included in these studies are measures of family support and the ability to develop relationships, a commitment to learning and being engaged in school, having a positive sense of identity and self-esteem, and using time in a constructive way.) In one of these studies on the relationship between strength-based indicators and outcomes, results demonstrated that students who engaged in 5 or more risky behaviors on average had 15 or fewer of the 40 indicators included on the assessment.[47] A number of studies also demonstrate that the likelihood for engaging in risky behavior can be reduced by helping students attain new strengths. For example, some of the factors found to be highly correlated with helping youth resist substance abuse include strong relationships between youth and adults, opportunities for youth to become involved in the community, and clearly communicated and modeled values and standards for healthy behavior.[48]

SAY YES TO EDUCATION: BUFFALO PUBLIC SCHOOLS BUFFALO, NY

Say Yes to Education is a national nonprofit organization that provides comprehensive supports to students through partnerships with multiple school districts, including Buffalo, NY; Syracuse, NY; Harlem, in New York, NY; and Philadelphia, PA. The Say Yes model provides a range of services to students, including out-of-school-time programming, mentoring and tutoring, post-secondary scholarships, and social-emotional supports.

In Buffalo, Say Yes to Education is working with the public school system to expand district-wide its model of student supports. With additional assistance from the American Institutes for Research, the district developed and implemented a "Student Success System" to track and analyze student data and case manage and coordinate interventions. The Student Success System is populated by the district's information system, and includes data on behavior, academics, and information from student, family, and teacher surveys on individual students' strengths. Using empirically based indicators, the automated system uses an algorithm to identify students as on track to thrive, on track, and off track. This information is used to directly match students with interventions. In addition, needs in particular areas ("off-track indicators") are tackled preemptively with more in-depth diagnostic assessments, supports, and interventions. The system also provides an opportunity for educators to see which interventions are working, to use the results to bring interventions to scale, and to reallocate resources.[49]

The system builds upon each student's strengths rather than trying to fix weaknesses, produces information that is easily interpretable and actionable, and fosters collaboration among youth, families, schools, and support providers. Strength-based indicators included in Buffalo's Student Success System include the following:

- Relationships with supportive adults
- Self-awareness
- Self-regulation, self-management, and self-control
- Social and cultural awareness
- Positive, optimistic outlook
- Volunteerism, outreach, or community services/service-learning
- Participation in team or group activities with peers[50]

For more information on Say Yes to Education see sayyestoeducation.org .

Students who receive interventions that build on their strengths, rather than focusing solely on addressing their weaknesses and areas for remediation, have been found to be more engaged and motivated in their own learning processes.[51] Therefore, if a student support team identifies a student as having low marks on relationship building with supportive adults, as an intervention in the behavioral plan that student could receive mentoring by a caring adult. Students lacking pro-social behaviors and relationships with peers could be linked with team and extracurricular activities that facilitate connections. Students' strengths can also guide prescribed interventions; for example, students with strong social skills might benefit from participating in group therapy sessions or in programs that involve their peers, rather than from nonsocial measures.[52]

Educators and student support teams can access and use a number of existing resources to collect information on students' strengths, including these:

- The Behavioral and Emotional Rating Scale: A Strength-Based Approach to Assessment (BERS) is a 52-item scale that measures children's emotional and behavioral strengths in five areas.[53]
- The Child Trends website (childtrends.org) provides summaries of well-being indicators, including resiliency measures, and information on programs that support children's development.
- The Say Yes to Education Student Success System identifies risk and protective factors to help guide staff in developing intervention and growth plans for individual students. The System is grouped across four broad domains and includes indicators organized by grade levels. In addition to assessing academic and health needs, the rubric also includes indicators of student, familial, and environmental strengths and assets.[54]

RECOMMENDATION 3: **Ensure that state and district officials, school leaders, and educators analyze and use EWS data to guide decision making at the classroom, school, district, and state levels.**

EWS data can and should be used to make changes at many levels: the individual student, classroom, school, district, or state. School staff and district and state leaders need to learn how to analyze EWS data to determine the most effective points at which to intervene, and what types of interventions and strategies would be most effective. As mentioned above, at the individual student level, EWS data should be used as a tool to identify and refer students with more intensive needs to student support teams that can strategize and provide higher tiered supports and interventions.*

Within individual schools, EWS data can reveal trends that demonstrate particular challenges in individual classrooms, grade levels, or the entire building. For example, if EWS data demonstrate that a majority of students identified as at high risk for disciplinary action or academic failure come from one particular classroom, the school administrator may decide to investigate further. Inquiries could reveal, for example, whether this class has a larger concentration of students with more intensive needs or the teacher feels he or she lacks adequate alternatives, supports, or professional development opportunities. In these cases, the school administrator could decide to intervene at the classroom level by providing the teacher with additional training or the support of an aide, or by making adjustments to teacher/student schedules to balance classroom composition, rather than focusing solely on individual student interventions.

EWS data can also identify patterns across a district. These patterns can help school administrators and district officials develop and implement policies to improve learning conditions and mitigate students' risk factors for academic failure and poor behavioral outcomes. In conjunction with school climate data discussed in the previous chapter, EWS data can reveal, for example, which middle and high schools across a district are experiencing more significant behavior or academic problems. This data can lead administrators to alter curricula, reallocate resources, or restructure schedules to provide for more

* A discussion of this process is discussed more fully in Policy Statement III.

intervention activities and flexibility in working with students.[55] For example, data indicating that 9th grade students across the district are experiencing a drop in performance levels, or more significant behavioral issues than in middle school, can help schools develop programs for students having trouble making the transition from middle school to high school.

Data from EWSs can also be used to guide decision making related to resource allocation, staffing, and programs at all levels, and as an advocacy tool to garner additional support from state policymakers. Districts or localities that can provide quantitative evidence of the type and prevalence of academic and behavioral health needs in their schools can use this information to advocate for increased funding for specific support services and staff, or for changes to current funding streams to broaden allowable activities. Advocacy efforts can also lead to legislation that addresses the needs identified by EWSs at the state level. A state that can aggregate EWS data and provide concrete evidence related to behavioral health and academic needs has more leverage with state policymakers.

EWS data can also disclose disproportionality associated with the use of exclusionary discipline, referrals to student support teams, and special education evaluations—prompting corrective policies and practices. Numerous studies indicate that students of color, particularly African-American students, are disproportionately identified as having emotional or intellectual disabilities, with higher rates than their White counterparts documented in every disability category. This has been associated, in part, with over-referral to behavioral health or special education assessments rather than a higher prevalence of these problems.[56] African-American students identified with emotional disturbances also have higher rates of suspensions than students from any other disability category or racial group.[57] Data from EWSs that indicate that a particular school is referring a high number of students of color to special education evaluations for problem behaviors should trigger discussion among district and school administrators and school staff to discern if students are being overidentified, and if so, to develop a plan to help that school address the issues.

INDIVIDUALS WITH DISABILITIES EDUCATION ACT 2004 REGULATIONS ON DISPROPORTIONALITY

According to the Individuals with Disabilities Education Act (IDEA), states must have policies and practices in place to prevent the "inappropriate overidentification or disproportionate representation by race and ethnicity of children with disabilities…"[58] Additionally, any state that receives funds from IDEA Part B must collect and examine data to determine if significant disproportionality by race and ethnicity is taking place in the state and in each Local Education Agency (LEA).[59] In the 2004 revisions to IDEA, provisions were added to address the overidentification issue, making it mandatory for LEAs with significant disproportionality to reserve 15 percent of IDEA Part B funds for early-intervention services. This provision in IDEA does, however, allow for flexibility in states' definitions for determining which districts have "significant disproportionality," and as a result, definitions vary considerably across the country. This exacerbates problems with states masking the potentially high level of actual disproportionality in special education, according to a 2013 GAO report.[60]

POLICY STATEMENT II

The range and intensity of students' behavioral health and related needs is fully assessed, as is the school and district capacity to meet those needs.

In addition to being able to make an early identification of individual students who are at risk, schools should also seek to understand the severity and prevalence of behavioral and related needs across the entire school. This information is critical for building a responsive structure and developing the appropriate capacity to support students, as well as to track progress over time. Most schools across the country are currently trying to triage the provision of interventions as well as possible given limited resources, but often without the benefit of quality information about students' needs.

School leaders must conduct a comprehensive assessment of the prevalence of behavioral health needs and other risk factors among their student populations, and then gather information about available school and community resources. The behavioral health needs assessment should be a collaborative process that involves school staff as well as parents, community-based organizations, public agency leaders (such as leaders of mental health and social services agencies), and students themselves. Involving the right mix of stakeholders with a range of perspectives in this process helps create a common vision and mission for addressing the targeted needs of students, and increases the sense of collective responsibility for ensuring that all students are successful in school and in the community.

The results of a needs assessment should be used to help schools and communities make decisions about how to approach the provision of services (behavioral health among them), and to identify where gaps exist in providing these services to students. The assessment should guide decisions about how to build internal school capacity as well as how to develop external partnerships to ensure that schools can do more than just triage among students with the most serious needs. Supplementing the work of schools is essential in most jurisdictions, particularly for students who cannot be treated in the school due to the severity of their needs, such as those with health disorders that require the involvement of treatment professionals. The following recommendations focus on the process for conducting a self-assessment, identifying the sources that should be examined, and determining how this information can and should be used to develop an action plan for improving the delivery of targeted interventions and supports to students.

RECOMMENDATION 1: **Assess students' aggregate behavioral needs to inform the school's action plan for providing a comprehensive set of multi-tiered, targeted, and intensive interventions.**

Through their leadership team or student support team, schools should review data to conduct a comprehensive assessment of behavioral needs, including behavioral health needs, across the student body.* The information from these assessments can help identify the need for partnerships and if there are particular goals to prioritize. The results should also serve as the foundation for an action plan for administering a range of interventions and supporting students who are at risk for involvement in the disciplinary system. They can also identify any gaps in expertise within the school's programming and supports.

To conduct a self-assessment, school-based staff and partners should examine a variety of indicators, some of which are already collected by the school either through an existing EWS, state longitudinal data system, school climate survey, or as required for state accountability purposes. Although schools should examine data in the aggregate to assess the school's overall needs, data should also be disaggregated by race, ethnicity, gender, and other subpopulations of students. The disaggregated information can highlight if subgroups of students are not getting needed services.

Among the indicators that schools should review that are often already collected and readily available are

- student achievement data (e.g., standardized test scores, course grades, reading assessments);
- student demographics and status (e.g., special education, English language learner, migrant, homeless);†
- attendance/truancy rates;
- disciplinary data;
- school climate data (quantitative and qualitative); and
- referral rates to external behavioral health providers and other services and supports.

In addition to reviewing these data, schools should gather information specifically related to behavioral health and related needs and available services through surveys and additional conversations with students, parents, and school staff. Some states and districts already administer annual surveys to schools to better understand the range of health risks among students and how students are currently accessing behavioral health services, but most do not. Rather than starting from scratch, local districts and schools can use existing surveys that already measure behavior and health risk indicators to conduct a needs assessment. Examples include the following:

* Student support teams are discussed more fully in Policy Statement III.
† Schools receiving federal funds for these particular subsets of students are required to collect this data.

- The Youth Risk Behavior Surveillance System (YRBSS), funded by the U.S. Centers for Disease Control and Prevention, monitors six types of health risk behaviors that contribute to negative outcomes for youth and adults. The YRBSS includes a national school-based survey that is conducted across the country by various state education agencies, local school districts, and public health agencies, which can be modified to accommodate local contexts.[61]
- The Communities that Care Youth Survey, developed with support from the Substance Abuse and Mental Health Services Administration (SAMHSA), U.S. Department of Health and Human Services, is a community needs assessment tool that evaluates children's risk and protective factors that affect academic performance, behavior, delinquency, and positive youth development.[62]
- The California Healthy Kids Survey (CHKS) is the largest statewide survey of protective factors and risk behaviors in the nation. The CHKS survey assesses social-emotional health; health risks specifically relating to alcohol, tobacco, and other drug (ATOD) use; school violence; physical health; resilience and youth development; and school climate.[63]

School climate surveys, discussed in greater detail in the previous chapter, complement these behavioral health surveys to highlight the full range of student needs. School climate surveys that assess parent, staff, and student perceptions about safety, delinquency, substance abuse, bullying, mental health, and gangs can provide valuable information. School leaders may want to administer school climate and behavioral health surveys at the same time to make the administration and data collection process less burdensome. Conversations with student support teams, other school-based staff, parents, and students about the perceived range and severity of students' behavioral health challenges should supplement results from surveys. The analysis of these data sources should provide a comprehensive picture of the student population's behavioral health and other related needs to help determine priorities and long-term goals.

SAFE AND SUPPORTIVE SCHOOLS GRANTS

In 2010, the U.S. Department of Education awarded four-year Safe and Supportive Schools Grants to 11 states to measure school safety and implement interventions to create positive learning environments and improve success for students at risk. As part of these grants, state departments of education have been developing systems to measure school safety, school climate, and other conditions, and using this information to assist schools that need it the most. The 2010 grant recipients were Arizona, California, Iowa, Kansas, Louisiana, Maryland, Michigan, South Carolina, Tennessee, West Virginia, and Wisconsin. For more information on these grants and what states are doing, visit safesupportivelearning.ed.gov/stategrantee-profile .

CONDUCTING A BEHAVIORAL NEEDS ASSESSMENT: THE CASE OF FRICK MIDDLE SCHOOL ALAMEDA COUNTY, CA

Frick Middle School in Alameda County, CA conducted a comprehensive needs assessment to inform the development of their school-based health center. The school reviewed data from a variety of sources, including

- data on school and community health from the state's Department of Education, the California Healthy Kids Survey, the Office of Statewide Health Planning and Development, and the Oakland Unified School District's Use Your Voice Survey;
- a parent survey assessing student health needs and health-care barriers;
- a school staff survey assessing student health needs and obstacles to treatment and desired supports; and
- a student survey on perceptions of health risks and related services.

Results from the assessment indicated that students overall had a high need for mental health services, substance use treatment, dental and medical services, and services related to reproductive health. For example, 47 percent of students reported the need for mental health counseling, yet they indicated that they were not always able to access these services. In addition, 11 percent of students reported more than four days of absences due to emotional problems. Data also indicated that substance use among the student population at Frick Middle School was higher compared to district- and county-wide data.

The school used this information to design and implement a school-based health center that addressed both this comprehensive set of needs and the barriers that students and families identified as preventing them from seeking these services outside of school.[64]

CLEVELAND METROPOLITAN SCHOOL DISTRICT AUDIT CLEVELAND, OH

In 2008, the Cleveland Metropolitan School District (CMSD) commissioned an audit by the American Institutes for Research (AIR) to evaluate the availability and effectiveness of health and human services provided to students across the district.[65] AIR researchers interviewed more than 100 school-based and district-based staff; city-level officials (including the chief of police and mayoral staff); school union officials; Board of Education members; and representatives from county agencies, community-based organizations, and faith-based organizations; families; and youth. AIR conducted a combination of surveys, observational site visits, and a review of relevant district policies, memorandums of understanding (MOUs), and publications.

Results from the audit indicated a number of challenges related to safety and health concerns. For example, the audit demonstrated that social-emotional learning was an area in need of improvement, particularly in middle and high schools. Inadequate student support and students feeling disconnected from the school

CLEVELAND METROPOLITAN SCHOOL DISTRICT AUDIT CLEVELAND, OH *(continued)*

were other challenging areas for secondary schools in the district. Results also indicated that the district had limited capacity to respond to students' early warning signs, risk factors, and mental health needs. Staff capacity and the availability of mental health professionals were lacking—the school psychologist to student ratio was 691 to 1. The audit also found that community services had varying quality and that schools struggled with service coordination with partners.

Based on audit results, AIR helped the school district develop systemwide goals and recommendations. A number of new policies and practices have been (or will be) implemented that are designed to reduce violence, improve school climate, and enhance behavioral health interventions. The district agreed to a three-tiered approach to supporting students; better coordination among schools, external partners, and families; the leveraging of public and private resources; and data analysis for planning, monitoring, and evaluating efforts. The district is implementing student support teams, opening planning centers as an alternative to in-school suspensions, developing an EWS, and other recommended improvements.

A number of positive outcomes have resulted since the district began implementing these reforms in 2008. For example, between the 2008–09 and 2010–11 school years, out-of-school suspensions decreased 58.8 percent districtwide, and the number of suspendable offenses declined from an average of 233.1 per school to 132.5 per school. Additionally, results from the Conditions for Learning Survey found that middle school students' perceptions of safety improved, particularly for Black students.

The following behavioral health issues that students face are particularly associated with an increased likelihood for exclusionary disciplinary actions and negative academic and social-emotional outcomes. Students may also have co-occurring problems or disorders. For example, students with substance abuse problems are more likely to have emotional and behavioral disorders.[66] Students with intellectual and developmental disabilities are at higher risk to have a mental illness.[67] The following disorders, alone or in combination, are strongly associated with disciplinary actions:

- ***Emotional and Behavioral Disorders (EBDs):***** Students with EBDs may exhibit a number of characteristics, often including depression, anger, or frustration. Compared with students who have other disabilities, students with EBDs experience the lowest levels of academic success, are more likely to drop out of school, and suffer from high rates of absenteeism. In 2009, approximately 7 percent of all students receiving special education services were diagnosed with an emotional disturbance.[68] In the *Breaking Schools' Rules* study, students identified as having an emotional disturbance were 24 percent more likely to have a discretionary disciplinary action than students without this disability.[69]

* The term "emotional and behavioral disorders" (EBDs) is often used in the professional literature while the term "emotional disturbance" refers to a disability category in the IDEA. When referring to students who are identified as having a disability under the IDEA, this report uses the term emotional disturbance, and in all other cases uses EBDs.

- ***Learning Disabilities (LDs):*** Students with LDs often exhibit confidence issues, have difficulty concentrating and following directions, and display discrepancies in quality between their oral and written work. In 2005, approximately 5 percent of all public school students were identified as having LDs. These students represent 42 percent of all students who receive special education services. Students with LDs are more likely to repeat a grade and to be involved in disciplinary incidents.[70] African-American students identified with a LD have more than twice the likelihood of receiving a suspension than students from any other racial groups other than American Indians/Native Alaskans.[71]
- ***Affective Disorders:*** Affective disorders, also known as mood disorders, include depression, anxiety, and bipolar disorder, and are often a result of chemical imbalances in the brain or are symptomatic of trauma. Students with these disorders often exhibit rapid changes in mood and emotions, irritability and aggression, and difficulty sleeping, among other behaviors. Untreated, students with affective disorders tend to be more disruptive in class and experience poorer academic outcomes.[72]
- ***Alcohol and Substance Abuse:*** There is a complex interconnectivity between substance use and mental health issues. Numerous surveys and studies indicate a strong relationship between youths' alcohol or drug dependence and significant emotional problems. Adolescents with behavioral disorders (e.g., conduct disorder and attention deficit hyperactivity disorder) have been found to be more likely to develop substance and alcohol use disorders.[73] Adolescents with depression were four times as likely as those without to develop substance use disorders, and those with anxiety disorders were twice as likely to have these disorders.[74] Substance abuse alone or co-occurring with mental health problems puts students at greater risk of disciplinary action at school.

In addition to these behavioral health issues, many students in public schools across the country have experienced trauma that can compromise their ability to regulate their emotions and to establish productive relationships, and may contribute to behavioral problems in school as well as other negative health and academic outcomes. One of the most frequent ways that children experience trauma is their exposure to violence. According to the National Survey of Children's Exposure to Violence administered in 2008 by the Office of Juvenile Justice and Delinquency Prevention, 60 percent of children surveyed were exposed to violence, crime, or abuse in their homes, schools, and communities.[75] African-American adolescents' greater level of exposure to community violence over time compared to White adolescents was found to be related to subsequent increased levels of emotional distress.[76]

In addition, American Indian children also encounter "historical trauma" associated with a succession of events that their communities have endured over long periods of time. According to researchers and experts working with these communities, historical and intergenerational trauma not only make this population of youth more prone to PTSD, but also to higher rates of substance abuse disorders and other mental health disorders. In addition, Native Americans between the ages of 15–24 have the highest suicide rates of any age or ethnic group. Native American youth also have higher re-referral rates for abuse and neglect, and are more likely to be victims of violent crime.[77]

In assessing student behavioral needs, it is essential that schools and districts consider whether students have experienced trauma and if so, use trauma-sensitive approaches and interventions that also reflect the cultural and linguistic backgrounds of students and their families.[78]

TRAUMA-INFORMED APPROACHES TO IMPROVING SCHOOL DISCIPLINE AND BEHAVIORAL HEALTH

Some schools and districts around the country are implementing trauma-informed approaches to reduce the use of exclusionary discipline and to support the provision of behavioral health supports to students. These approaches strive to create compassionate, safe, and supportive learning environments in which appropriate responses to trauma are woven into activities. Massachusetts Advocates for Children defines trauma-sensitive schools as places "in which all students feel safe, welcomed, and supported and where addressing trauma's impact on learning on a school-wide basis is at the center of its educational mission. An ongoing, inquiry-based process allows for the necessary teamwork, coordination, creativity, and sharing of responsibility for all students."[79]

As one example, in Walla Walla, WA, Lincoln High School used results from the Centers for Disease Controls' Adverse Childhood Experiences (ACE) Study to modify its approach to supporting and disciplining students. The ACE study demonstrated significant linkages between childhood stresses and the chronic diseases people develop as adults, as well as the likelihood for committing a violent act and being a victim of violence. Compared with children with no adverse experiences, youth with three or more exposures to violence were three times more likely to fail a grade, five times more likely to have severe attendance problems, six times more likely to have severe behavior problems, and four times more likely to self-report poor health.

Lincoln High School used a modified version of the ACE survey to investigate the trauma experienced by its students and used the results to change their school discipline system.[80] The school also established a health clinic that supports and treats students. All educators received training on ACEs and trauma-informed care as well. In the year following implementation, out-of-school suspensions dropped 85 percent, with expulsions and office referrals also decreasing dramatically.[81]

RECOMMENDATION 2: **Assess the school's internal and external staffing and systems capacities, expertise, and resources, and identify gaps in services to develop a comprehensive and cohesive system of tailored interventions.**

Once schools understand the overall behavioral needs of their student body, they should assess their ability to address them and where there may be potential gaps in services. The needs assessment results should help leaders gauge their schools' strengths and capacity in particular areas; the availability of related community-based resources and qualified external partners; and whether relevant state, district, and school policies support targeted interventions and are being advanced by school leaders.

Assess Internal Staff Capacity

Administrators should look for all qualified staff available to support students with identified needs. Schools should inventory the personnel they have, full-time and part-time, paid and voluntary, who have the right expertise or skill set to provide particular intensive and targeted academic and behavioral health interventions. These personnel include

- school psychologists;
- social workers;
- guidance counselors;
- nurses;
- school-based mental health clinicians;
- medical interns/volunteers;
- specially trained school resource officers;
- tutors;
- mentors; and
- paraprofessionals/teacher's aides.

School administrators should be able to identify not only which staff they have on hand, but also understand the role each professional should play to support students' needs. Professionals in schools are often used in ways that do not leverage their areas of expertise. In particular, behavioral health professionals are often called upon to fulfill duties and responsibilities that do not take advantage of their trainig and experience. It is critical that schools establish guidelines and protocols to ensure that administrators, other school-based staff, external partners, parents, and students understand the roles and responsibilities of behavioral health professionals and deploy them in ways that best use their talents.[82]

Additionally, it is important to understand what team structures are currently in place at the school to support behavioral health and other goals. A review should

- confirm whether the school already has a student support team (a team of educators, school staff, and others that identify and support students with behavioral needs)* or another team that assumes this function;
- evaluate the effectiveness of the student support team and the referral system for students with behavioral health needs, and how this team interacts with other teams that focus on academic interventions and improving instruction;
- determine whether the school's improvement plan incorporates behavioral health priorities; and
- identify professional development and training opportunities for staff related to behavioral health issues, and evaluate the effectiveness of these offerings.

Assess Available Partnerships and Interventions

Having the right staff with the right expertise and the structures to support them is critical. Educators and specialized staff need to know which Tier 2 and Tier 3 interventions or strategies are currently used in the district and in their school, how effective these strategies are, and whether they can be provided internally or through external partnerships. District staff can support schools by providing them with a comprehensive inventory of all external providers and experts in the community who have programs and services available to address behavioral health and academic issues, and then indicate which ones already have a partnership agreement with the district.

The school can look at this inventory and supplement it with information on where the school may have its own partnerships as well. This compilation should provide school leaders with a list of potential partners, their areas of expertise, and the services they provide. For example, if a school's needs assessment reveals that the two greatest behavioral health challenges its students face are substance abuse and emotional and behavioral disorders, the principal or designee could check the inventory to identify all community-based programs and services that address these issues, and where partnerships are already forged and accessible.

Where gaps in services and partnerships exist, the school can develop a plan for how to provide these supports to students either by building internal capacity, establishing additional partnerships, or working with existing partners to better integrate their existing services. The inventory and addition of interventions and partnerships should include only programs and strategies that meet predetermined quality standards and can be responsive to the cultural and linguistic needs of students and families.[83]

Schools should also review their budgets and identify the sources of funding they use to support internal and external behavioral health and academic interventions. Although funding for interventions has generally decreased in recent years, multiple funding sources remain available at the federal and

* Student support teams are discussed in Policy Statement III.

state levels to support schools, districts, community-based organizations, and private providers for targeted and intensive behavioral health and academic interventions.* Additionally, schools should evaluate whether resources are currently being deployed most effectively or if the reallocation of existing resources would alleviate some of their challenges in providing services.

COGNITIVE BEHAVIORAL THERAPY IN SCHOOLS

According to the National Alliance on Mental Illness (NAMI), cognitive behavioral therapy (CBT) is a form of treatment that focuses on examining the relationships between thoughts, feelings and behaviors."[84] In schools, professionals use CBT to identify a student's problematic beliefs that can lead to certain behavior. Professionals then try to help students replace these negative thoughts and develop and practice coping skills and strategies to address behavioral issues. The use of CBT to treat youth in school settings has increased in recent years. In a meta-analysis conducted on the effectiveness of CBT in schools, research revealed that students receiving these treatments had fewer disruptive behaviors than their peers. Additionally, students who received CBT treatments in combination with other interventions in school experienced even fewer problem behaviors.[85] Research also shows that CBT not only improves behavior, but also has a positive impact on social-emotional and academic outcomes.[86]

For more information on empirically supported behavioral and mental health interventions in schools, including CBT, see

- Center for School Mental Health Assistance at the University of Maryland[87]
- Center for Mental Health in Schools at the University of California, Los Angeles[88]
- SAMHSA's National Registry of Evidence-based Programs and Practices[89]

Assess Leadership and State, District, and School Policies to Support Targeted Interventions

Another component of assessing a school's ability to provide needed targeted behavioral interventions is examining the district's leadership, vision, and supportive structures. The team conducting the assessment should review school and district policies and protocols for

- a stated vision for meeting the behavioral health needs of students through targeted interventions;
- articulation of outcome goals to improve students' behavioral health and schools' disciplinary approaches;
- the use of multi-tiered frameworks;
- guidance and training for educators and behavioral health experts; and
- a system to track and analyze related data.

* Funding sources are discussed in more detail in Policy Statement IV and at csgjusticecenter.org/wp-content/uploads/2014/05/FederalGrantProgramsChart.pdf .

State laws, district and state regulations, and related policies also can support or hinder the provision of targeted behavioral health and related supports and interventions. For example, some states and districts have staffing policies for specialized instructional support staff that align with recommended ratios from researchers and professional associations.[90] Others promote targeted intensive interventions through laws or regulations that require the development and use of student support teams.[91] Some states and districts have also implemented new guidelines for school leader evaluations that encourage student support structures and the reduction of out-of-school suspensions and expulsions. In contrast, some states or districts have policies that create barriers to improving behavioral health, such as limited funding for children's mental health services or an ill-coordinated, decentralized system for addressing youth's behavioral health problems.

Understanding state, district, and school policies can also be helpful for statewide advocacy efforts to improve interventions, remove implementation barriers, and expand funding streams and their allowable uses. Many communities have received funds from federal and private sources in recent years to develop collaborations to implement policies that support the behavioral, academic, and social-emotional needs of students in schools. Schools should be aware of these funding sources and initiatives in their communities and leverage their resources through strong collaborations. The "Map My Community" feature on findyouthinfo.gov is a helpful tool that stakeholders can use to find resources in a community to build and strengthen programs that support youth.

MASSACHUSETTS BEHAVIORAL HEALTH AND PUBLIC SCHOOLS TASK FORCE

Established by the state's legislature in 2008, the Massachusetts Behavioral Health and Public Schools Task Force created a framework to set up the "necessary organizational changes to support all students."[92] It is meant to help educators, parents, community organizations, and other stakeholders support students with behavioral health challenges. The task force also created an assessment tool that is aligned with the framework to measure schools' ability to address youth's behavioral health needs. The tool was piloted in 17 school districts in 2009 and then was used in 22 additional districts across the state. By 2016, all schools in Massachusetts will be required to use this framework and assessment tool to develop action plans for creating safe and supportive learning environments, of which targeted interventions is a part. The tool has 98 items to consider when assessing school capacity across 6 domains:

1. Leadership
2. Professional Development
3. Access to Resources and Services
4. Academic and Non-academic Approaches
5. Policies and Protocols
6. Collaboration with Families

POLICY STATEMENT III

School leaders and staff establish or enhance a school-level interdisciplinary student support team(s) to meet the needs of students with more intensive academic and behavioral needs.

After conducting a comprehensive assessment to determine the school's complex behavioral health and related needs and its capacity for responding to these needs, administrators should work with staff and partners to develop an action plan. This plan should include strategies for developing partnerships with community-based organizations, public agencies, individual service providers, and others, as well as efforts to build internal capacity through the use of student support teams. Efficient student support teams are critical for coordinating and monitoring targeted interventions for individual students with behavioral health and other needs. These teams not only build a strong internal core for overseeing interventions, but also play a key role in a comprehensive system of care for youth involving external partners.*

Using a school-level team approach to manage operations and improve teaching and learning is a common practice. School-based teams can be organized in a variety of ways and have a range of functions, often depending on school size, capacity, and the age of students enrolled. For example, to improve instruction and academic achievement at the aggregate and individual levels, schools may have grade- or department-level teams. Schools also typically have leadership teams, consisting of select teachers, administrators, and other staff who help to manage the overall operation and organization of the school building, develop school improvement plans, and identify schoolwide academic goals.† These teams focus more on environmental changes and academic improvement strategies, whereas department and grade-level teams typically focus on supporting and improving pedagogy and academics for particular groups of students. There may also be school safety teams or committees charged with carrying out critical incident planning in coordination with law enforcement and school community members. Some schools have multiple teams and others have a core team of individuals to carry out the functions that several teams might assume.

* Systems of care are discussed in Policy Statement IV.
† In some schools, leadership teams and school improvement teams are synonymous and/or conduct some of the same functions.

SCHOOL-BASED TEAMS

Department Teams: Department teams typically exist in high schools and are made up of classroom educators who teach a particular curriculum subject (such as math or science). These educators work together to improve the teaching and learning in a specific content area for all students.

Grade-Level Teams: These teams generally operate in elementary and middle schools. They consist of classroom educators focused on supporting the academic needs of all students within a specific grade.

Individualized Education Program (IEP) Teams: IEP teams generally consist of classroom educators (both general and special education), and specialists with personal knowledge of identified students. These teams develop IEPs that guide the delivery of services for students with disabilities and ensure the school's compliance with the programs' provision of services under IDEA.

Leadership Teams: These teams consist of classroom educators and school administrators (parents and other staff can participate as well) who focus on strengthening the overall school environment and set goals for improving academic achievement. Depending on the size of a school's staff, this team may also function as the School Improvement Planning Team.

School Improvement Planning Teams: A school improvement planning team, which can also be the leadership team or assume its functions, leads the development of a plan that addresses student achievement needs, monitors the implementation of the plan, and revises the plan when appropriate. Generally school administrators select educators to participate on the school improvement planning team or the leadership team. School Improvement Plans are required under NCLB for schools that are not meeting federal accountability requirements.[93]

School Safety Committees: School safety committees, often created as a requirement of state law, assist with the development of school safety and emergency plans.*

All schools should have a student support team to identify students with more intensive behavioral needs and other problems that interfere with success at school, particularly students experiencing school discipline issues. The team collectively problem solves and applies Tier 2 and 3 academic and behavioral interventions. Tier 2 interventions address groups of students who are falling behind academically, repeatedly coming into contact with the disciplinary system, and/or have behavioral health issues, whereas Tier 3 interventions are tailored to individual students that require more intensive attention to address these problems. The student support team's process should be data-driven and focus on a range of interventions that help prevent students from dropping out of school, engaging in risky behavior, or getting further involved in the disciplinary or juvenile justice systems. Additionally, the student support team should help the school develop an overall action plan for how the school will deliver services and implement interventions through partnerships and with additional community resources.

* For more information on school safety planning, see the School-Police Partnerships chapter.

Schools should ensure that student support teams are used primarily for this purpose—not as classroom monitors or disciplinarians for all students who misbehave or only acting as gatekeepers for special education services.* In most instances student support teams should be used prior to a special education evaluation, to prevent students from being referred to special education when other less intensive interventions may be effective. Only students with more intensive academic and/or behavioral health needs, who are unresponsive to universal prevention strategies administered by classroom teachers, should be referred to the student support team. School administrators should provide clear guidance and protocols for when these referrals can and should be made, including providing a referral form that must be completed and submitted for each student.[94] Ideally, student support team members should be responsible for referring students to IEP teams for special education evaluation and qualification for services.

The work of the student support team may overlap with the work of other teams responsible for schoolwide issues, as well as teams responsible for particular groups of students. The student support team should have close communication and coordination with other teams that operate in the building to maximize resources for their work.

Although some schools use student support teams and some districts and states even mandate their use, these teams often lack the necessary supports, training, and information systems to be effective. Many schools and districts that use a support team approach do not have mechanisms for helping the teams and their individual participants ensure that all appropriate in-class behavioral intervention options are being exhausted or that strategies to address students' needs are proving effective. Additionally, school leaders who are committed to assisting educators and staff on these teams are often unsure how to allocate resources and time to support their work.

The research on the effectiveness of student support teams is meager, but teams that have appropriate support are demonstrating successes. The Cleveland Metropolitan School District, for example, uses student support teams as part of its efforts to provide an array of interventions. It has contributed to reductions in student suspensions and improved perceptions of school safety.[95] There is, however, research emphasizing the importance and impact of using school-based problem-solving teams and professional learning communities (PLCs), which have some functions and characteristics similar to those of student support teams. PLCs and other structured staff peer collaborations have been shown to improve teachers' practices, the overall school culture, and student achievement.[96] Research in Philadelphia and Cincinnati, for example, demonstrated that in schools that used problem-solving approaches and peer supports, teachers felt that their environments were safer and more orderly, and that respect and collaboration increased among educators. Research also found an increase in student achievement in those schools where structured PLCs focused on student success and were sustained and supported over time.[97]

* In many instances student support teams are used solely as pre-referral intervention teams that evaluate students for the possibility of special education services.

RECOMMENDATION 1: **Ensure that the development or enhancement of the student support team(s) is responsive to the school's distinct characteristics and includes a transparent referral process for students who may need more intensive academic and behavioral supports.**

Every district and individual school has a distinct mix of student academic and behavioral health needs, available resources, and structures to support interventions. The student support team should be designed with a range of local factors in mind. Based on EWS data and other information gleaned from the comprehensive needs assessment, schools should have some understanding of the number of current students that may have academic and behavioral health needs, the severity of these needs, and their ability to respond. This data should also be used to determine whether less intensive Tier 1 strategies should be fortified to reduce the need for more expensive and intensive Tier 2 and 3 interventions. There is a limit to how many cases, particularly complex cases, a school can handle before becoming overwhelmed. Once a school has reached that limit, it begins triaging services rather than addressing the needs of all students who have more intensive challenges.

The demand for services (and level of intervention required) may also affect the structure of the support team. A small rural school, for example, may have a smaller caseload of students with academic or behavioral health needs, and a smaller team of staff and educators may assume support team duties. A large urban high school, in contrast, generally has a higher enrollment of students with intensive needs and should establish a larger student support team or multiple teams with significant expertise that matches the data-identified needs of a particular school. When the team's capacity is exceeded, school administrators should try to identify and contract with qualified external partners when possible to assist internal staff with an unmanageable caseload or for special types of interventions for which there is no in-house expertise, such as students with severe mental illnesses.

Although shortages of specialized instructional support personnel who can serve on these teams are not new to most jurisdictions, the situation has been exacerbated by economic conditions in recent years.* The chart below provides information on the actual and recommended student-to-staff ratios for indicated years for each specialized instructional support staff position.

* Specialized instructional support personnel include the school counselor, social worker, psychologist, and school nurse.

TABLE 2. ACTUAL AND RECOMMENDED RATIOS FOR SPECIALIZED INSTRUCTIONAL SUPPORT STAFF TO STUDENTS		
Specialized Instructional Support Staff	**Actual Staff-to-Student Ratio**	**Recommended Staff-to-Student Ratio**
School Psychologist	1:1,383 (2009–10)[98]	1:500–700 (depending on level of need)[99]
School Counselor	1:471 (2010–11)[100]	1:250[101]
School Social Worker	1:400 (2009–10)[102]	1:250 (1:50 for students with more intensive needs)[103]
School Nurse	Ratios vary across states, from 1:396 in Vermont, to 1:4,411 in Michigan (2010–11)[104]	1:750 (healthy students) 1:225 (student populations that may need more interventions from professional nurses) 1:125 (student populations with complex health care needs) 1:1 may be necessary for individual students with multiple disabilities[105]

Schools that are limited in their staff capacity to address academic and behavioral issues need to determine how to find this support in other ways, and how and when to involve external experts on student support teams to fulfill the roles of counselor, social worker, psychologist, or other professionals.

A student support team's success and ability to make the most of its resources is contingent on teachers and other school staff using proper criteria and protocols for referring students to the team. A clear and transparent referral process details who can make a referral and under what circumstances or conditions. In addition to authorizing teachers, parents, and administrators to make referrals, students should also be able to directly request access to the team. Student support teams should be used only after other less-intensive interventions, implemented by the teacher with the help of specialized staff and others, have proved ineffective in improving student outcomes. Exceptions to the least intensive intervention policy should be made when the failure to involve the team may result in harm to the student or to others.

Teachers need to have information on available approaches and resources (such as differentiated instruction and building positive relationships) to implement these lower tiered interventions for students.* Teachers also require professional development and supports to address classroom management generally and specific problem behaviors. If a teacher refers a student to the support team, team members should review information on what prevention and intervention strategies have already been exhausted and determine the appropriateness of team engagement.† The referral process should be fast and simple—student support teams should be able to review referral documents and quickly discern the nature of the problem and what conduct or indicator the student manifested that triggered

* See the previous Conditions for Learning chapter for more information.
† More information on the development and functions of an intervention tracking system that can house this type of information can be found in Policy Statement III, Recommendation 4.

the referral.*

RECOMMENDATION 2: **Clearly define the roles and responsibilities of the student support team as a whole and of individual members, to help ensure that students' needs are fully identified and addressed appropriately, and that students and their families are engaged in the process.**

All student support teams should have a core group of members who consistently participate in team meetings and are involved in all aspects of the team's scope of work. This core group should include at minimum a school administrator, a select group of classroom teachers, and specialized instructional support personnel, and be composed of individuals with diverse experiences and backgrounds. Rural schools or schools with limited capacity should establish a student support team with a minimum composition of an administrator, a classroom teacher, and a counselor, social worker, or psychologist. The core team should also determine the roles each team member will fulfill (in the case of a smaller team, members are likely to have to play more than one role). Given the scarce resources that many schools have, other staffing strategies may need to be utilized, such as using social work interns or others to fulfill some of these roles.

Teams' roles and duties should be formalized in district- or school-level written materials, and team members should be familiar with these policies. For example, Baltimore City Public Schools developed a student support team manual to assist schools with their design and implementation. The manual outlines teams' scope of work and responsibilities, provides guidelines for who should be involved in the support team process, and includes protocols for making referrals.[106]

Possible team roles include the following:

- ***Team leader:*** Oversees the student support team process and organization, including scheduling team meetings and assigning a team member to be the case manager for each student. The leader also acts as the facilitator during team meetings. In interviews conducted with staff in a school using a student support team model, respondents indicated that attendance and participation in team meetings increased when solid and consistent leadership was present. Artful facilitation was also noted as critical in helping all team members understand the purpose of the meeting, members' roles and responsibilities, and protocols for how meetings would be conducted.[107]
- ***Case manager:*** Gathers and reviews each assigned student's data, which is supplemented by interviews with teachers and student observations. The case manager may also engage other team members in the information-collection process, and should communicate with other staff who may be able to offer additional information or perspectives based on the situation. The case manager should ensure that fellow team members are prepared to discuss a particular student by reviewing and reporting on student EWS and progress data in advance of the meeting. The case manager should also report on interventions that were implemented since the previous meeting. This information also helps the team leader know which students should be discussed at each meeting, and which discussions should be on hold until additional data are available.

* For sample student support team forms used in the Cleveland Metropolitan School District, see Appendix B.

The case manager also works directly with students to help determine appropriate interventions that are more likely to engage the student in the process.

- ***Recorder:*** Documents meeting minutes and discussions to provide a record, or updates to previously received information. To ensure that team members have the necessary information to prepare for each team meeting, the recorder and case manager should work together to complete intervention plans, update student data in the electronic system, and fill in information on interventions carried out in a tracking system.
- ***Family/community liaison:*** Communicates with parents/guardians about the student's individual needs and intervention plan and with community-based organizations or external agencies that are connected with the referred student. Involving a student's parent/family and soliciting their feedback in the support team process and in decision making related to interventions is critical. The liaison should also regularly communicate with parents/guardians about a student's progress and the effectiveness of interventions.

With the case managers taking the lead, student support teams should be responsible for the following:

- ***Reviewing referrals from classroom teachers, other school-based staff, parents, and students themselves, to ensure that Tier I interventions have been used and proven ineffective before more intensive interventions are applied.*** As discussed earlier, student support teams can receive referrals from teachers, staff, parents, and students, and can also initiate a review process themselves. Student support teams must do their due diligence to ensure that Tier 1 interventions have already been attempted without demonstrated improvement (again, unless the student exhibits extreme behavior that requires immediate action, or the student is perceived to pose a threat to the safety of self or others).
- ***Reviewing quantitative data.*** After receiving a referral or initiating action, the student support team should review all available student-level data, such as absences, academic achievement, discipline violations or other behavior marks, and student strengths/assets, from EWS and other sources. Additional information, such as students' prior citations or arrests, referrals to alternative education placements, involvement in the child welfare system, or IEP data is also important.
- ***Gathering observational data.*** In addition to reviewing quantitative data, the case manager or other members of the student support team should conduct observations of the referred student in different classrooms and in other school contexts to learn more about his or her academic and social behaviors and the environmental conditions that may be contributing to problems.
- ***Ensuring student engagement.*** The case manager or other support team member should also engage each referred student in discussions about the reasons for his or her particular behaviors or academic struggles. This should be done in a respectful, youth-

guided manner in which conversations acknowledge student strengths and do not solely focus on negative behaviors or outcomes.

- ***Conducting functional behavior assessments.*** These assessments help identify when a behavior is more commonly exhibited, in what circumstances, and for what reason. These assessments are required under IDEA discipline provisions, but should be used for all students served by a student support team who appear to be in need of more targeted Tier 2 or 3 behavioral health interventions. A functional behavior assessment is a problem-solving process that identifies the "significant, pupil-specific social, affective, cognitive, and/or environmental factors associated with the occurrence (and non-occurrence) of specific behaviors."[108] For example, if a student support team member observes that a student only exhibits negative behavior during one class period, this would prompt further examination of that teacher's practices and relationship with the student, the student's interactions with peers from that class period, and the student's grasp of the material.
- ***Involving other adults who have contact with the referring student.*** The core team should also consult with other adults in and out of the school building who provide services or have contact with the student in school, and involve them in student support team conversations as appropriate and in the best interest of the student. As the situation dictates, these participants may include the school-based police officer or security personnel, probation officer, child welfare case worker, ELL specialist, speech and language pathologist, reading specialist, instructional coach, dropout prevention specialist, and special education staff, among others. Teams should also reach out to teachers who have built a positive relationship with the student for their input and participation. In determining which additional individuals to involve, the support team should examine all of the student's characteristics and issues identified through the data, conduct interviews with adults who work with the student, and include observations by classroom teachers and other adults in the building. To protect students' privacy and minimize chances for stigmatization, outreach to non-team members should be driven by consideration of which adults are likely to observe problem behaviors or have had successful interactions with the student, and by the identified needs of the student. Teams should carefully assess any information-sharing issues, particularly with non-school employees or officials.

  For example, a student support team concerned about a student who has recently been involved with the juvenile justice system may have conversations with the student's probation officer or the school-based officer who has developed a mentoring relationship with the student. A team meeting for a child receiving mental health services through an external or private provider may involve the provider in decision-

making conversations about intervention strategies to ensure that supports are aligned and not being duplicated.

When adding personnel to the support team or seeking other individuals' guidance, schools should be aware of privacy policies that may prohibit access to individual student data that may be shared during team meetings. The core team must ensure that information-sharing practices are in compliance with all local, state, and federal laws, including the Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act (HIPAA).* Deciding whether to include individuals as members of a team (or to determine the level of involvement of non-team members providing advice) should balance the need for information they can provide that can benefit the child against the need to minimize stigmatization and protect the student's privacy and dignity.

- ***Collaborating with parents/guardians and community members.*** It is critical to include the referred student's parent(s)/guardian(s) in conversations about the student's needs, strengths, and action plan. The team should help parents understand their child's educational, social, emotional, and health needs, and the role the family can take in improving outcomes. Support team members can make a home visit with parental consent, or find alternate means of communicating with parents who are unable to meet in the school building. Establishing regular communication with parents can also help team members learn more about a student's life outside of school and help to build on the family's strengths and assets in the intervention process.

  Team members should make an effort to understand a family's culture and language needs. Cultural awareness and sensitive interventions should be part of team members' professional development. Communications should respect the family's background and values, and teams should use interpreters or translator services to overcome language barriers.[109] Communicating with parents in a respectful way that ensures the clear exchange of information is not just good practice for schools—ensuring that individuals with Limited English Proficiency (LEP) have reasonable access to programs, services, and information is required under federal law that prohibits discrimination in programs receiving federal dollars.[110] Using jargon-free messages with regular feedback to parents is critical in reinforcing positive family engagement in schools, a key factor in improving a student's academic outcomes and behavior.[111]

  Student support teams should also collaborate with community members and public agencies to identify and discuss local risk factors (such as violence in students' neighborhoods). Community members and agency representatives can provide a wealth of knowledge to student support team members about problems facing youth outside of school. Conflicts can have spillover effects on the interactions that students have in school and on their ability to manage their own behavior or perform well academically. For example, a student support team that is well informed about a gang issue or an increase in violence in the community through conversations with police or community leaders could look for signs of trauma from these incidents that can impact a student's behavior, and thereby guide tailored interventions. Community members and organizations

* For more details on these laws, see the Information Sharing chapter of the report.

can also provide teams with resources related to social-emotional development and behavioral health, and support the professional development of team members.

Additional duties that a student support team should undertake include the following:

- ***Developing behavioral intervention plans (BIPs).**** Student support teams should consider all the information and data they have collected on students' needs, review their school's assessment of internal and external capacity to provide interventions, and then determine which evidence-based targeted strategies (Tier 2 or Tier 3) should be applied to best meet the needs of a particular student. A Tier 2 intervention (such as group counseling) is more likely to be used with a small group of students, whereas a Tier 3 intervention (such as cognitive behavioral therapy) is more likely to provide individualized attention to one particular student. BIPs should be developed by student support teams to document the use of tailored interventions. The plan should include a detailed description of the problem, information about when the problem is more commonly manifested and in what contexts, what the expectations should be for the skill or behavior that needs to be addressed, as well as specific and measurable targets for improvement.

  The plan should identify a replacement behavior as a target for the student, and outline a process for how to teach the student the new behavior and address other factors in the school or classroom that are contributing to the student's negative outcomes.[112] Goals need to be clearly defined, realistic, and aligned with the student's priority needs. The goals should consider baseline data and a reasonable expectation for improvement in a defined period of time. Intervention plans should include both short- and long-term goals that are written in observable and measurable terms, and implementation must be monitored. Accordingly, the support team should identify criteria and procedures to evaluate the student's progress, including a timeline for how often progress should be monitored. Intervention plans as a whole should be reviewed periodically and modified as needed. Additional provisions apply to students with disabilities or those who may have a disability.

- ***Monitoring and tracking service delivery and student progress.*** Student support teams should monitor student progress by regularly reviewing data to see if students are moving forward in reaching the goals set by the team and outlined in the BIP. The team should also continually engage in conversations with the student, the student's teachers, the student's parents/guardians, and others involved in developing or implementing the prescribed interventions, to help determine if the interventions are effective.†

* Behavioral intervention plans focus on social-emotional learning and behavioral goals and prescribed activities, but can also address academic issues.
† More information on developing this type of service-tracking system can be found in Policy Statement III, Recommendation 4.

- ***Determining eligibility for 504 plans and referring for special education evaluation.*** The student support team should serve students who appear to be having difficulties that may be associated with a disability, but who do not yet have an IEP. Student support teams should receive training on making decisions with regard to special education evaluation and placement. The team (along with all educators in the school) needs to ensure that all students who require special needs services have access to them while addressing the trends that show some groups of students may be over-identified as having special needs—particularly students of color.

  Students with disabilities can qualify to receive services under two federal categories: 1) Section 504 of the Rehabilitation Act of 1973 and 2) the IDEA. Under Section 504, individuals with disabilities are defined as persons with a physical or mental impairment that substantially limits one or more major life activities. To evaluate students for qualification under Section 504, educators and student support teams must receive parental consent to conduct a thorough review of the students' academic and behavioral health data, teachers' reports, and information from external agencies when possible. Students who qualify under Section 504 are eligible to receive educational accommodations and services, which can consist of instruction in regular classrooms with or without supplementary services, and/or special education placements and related services.*

  Students who qualify for services under Section 504 and students who are not responding to interventions (particularly students whose behaviors may be related to a disability) should be referred first to a student support team and then to an IEP team to receive a special education evaluation. An IEP team will develop and monitor individualized plans for students who are evaluated and deemed to have a disability that qualifies them for services under IDEA. While a student is being evaluated, however, that student should continue to receive the interventions and supports provided by the student support team. For a period of time there may be overlap in the teams that serve these students, making close communication and collaboration between the student support team, general education teachers, and special education teachers essential. It is also important to note that parents have the right to request a special education evaluation for their children, and that students may be served by the student support team while waiting to receive a determination on services.[113]

* The 504 Plan ensures that a child in an elementary or secondary school with an identified disability receives accommodations to support his or her academic success and access to the learning environment. Not all students with disabilities, however, require specialized instruction. The Individualized Educational Program (IEP) ensures that a child who has a disability identified under the IDEA and attends an elementary or secondary educational institution receives specialized instruction and related services.

AUSTIN INDEPENDENT SCHOOL DISTRICT CHILD STUDY SYSTEM AUSTIN, TX

The Austin Independent School District (AISD) uses a Child Study System, a three-tiered framework to employ prevention and intervention strategies, to serve all students' needs.[114] The Child Study Team—a student support team composed of educators and specialized instructional staff—oversees services to students in need of Tier 3 interventions (and in some cases Tier 2, if appropriate). Teams are composed of permanent staff members, with other staff or adults invited to participate as appropriate and based on the student's needs. Team members have defined roles and responsibilities and the team is monitored for effectiveness by the school's administration or leadership team.

The Child Study Team receives referrals from educators or specialized instructional support staff. It then reviews a student's prior history (including Tier 1 and Tier 2 interventions) and determines whether the student would benefit from additional Tier 2 or more intensive Tier 3 supports. The team identifies student goals, matches interventions, and actively involves families and students in this process. Team members use an electronic dashboard to input information about students' goals and interventions. The dashboard helps them monitor students' progress and gauge the effectiveness of interventions. Student progress is tracked for three to nine weeks and based on these results the team determines appropriate next steps. Next steps can include referrals to specialists, referrals to special education, or delivering additional Tier 3 interventions.[115]

The AISD provides to school campuses technical assistance and support on the Child Study System and Team processes, including technical support with the electronic system, participation in team meetings, assistance with communication systems and data analysis, and the delivery of coaching and professional development. The district has a menu of services from which campus principals can select and then they are assigned a facilitator to provide assistance.

CLEVELAND METROPOLITAN SCHOOL DISTRICT STUDENT SUPPORT TEAMS CLEVELAND, OH

As of the 2009-10 school year, each school in the Cleveland Metropolitan School District is required to have a student support team presence. The team is composed of at least three individuals: a building administrator, a qualified teacher, and a support staff member (such as a counselor, psychologist, or social worker). Referrals to the support team can be made by teachers, other school staff, external agency partners (such as mental health agencies or community organizations), parents, or the self-referral of the student experiencing difficulties. The support team is responsible for reviewing relevant data and identifying and prioritizing concerns, setting goals, establishing the process for monitoring student progress, designing interventions, assigning responsibility for implementation of interventions, tracking progress, evaluating each referred case, and making the necessary adjustments and follow-up. The district's student support team protocol also emphasizes using students' strengths and a positive approach to ensure that students are engaged in the intervention process.[116]

RECOMMENDATION 3: **Give student support teams the necessary resources and supports to complete their tasks effectively, including providing an electronic system to track students' academic and behavioral improvement goals, monitoring their progress over time, and measuring the effectiveness of intervention strategies.**

School and district leaders should ensure that there are systems and supports, including intensive training, to help teams achieve their goals. Leaders should also ensure that teams have the time, capacity, and skills to fulfill their responsibilities. Having logistical support from school administrators helps teams ensure that all records are kept, meetings are scheduled, and other administrative tasks are completed. Some additional ways that administrators can demonstrate a commitment to student support teams include the following:

- Providing extensive professional development and training to team members on the EWS, how to use all data sources to guide decision making, how and when to make referrals, and the student support team process and referral protocols
- Ensuring the student support team and other school staff understand the process for student identification and evaluation for special education services, as well as proper placement and special education legal provisions
- Arranging schedules to provide educators and other staff involved in the student support team with sufficient time to meet that does not conflict with pre-arranged school events (such as assemblies) or with teacher planning times
- Compensating educators for participating on student support teams and the additional workload that this process requires

- Ensuring that support teams are in place before the school year begins so that members can familiarize themselves with the process and develop positive relationships with team members
- Providing dedicated space for team meetings[117]

One of the most important resources that student support teams need is a tracking tool that monitors student progress against academic and behavioral goals. The electronic tool should ideally be linked to or be a part of the school or district's EWS, be easily accessible to student support teams and other adults working with the referred student, and have up-to-date data.

An intervention tracking tool would allow student support teams to create BIPs electronically and link these plans to individual student data records to create a more complete student profile. This information can follow a student as he or she progresses through their schooling. Students' teachers can be more easily informed of any prior needs, the interventions used to address them, and how successful the interventions were in meeting the stated goals on the intervention plan. Schools may, however, want to limit the time that certain elements remain active in a student's profile, to reduce the labeling or stigmatization of students by not allowing past mistakes to follow youth who have successfully changed their problem behaviors.

The student profile and information generated from the tracking system can serve as a real-time post-it note, so that anyone working with that student can make entries that are automatically shared with other adults in the school building who have access to the tracking system. This helps develop collective responsibility for students' outcomes and is particularly important in the middle and high school settings where students often interact with a number of different teachers and staff. In doing this, however, schools need to be aware of data privacy issues, and may have to limit access to particular school staff and to specific types of information, and provide training on who can use the information and how. Additionally, schools and districts need to clearly outline protocols in their partnership agreements with external organizations and providers for how student information is shared.[118] The intervention tracking system should serve as a useful tool to help evaluate the effectiveness of collaborations by measuring how well partner organizations and providers are serving the needs of students and meeting the goals outlined in their agreements.

The tracking system can also provide insights into the contexts in which interventions are successful. Because many students' BIPs will include a combination of interventions, reports can be generated to examine not only individual interventions, but also how they work together. For example, a student who has an emotional and behavioral disorder and is multiple grade levels behind in reading would need interventions to support his or her social skill development as well as interventions to improve

POLICY STATEMENT IV

Schools and districts use a systems-of-care approach to provide a comprehensive and multi-system array of intervention strategies to address students' behavioral health and related needs.

his or her reading abilities. The tracking system could identify all students who have this combination of unmet behavioral health and academic needs, and see which combination of interventions was most successful in bringing about improvement.

Despite districts' and schools' current efforts to address the variety of behavioral health and other issues facing their student populations, a great many needs are going unmet, particularly among the most vulnerable students and youth who are repeatedly involved in the school discipline system. There are also situations in which students' issues are simply too severe for the school to be able to handle internally and alone, particularly more intensive mental health needs. Although some schools and districts are able to build or use in-house capacity to provide behavioral health interventions and other services, many need to develop external partnerships to supplement these services, particularly large, under-resourced, and/or rural schools. Districts or individual schools should develop a systems-of-care approach to providing targeted and intensive interventions by combining funding sources to effectively leverage all opportunities and create local partnerships with nonprofit organizations, health professionals, private providers, and public agencies. A systems-of-care approach, derived from the child and family health care and child welfare fields, involves collaboration across multiple agencies, organizations, families, and youth to improve the accessibility and availability of coordinated and holistic services and supports for children with behavioral

CORE VALUES AND PRINCIPLES OF SYSTEMS-OF-CARE APPROACHES

The Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services, identified the following as core values and principles of systems-of-care approaches.[120]

Core Values:

- Child-centered, youth-guided, and family-driven
- Community-based and comprehensive
- Culturally competent and responsive

Principles:

- Service coordination or case management
- Prevention and early identification and intervention
- Smooth transitions among agencies, providers, and the adult service system
- Human rights protection and advocacy
- Nondiscrimination in access and services
- Comprehensive array of services
- Individualized service planning
- Services in the least restrictive environment
- Family participation in all aspects of planning, service delivery, and evaluation
- Integrated services that provide for coordinated planning across child-serving systems

health issues. The systems-of-care approach is based on shared values and principles among all stakeholders. It is not a program, but rather a philosophy for how interventions and services are provided.[119]

Research conducted on systems-of-care models report positive impact on students and the community at large. Studies in which schools were critical partners in systems of care yielded such results as fewer arrests, sustained mental health improvements, reduced suicide-related behaviors, improved school attendance and school achievement, and decreased placements in juvenile facilities.[121]

Based on the needs and capacity self-assessment results, school leaders and student support teams should develop an action plan for developing a systems-of-care approach in their communities, including identified behavioral health services. They should engage all

stakeholders in and outside the school to effectively address the needs of students and their families in individually and collectively accountable ways that coordinate, align, and leverage community resources.[122]

RECOMMENDATION 1: **Develop partnerships with external providers to deliver behavioral health and related services to individual students on and off the school campus.**

As part of a systems-of-care approach, schools and districts should build relationships and collaborate with qualified organizations and service providers located in the surrounding community, including the following:

- Universities, colleges, medical schools
- Community-based health clinics
- Community-based organizations (such as volunteer or out-of-school programs)
- Individual health professionals
- Public agencies (mental health, juvenile justice, social services, child welfare, probation)
- Substance abuse treatment clinics
- Faith-based organizations
- Community foundations

In developing and establishing partnerships, schools should create MOUs or other agreements that delineate roles and responsibilities and outline protocols for communication and sharing information about students. MOUs should describe the partners' shared vision, the behavioral health goals (or other goals as guided by the needs assessment), and measurable objectives. For example, the District of Columbia Public School System (DCPS) established an MOU with the city's Department of Mental Health-Community Services Agency (DMH-CSA) to provide "prevention, assessment, and treatment services to children and adolescents enrolled in DCPS through a collaborative effort by both parties." The MOU outlines a shared mission and vision for improving mental health in schools, activities and functions to carry out and achieve the goals of the partnership, the structure of the partnership, the roles of each entity, and legal requirements to which both parties must adhere.[123] The MOU should also include information on how the partnership will be evaluated over time as interventions and services provided by each partner are tracked and monitored. The school should evaluate each partner's effectiveness and its furtherance of identified goals.

Outlining Roles and Responsibilities

In developing a systems-of-care model, partners need to understand their roles within the larger system, their individual responsibilities, and how their services support the behavioral

health or other needs of students. The positive impact that specialized instructional support staff—school psychologists, social workers, counselors, and nurses—has on student academic and behavioral outcomes is well documented. The services they provide to students and educators include the following:

- Helping educators to design academic and behavioral interventions as members of student support teams
- Working with administrators to plan and implement comprehensive mental health strategies and improve school climate
- Coordinating with other staff, educators, students, and families to determine students' eligibility for special education services
- Assisting educators in collecting and analyzing student-level data to improve student assessment and accountability[124]

The specialized instructional support staff's specific roles and responsibilities depend largely on the individual school, its staffing patterns, instructional support staff capacity, and students' needs.[125] External partners should augment these roles and provide added capacity and services. The MOU or partnership

TURNAROUND FOR CHILDREN MENTAL HEALTH SUPPORTS

Turnaround for Children is a nonprofit organization that works to transform public education in high-poverty schools in New York, NY; Newark, NJ; and Washington, DC. It has developed a schoolwide intervention model grounded in child development that targets the most important factors driving stress and chronic failure. Turnaround works to improve student access to mental health care by establishing and coordinating relationships between partner schools and selected mental health clinics, and facilitating efficient mental health referrals and treatment for children in need of intensive behavioral support.

Turnaround builds school capacity to engage with mental health partners by working with the school to set up systems of identification, referral, and communication with the partnering agency. It emphasizes rapid response from the clinic on school referrals to ensure that children seeking mental health assistance get easy access to initial intakes, psychiatric evaluations, and assignment to ongoing treatment. Using a point of contact in the school in conjunction with the community-based treatment center helps families navigate the mental health treatment system.

Once a system is established for identifying students with mental health needs and expediting referrals, Turnaround works with the school to enhance collaborative practices. Mental health agency partners participate in student support team meetings to coordinate intervention planning, and cases are monitored further with check-in calls and other meetings. Partners and student support staff also have the opportunity to build relationships, troubleshoot, and discuss common themes at monthly forums for professional development and consultations.

For more information on Turnaround for Children visit turnaroundusa.org.

agreement should outline who the lead staff person is in the school and the partner organization, and communication protocols and processes. The agreement should outline partners' mutual responsibilities as well as each entity's individual duties, and these responsibilities should clearly relate to the partnership goals and broader system of care to facilitate accountability and avoid service duplication.

Community Schools as a Model for a Systems-of-Care Approach

The community schools model implemented in many districts across the country demonstrates how schools and districts can use a systems-of-care approach. Community schools are public schools designed to support students' physical, emotional, and social development, in addition to improving their academic outcomes. The community schools model involves partnerships with a wide range of entities, including community-based organizations, health care providers, parents/guardians, and other individuals who support a holistic approach to education. Successful community school initiatives use shared leadership and governance, in which both the school and partners' leaders assume responsibility for programs and services. Partners and schools need to establish trust, communicate consistently and effectively, and have the ability to share information about students' progress.[126] As of 2014, there are approximately 5,000 community schools operating in the United States, with some school districts adopting this model as a reform strategy for all of its schools.[127]

Evaluations of community schools demonstrate positive outcomes on a number of academic, social-emotional, and behavioral indicators. Research synthesized by the Coalition of Community Schools and other organizations found student gains in academic achievement, attendance, indicators of positive youth development, and behavior.[128] Teacher attendance and parental involvement also improved. Other outcomes included fewer disciplinary problems and actions, increased access to health care, and greater contact with caring adults.[129]

Depending upon resources and access to health care professionals, many community schools operate school-based health centers (SBHCs) to provide comprehensive health services on school grounds to students in kindergarten through high school. Although center services vary depending on the needs and existing resources of the school community, SBHCs share some common characteristics, including

- location on school campus or school grounds;
- integration with the school environment and collaboration with school staff;
- comprehensive services to students that address mental, physical, and emotional health needs;
- a multidisciplinary team of service and treatment providers;
- clinical services through a partnership with a qualified health provider;

- parental consent for children to receive SBHC services; and
- an advisory board of community representatives, parents, youth, and family organizations.[130]

As of 2008, nearly all SBHCs (96 percent) were found to be located in the school building, with 80 percent serving middle and high school students, and 57 percent located in urban areas.[131] SBHCs also typically are more prevalent in schools where there are large numbers of students of color. SBHCs receive support through a variety of funding streams, including private foundations, school districts, state funding, and sponsor organizations. Additionally, the majority of these centers bill public insurance for services, including Medicaid, the Children's Health Insurance Program (CHIP), and Tri-Care, which serves active duty military and their families.[132]

Many states also have policies to support SBHCs and promote high standards. As of FY2011, 18 states had provided dedicated investments for these centers, with state general funds representing the largest share of support. These states have held programs accountable by requiring the collection of performance data, setting quality standards, and requiring certification by a state agency to qualify for funds. Of these 18 states, 10 also have Medicaid policies that require reimbursement for care received by students at SBHCs.[133] Significant achievement has been made since 2011 at the state level in many jurisdictions for additional support for SBHCs. For example, Connecticut's General Assembly approved a 2013 budget that includes $1.1 million in new funding for SBHCs.

At the federal level, the reauthorization of CHIP in 2009 provided support for SBHCs by recognizing these entities for the first time as eligible providers of CHIP services. With this new status, SBHCs are able to apply for provider status and receive reimbursement by CHIP-managed insurance plans. The Patient Protection and Affordable Care Act also provided $50 million a year for four years (FY2010–FY2013) for one-time funding for construction, renovation, and equipment for SBHCs.

Studies on the effectiveness of SBHCs demonstrate a significant increase in health care access by students, and patients' improved behavioral health and academic outcomes, including lower absenteeism rates and fewer disciplinary referrals. Students, teachers, and parents rate academic expectations, school engagement, and safety higher in schools with SBHCs than in schools without SBHCs.[134]

There are also health centers that are associated with schools, but are not based on the school's campus. School-Linked Health Centers provide comprehensive services to students

CHILDREN'S AID SOCIETY AND NEW YORK CITY DEPARTMENT OF EDUCATION COMMUNITY SCHOOLS MODEL NEW YORK, NY

The Children's Aid Society partnered with the New York City Department of Education in 1992 to create a community schools model. As of 2014, the partnership operates 16 community schools in Manhattan, Staten Island, and the Bronx, providing students with a comprehensive approach to education that includes expanded learning opportunities; enriched curricula; and access to onsite or school-linked medical, dental, and mental health services. Schools also provide services such as adult education classes and affordable health care services to families and community members. A number of studies have been commissioned by the Children's Aid Society to document the impact of community schools on students. The results of these studies indicate positive outcomes for students including:[136]

- Increased academic achievement
- Reduction in special education over-referrals
- Increased access to health care
- Improved community engagement and student behavior
- Increased attendance

The Children's Aid Society also has a well-established National Center for Community Schools. The center has worked in more than 60 cities in the United States and abroad since its inception in 1994 to support the establishment of community schools, and has published a number of guidebooks and tools that jurisdictions seeking to create this model can access. More information can be found at nationalcenterforcommunityschools.childrensaidsociety.org .

ELEV8

Elev8 is an example of a community schools model designed to bring together schools, families, and communities to support the needs of low-income middle school students. Its local initiatives are located in New Mexico; Chicago, IL; Baltimore, MD; and Oakland, CA.[137] All Elev8 schools include four core pillars of support:

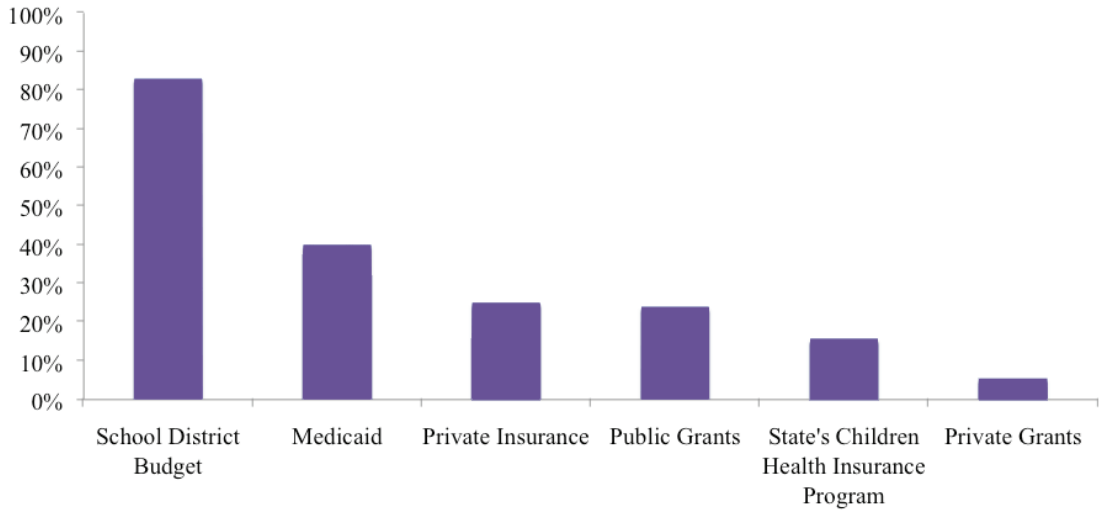
1. Extended learning opportunities after school and during the summer
2. School-based health care for youth and families
3. Family and community support services
4. Family and community engagement efforts

A nonprofit organization acts as the lead agency in each of these sites, responsible for developing partnerships and implementing an integrated array of services. Each school also has an onsite Elev8 director who works with school administrators, families, and service providers. The initiative is undergoing a rigorous evaluation at this writing, but preliminary research on Elev8 schools demonstrates positive results for students, families, and the communities served. In one Elev8 school in New Mexico, there were half the number of disciplinary actions three years after the initiative started, and the suspension rate overall was 18 percent across Elev8 schools, much lower than comparable schools in these districts. According to a 2011 survey, 84 percent of students in Elev8 schools indicated that they have a caring adult to go to and feel more connected to school. Attendance rates validate this connection, with a school attendance rate of 95 percent across schools.[138] For more information on Elev8 see elev8kids.org.

from more than one school and are located off of school grounds. Often these centers provide a broader scope of services than SBHCs and have extended hours beyond the school day. As of 2007—08, 1,909 clinics and programs were connected with schools across the country.[135]

RECOMMENDATION 2: **Leverage multiple funding sources including combining resources to support the development of partnerships and the delivery of services.**

FIGURE 3: FUNDING SOURCES USED BY SCHOOL DISTRICTS TO SUPPORT MENTAL HEALTH AND SOCIAL SERVICES



To develop partnerships and deliver integrated behavioral health interventions, schools and districts should draw on an array of funding sources and financing strategies. Figure 3 outlines the types of sources that surveyed districts reported they use to pay for behavioral health services.[139]

Although behavioral health funding has declined in recent years, multiple funding sources are still directly available to schools and districts to support the provision of behavioral health services, including for capacity-building activities and to develop programs. Other sources are

available for community-based organizations or health agencies, which can then partner with LEAs or individual schools to provide services.

Additionally, a number of provisions in the Affordable Care Act (ACA) support behavioral health services for youth through direct funding as well as through expanded coverage. These provisions include the following:

- The ACA expands eligibility for Medicaid and CHIP, and additional preventive-care services are now covered at no cost to children who participate in these programs.
- The ACA also funds the Health Resources and Service's Administration's (HRSA) School-Based Health Center Capital program, which provides funding for construction, renovation, and equipment. Through this program, $95 million was awarded to 278 SBHCs in 2011 and $80 million was awarded to 197 SBHCs in FY2012, which together have the potential to serve more than 800,000 students. In FY2013, HRSA awarded $80 million for an additional 197 school-based health center programs to serve an additional 384,000 students.
- The ACA established the Prevention and Public Health Fund to provide grants to improve public health by investing in evidence-based prevention strategies. These strategies include tobacco prevention, immunizations and health screenings, and other community or clinical prevention initiatives.[140]
- The Small Communities program, a subset of the CDC's Community Transformation Grants, allocates funding to less populated communities to support five "Strategic Directions," including "high-impact, quality clinical and community preventative services, social and emotional wellness, and healthy and safe physical environments."[141] Schools are eligible to receive these grants.

Schools can leverage all potential resources by combining support from multiple funding streams.[142] Combined funding increases the flexibility of categorical funding streams and allows entities to support an integrated approach to service delivery. This approach does require careful accounting of how every dollar from each individual stream is spent to pay for the integrated services needed by a particular population.

Schools and districts can also simply reallocate existing unrestricted single-source funds or use those funds in different ways to support behavioral health partnerships and the delivery of services. During the needs assessment process, schools should examine their current budget allocations and determine which funds can be used more effectively to support behavioral health. Reallocating resources may require schools to eliminate ineffective programming or interventions, or shift funds to more cost-effective strategies.*

* A table with more detailed information on federal funding sources, allowable uses, and related grant programs for behavioral health interventions, as well as school climate, school-police partnerships, and juvenile justice reforms is found at csgjusticecenter.org/wp-content/uploads/2014/05/FederalGrantProgramsChart.pdf .

POLICY STATEMENT V

States and school districts provide all students, including those removed from campus for disciplinary reasons, with access to high-quality alternative education services that address the students' social-emotional, behavioral health, and academic needs.

Although this report makes recommendations to reduce the use of exclusionary discipline and keep students in the classroom as much as possible, some students will still need to be removed, particularly for more serious offenses. For these students, it is imperative that alternative school options exist to provide continuity in learning and behavioral support services. As of September 2013, 42 states had statutory provisions providing for alternative education specifically for expelled or suspended students (with 14 requiring these programs and 28 encouraging their use).[143] Even in states that do not mandate their use, alternative education programs may exist. There is a wide range of programs that provide an alternative setting for students, and which to varying degrees address students' academic and behavioral needs.

WHAT IS ALTERNATIVE EDUCATION?

The term "alternative education" can have a very broad meaning, and typically encompasses education activities that are not part of the traditional public school system. The National Center for Education Statistics at the U.S. Department of Education defines alternative education as a "public elementary/secondary school that addresses needs of students that typically cannot be met in a regular school, provides nontraditional education, serves as an adjunct to a regular school, or falls outside the categories of regular, special education, or vocational education,"[144] but alternative education also can be a program within a traditional public school or a separate school altogether.

There has been a push in recent years to change the name of "alternative education" as this term has become associated with negative connotations. This chapter continues to use this term, particularly when citing research that uses this phrase, because it remains the most frequently used and is best known to general audiences. Advisors involved with this report's development have recommended new terminology such as "multiple or promising pathways to success."[145] Additionally, see the Courts and Juvenile Justice chapter for information on education in correctional facilities.

Although pockets of excellence exist, the majority of alternative education settings as currently conceived are schools or programs for students with behavioral issues who are suspended or expelled from traditional school settings. Such schools are sometimes referred to as disciplinary alternative schools, but often they do not meet the quality standards

of traditional schools. A relatively few districts also have alternative education programs specifically for students who are behind academically. As of the 2007–08 school year, 64 percent of districts reported having at least one alternative school or program for students who are at risk, with more than a third of those programs housed within a regular school.[146] Alternative schools and programs are administered by the district or by an outside entity: the majority of externally run programs are managed by public organizations/agencies, followed by private contractors engaged by the district.[147]

There are a number of concerns about the demographics of students enrolled and the tendency for poor academic, behavioral, and social-emotional outcomes in alternative education settings, both for students who are left behind academically in traditional settings and students who have been removed from school for disciplinary reasons.

- Alternative education schools and programs typically enroll a higher percentage of students with disabilities, students of color, and older students.[148]
- Opportunities to learn are frequently less challenging and higher-level coursework is not as available in alternative settings.[149]
- Graduation rates are lower in alternative schools than those for students in traditional public schools in the same neighborhoods.[150]
- Students in alternative education settings are more likely to engage in regular alcohol and substance use than in traditional settings.[151]
- Students in alternative schools and programs are more likely to engage in risky behavior, have health-related issues, and attempt suicide than students in traditional schools.[152]
- Studies indicate that bringing anti-social or "deviant" peers together in a program can inadvertently produce negative outcomes.[153]

Alternative education settings across the country are hardly uniform in their operation, structure, or effectiveness. One contributing factor to the lack of uniformity may be the significant variability among state laws and district policies on standards and accountability for alternative education. These programs and schools also tend to suffer from funding problems. Although a few revenue streams exist at the federal level to support alternative education, these schools and programs typically serve students in middle and high school, where the federal investment in secondary school education is small compared to funds allocated for elementary education. For example, only 10 percent of Title I dollars are spent on supporting students in high schools.[154] These settings are primarily funded by state and local public and private sources and are generally under-resourced. Many traditional public schools consider alternative schools and programs as competitors for public dollars, even if under the auspices of the same school district.[155]

The quality of instruction across alternative education settings is extremely variable as well, with many not having staff with the expertise or experience to meet the diverse needs of

their students. In a study of state laws and policies related to alternative education, findings revealed that only half the states with a formal alternative education law or policy included language on staffing issues.[156] In a survey conducted by the National Center for Education Statistics, 49 percent of districts reported that teachers were transferred to alternative settings by choice, though in large urban districts with higher enrollment of students of color and in poverty, teachers were more likely to be assigned involuntarily.[157] As of 2010, no state appeared to have policies offering incentives to teachers to teach in alternative settings.[158]

Lack of accountability and transparency are also problems facing many alternative education schools and programs. In 2010, only 6 states had clear and separate accountability systems for alternative education, requiring them to report results to the state on performance indicators, and 23 states addressed alternative schools in state-level accountability systems in some other way. Of these 23 states, 9 held alternative programs to the same accountability standards as traditional schools. Twenty-two states are silent on accountability for alternative education programs.[159]

The factors leading students to be placed in alternative education settings differ among districts and even schools within a district. In a study of school districts that have alternative placements for youth who are removed from school for disciplinary reasons, about half of the districts included physical attacks or fights, chronic truancy, and disruptive verbal behavior as primary reasons that could lead to the transfer of a student to an alternative placement. About a quarter of districts included teen pregnancy or mental health issues as justification for placement in alternative settings.[160] In some cases, students may be offered the choice of attending an alternative school to improve their academic outcomes, rather than as a result of a disciplinary action. A U.S. Department of Education survey indicates that, whether for academic or disciplinary reasons, placement of students in alternative programs was based in significant part on recommendations from regular school staff, a committee of staff, or a district-level administrator. Additionally, of districts surveyed, 48 percent indicated that parental requests played a role in the student's placement, and 41 percent reported that student request was a factor.[161]

The findings on lower graduation rates, higher substance abuse, and other negative outcomes indicate the urgent need for alternative education to be revamped to provide better opportunities and services for students with significant academic, behavioral health and related needs, and in particular students who are involved in the disciplinary system. The two recommendations that follow reframe how alternative education schools and programs should be envisioned in public education:

1. Alternative education settings must support those students who receive short-term, out-of-school suspensions, to the extent that schools and districts continue to use this disciplinary practice.
2. The alternative education system should be transformed into a network of quality

education pathways, accessible to all students who are not succeeding in a traditional setting.

RECOMMENDATION 1: **Provide all students removed from school for short-term disciplinary violations with an alternative education option that affords continuity in learning and any needed behavioral health supports, as well as mechanisms for fully reintegrating the students back to the traditional school environment.**

As mentioned in the previous chapter, out-of-school suspensions should be limited to the most serious offenses and states should cap the number of consecutive and/or overall days that a student can be placed in out-of-school suspension.* Schools and districts should ensure that suspended students have access to an alternative option that provides a safe and supportive environment with educational and behavioral health services.

Currently, when students are suspended from school they are often left without a safe and supervised place to continue their education until their suspension period is over. School districts should establish programs to specifically serve students removed from school for short-term out-of-school suspensions.† These programs should provide students with the ability to continue their learning with the assistance of a certified, effective educator, and allow them to receive the same, if any, behavioral interventions they were receiving in their original school. A number of challenges must be addressed in setting up these types of programs:

- ***Location and Transportation***

  Alternative programs that serve students suspended from school must be in locations that are convenient and accessible to students across the district. Districts should make every attempt possible to open multiple sites to provide broader access. Making use of space within schools or in community-based organizations to house these programs is another option. For example, some jurisdictions use Boys & Girls Clubs to house such programs. Students are less likely to miss school in the alternative setting if the location is accessible and transportation costs are minimized.

- ***Continuity in Services***

  Programs serving students with out-of-school suspensions must be flexible and able to serve a wide variety of students with a range of academic and behavioral health needs. Whether suspended for one day or ten days, students need to have access to their coursework to keep pace with classmates or at least not fall further behind. Continuity of behavioral health and related services is also of critical importance. This means that the district should establish a process for the alternative program to receive information about a suspended student as quickly as possible, including information about the student's current course load, assignments, upcoming exams, and if applicable, the BIP and/or IEP. When possible, the alternative program administrator/educator should also speak with the home school's transition coordinator, if there is one, or person in charge of discipline, alternative placements, or referrals, to discuss needed services and priorities.

* Individual school districts may elect to establish a cap that is even lower than the ceiling provided in state law or policy. Several states have established a maximum out-of-school suspension period of 10 consecutive days. See code of conduct section in the Conditions for Learning chapter for more information.
† Advisors recognize that if a student is suspended for a day or two, the suspension is treated more like any other absence in which students try to keep up with homework with the assistance of onsite staff. However, for longer suspensions schools need to take additional measures.

- ***Qualified Staff***

  Attracting qualified and credentialed educators to work in alternative programs is a significant challenge. Programs serving suspended students often employ a single educator or staff person responsible for supporting students across multiple grade levels and with a range of behavioral health and related needs. For these programs to be successful, they must hire certified teachers who have experience working with middle and high school at-risk youth.

These programs must also engage community partners and other providers who can support students with IEPs or BIPs. Being suspended from school should not warrant the cessation of needed services (often required under law for students with disabilities). Partnering with community-based or faith-based organizations can also help provide additional staff and supports for these programs.

HILLSBOROUGH COUNTY PUBLIC SCHOOLS ATOSS PROGRAM HILLSBOROUGH COUNTY, FL

Hillsborough County Public Schools established the Alternative to Out of School Suspension (ATOSS) program to serve students who have been suspended from school for behavioral issues for a period of one to ten days.[162] Students engaged in this voluntary program receive targeted behavioral health services and help in making up schoolwork. Attendance and completion of a suspension period at an ATOSS counts as full attendance by the district. There are 12 ATOSS sites across the district located at community and recreation centers, including at area Boys & Girls Clubs. Some jurisdictions that have established ATOSS programs dedicated to serving students suspended from school also incorporate a community service component. These programs ensure that students spend sufficient time on academics and behavior changes, and students also are offered opportunities to gain credit and employment skills by participating in community volunteer work.

Traditional schools (and districts) at a minimum should implement the following policies and procedures to better support students who are placed in alternative settings for short periods of time:

- ***Ensure that attendance is excused in the home school attendance record***

  Districts should ensure that days that students are absent from their regular school due to out-of-school suspensions are marked as excused. Unexcused absences from school can result in students being further penalized.

- ***Designate a school staff person to serve as the liaison between the educators and suspended students***

  The school principal should identify a staff member to convey information about classwork assignments and school-related issues by phone or email to suspended students, their families, and their short-term alternative setting. The liaison should also help to ensure that students still receive services identified in their BIPs to the extent possible, and coordinate the students' transition back to the school.

- ***Provide students with daily classwork and assignments***

  Students should have the opportunity to complete academic work assigned during the suspension period without penalty. Educators should use established support structures, such as after-school and tutoring programs, if students need additional academic support or re-teaching of concepts they missed during the suspension.

- ***Include restorative follow-up***

  Following a restorative approach, schools should establish a process whereby parties that have been harmed (both staff and students, as appropriate) and the student causing the harm have an opportunity to discuss the situation that led to the suspension, share their feelings, and achieve closure. This helps ensure that any lingering feelings are resolved and students have a clean slate to move forward. This approach is contingent, of course, on victims' consent to being involved in the process.

RECOMMENDATION 2: **Establish a continuum of multiple pathways for all students who are not succeeding in traditional education settings and align the pathways with students' academic, behavioral health, and related needs.**

Children learn differently and have a variety of needs that cannot always be supported in traditional education settings. Therefore, alternative education should be reframed as a system of multiple pathways that provide a range of options for students to receive a quality education and prepare themselves for college and/or career. These options should offer students who are unsuccessful in a traditional school the opportunity to experience a setting that is more oriented to individual needs and to exploring particular career interests rather than only core academic subjects. It is critical to remove the stigma associated with alternative schooling and to change both the reality and the perception that the majority of alternative schools provide a lower quality of education.[163] School districts should make multiple pathways available to all students, including

- students expelled from school for disciplinary purposes;*
- vulnerable youth disconnected from school or not succeeding academically in a traditional school setting; and
- students who may have a specific vocational interest or academic need that would be better addressed in an alternative setting.

* Advisors involved in the development of this report recommend that in states where students can be suspended out-of-school for more than 10 days, students should be required to attend alternative pathway schools for the duration of their suspension.

MONTGOMERY COUNTY PUBLIC SCHOOLS (MCPS) PLAN FOR ALTERNATIVE PROGRAMS MONTGOMERY COUNTY, MD

After examining achievement and graduation data in the 2012–13 school year, MCPS developed a plan to reform the district's alternative education programs.[164] In that school year, the district's graduation rate for alternative programs was just 8.9 percent, compared to a graduation rate of 88.3 percent for the county as a whole. The dropout rate for students in alternative programs that same year was 70.9 percent compared to 7 percent for all students in MCPS.

The district's strategic plan to reform alternative programs was presented to the school board in early 2014. The plan includes three primary components:

1. Personalized learning plans with measurable goals and criteria for success
2. Pathways for learning that promote challenging academic content and curricular options
3. Social emotional learning and wrap-around support for students and families

The district is planning to begin implementing this plan in the 2014–15 school year. To do this, MCPS will work to develop and support alternative program school leaders, and to attract high quality teachers to work at these sites.

Eligibility

States have varying alternative education eligibility criteria. In 2011, Colorado, for example, passed legislation that expanded alternative school eligibility to include students who are under-credited relative to their age and grade level. Before 2011, only students removed from school for disciplinary reasons or "social issues" were eligible to attend.[165] In Wisconsin, legislation identifies children eligible for alternative education as youth in grades 5–12 who are at risk of not graduating high school because they have dropped out or are behind in credits; are behind in basic skills; are truant, teenaged parents, or adjudicated delinquents; or are students in 8th grade who are below basic requirements in all areas. Districts in Wisconsin are required to develop a plan for meeting the needs of these students through alternative programs.[166]

States and districts should establish written, transparent guidelines that outline eligibility criteria for entering and exiting various alternative education pathways. Students and parents should actively engage in the school selection process. Research demonstrates that the most successful alternative schools are those where both students and teachers elect to participate. In these schools, students apply for acceptance, participate in interviews and

complete intake assessments, and parents/guardians are engaged and part of the process.[167] Students who enroll in alternative pathways should also have the option of transferring back to their traditional schools, if and when appropriate. Certain populations of students, such as those with behavioral issues or those who have previously been suspended or expelled, may have trouble reentering their home schools if there are students who felt victimized by their actions. Despite this, guidelines should be written to allow students to reenroll in their home school or another traditional school in the district unless there is a compelling safety or victimization issue that cannot be resolved through safety plans, restorative programs, and other measures.

Quality Standards and Tailoring Programs to Student Needs

All educational pathways need clear guidelines on quality standards for their programs, while building in room for local flexibility. Quality standards should include criteria regarding educator qualifications, staffing models, curriculum, and class size, among others. Some of the research-based elements of effective alternative schools include the following:

- Staff shares the philosophy that all students can learn and meet high expectations.
- Student-teacher ratios are conducive to learning and appropriate for individualized instruction.
- Schools and individual programs have relative autonomy and flexibility to meet students' needs while achieving quality standards.
- Educators receive professional development to support their work with students who do not succeed in traditional settings.
- Parents/guardians are treated with respect and valued as active participants in their child's education.
- Students and adults in the school engage in trusting, caring relationships and interactions are collaborative in nature.
- Students have opportunities for participation in vocational programs and extra-curricular activities, such as athletics, band, and clubs.
- The school incorporates counseling, social services, and other behavioral health components into daily activities.[168]

So much of these programs' quality is dependent on the effectiveness of teachers and other staff in the school. All educators in alternative settings should be highly qualified, and their expertise should align with students' needs and the related curriculum and services they will be providing. For example, an alternative setting serving a large number of students with IEPs should employ more educators certified in special education. A school enrolling students with significant behavioral health needs should hire treatment and service professionals with proven expertise in developing and implementing targeted mental health interventions. Although attracting educators to work in alternative settings continues to be a significant challenge, particularly given most districts' already scarce resources, states, districts, and schools should think about ways to provide incentives to high-performing teachers. Even reframing alternative education as a system of multiple pathways and removing any negative connotation could help incentivize teachers and build morale. Leaders should also implement policies that better train and prepare teachers for working in different environments.

School curriculum, pedagogy, structure, and schedule are as critical to the success of students in an alternative education pathway as they are in a traditional public school. Research demonstrates that effective alternative schools provide a student-centered atmosphere, more individualized support and attention from educators with high expectations, social-emotional learning, increased connectedness with the school, and engaging instruction.[169] School districts should establish multiple alternative education pathways that incorporate these elements and complement traditional coursework with non-traditional programming and scheduling. These pathways should be responsive to the diverse needs of students found across the district. Examples of innovative and creative alternative education pathways include

- providing students with internships for career exploration and to build 21st century skills;[170]
- creating dual enrollment programs in partnership with area universities to begin earning post-secondary credits;
- providing students with service-learning or volunteer opportunities to receive credits; and
- using technology and digital learning to expand learning opportunities.[171]

Flexibility in scheduling may need to be considered to achieve these goals, such as expanding the length of the school day, week, or year.

ALTERNATIVE, COMMUNITY, CORRECTIONAL EDUCATION SCHOOLS AND SERVICES (ACCESS) ORANGE COUNTY, CA

The Orange County Department of Education ACCESS program serves approximately 9,000 students in grades K–12.[172] Youth who participate in ACCESS programs may have social/behavioral problems, mental health challenges, probationary status, placements in group homes, and/or experiences with homelessness. ACCESS also provides programs for students who feel that traditional schools do not meet their academic goals or who prefer a home schooling option. School district personnel, parents, probation departments, or social services staff may refer students to ACCESS. The mission of ACCESS is to "provide educational options to diverse student populations." The purpose is to "provide instructional learning environments and services that support students and school districts by providing programs that fit their needs." ACCESS programs attribute their success to a combination of the passion and commitment of their teams of educators and the collaboration and partnership with school districts, probation offices, social services, parents, and community.

ACCESS encompasses a variety of services and types of schools, offering students flexibility in scheduling and standards-based academic coursework that is tailored to their talents, skills and needs. Programs include

- institutional schools for incarcerated youth,
- group home schools for dependent youth,
- alternative education community schools that provide students in middle and high school with individualized learning programs, and
- home schooling programs supporting K–12.

Mental health, transition, tutoring, and special education services are available for students in any of the above environments.

ACCESS programs are aligned with the state's content standards and are Washington Association of Schools and Colleges (WASC) accredited. Programs receive funding support from the state's average daily attendance formula, and supplement these resources with federal, state, and local grants and entitlement programs based on the characteristics of youth who attend.

Accountability

Generally, alternative education programs are subject to a much lower level of oversight and accountability than traditional public schools, making it more difficult to judge their performance. Depending on state regulations, the program model, or the administering entity, the alternative program may not be subject to state performance accountability requirements for traditional schools.

States and districts must hold alternative education pathways accountable for meeting quality standards and improving student outcomes. To accomplish this goal, it may be necessary to improve longitudinal data systems to ensure that information about students enrolled in alternative pathways is accessible and used to track students' progress.

Federal and state accountability requirements for traditional public schools can be difficult for alternative education pathways to meet given differences in their overall populations. The NCLB Act requires public schools to meet Adequate Yearly Progress (AYP) based on scores on assessment tests that students take once during a prescribed grade period. NCLB requires states, school districts, and schools to ensure by 2014 that all students are proficient in grade-level math and reading. Schools must make steady and appropriate progress toward this goal, as evidenced by increasing proficiency rates.

A state's total student proficiency rate and the rate achieved by student subgroups are all considered in the AYP determination.* Under many state accountability systems, traditional schools can avoid being held accountable for the progress of students referred to alternative education placements. For example, in California, the State Board of Education adopted a rule whereby students' accountability data is assigned to a home school only when the students attend a school to which they were referred for almost an entire school year. A student who transfers to another school (or another district) during a school year is not counted toward the traditional school or the alternative school's accountability score. Under this system, neither school is held accountable for that student's progress.[173] In Texas, on the other hand, for accountability purposes, students' test scores at Disciplinary Alternative Education Programs are attributed to the student's home school.[174] Federal and state accountability systems must ensure that every child's progress is accounted for. Traditional schools should not be able to refer students to alternative programs to avoid accountability for low-performing or disruptive students.

Because many alternative programs serve students who are multiple grade levels behind academically, as well as students who are enrolled for short periods, these programs require more flexible accountability systems than the current AYP approach. Many states are seeking flexibility waivers offered by the U.S. Department of Education to change their school accountability systems.† Alternative education pathways should also be afforded flexibility, and accountability for these programs should take into consideration student growth over time, using pre- and post-assessments, as well as using competency-based or proficiency-based assessments that measure students' knowledge and skill development. Additional indicators that states can use to measure effectiveness of these programs include metrics related to reengagement, attendance, graduation rates, credit and course completion,

* NCLB requires states to test students in reading and mathematics annually in grades 3–8 and once in grades 10–12, and in science in grades 3–5, 6–8, and 10–12. Individual schools, school districts, and states must publicly report aggregate test results as well as disaggregated data for specific student subgroups, including low-income students, students with disabilities, English language learners, and specified racial and ethnic groups. For more information on NCLB accountability provisions and AYP, visit ed.gov/nclb/accountability/ayp/edpicks.jhtml?src=ln . NCLB has not been reauthorized since 2007.
† Beginning in 2012, the U.S. Department of Education offered states more flexibility in complying with requirements of NCLB in exchange for the states' commitment to certain reforms. For more information see ed.gov/nclb/freedom/local/flexibility/index.html?exp=3 .

and hitting key benchmarks toward college and career readiness. Flexibility should not be interpreted as lower expectations, but rather a more equitable system for measuring student progress and holding alternative programs accountable. The ultimate goal remains to prepare all students for college or the workforce. Data should also be used to drive continuous improvement, to monitor student growth to identify needs and match services, and to support transitions if or when students return to traditional school settings.

EXAMPLES OF STATES MOVING TOWARD FLEXIBLE ACCOUNTABILITY SYSTEMS FOR ALTERNATIVE SCHOOLS

North Carolina

North Carolina's ABC accountability system evaluates the effectiveness of alternative schools and programs on both state testing and locally chosen indicators, such as attendance, dropout rates, graduation rates, parent or community involvement, and school safety/student conduct.[175]

California

California's Alternative School Accountability Model (ASAM) defines special indicators for alternative schools in addition to requirements in NCLB and the state's traditional accountability system.[176] Additional indicators include student persistence (retention and continuing through schooling), credit completion, attendance, reading completion, and GED completion.

Funding

Support for alternative education pathways can be a significant challenge. Most alternative education programs receive the majority of their funding from per-pupil allocations (money that flows from states to districts based on average daily attendance). Even if these funds followed the student from his or her traditional school to an alternative school after the student transfers or enrolls, alternative schools still need additional resources to support the vast array of services and programs they provide to students.*

* A table with additional information on funding sources that can support alternative education pathways as recommended in this report can be found at csgjusticecenter.org/wp-content/uploads/2014/05/FederalGrantProgramsChart.pdf .

SAN JOSE UNIFIED SCHOOL DISTRICT PLUS PROGRAM
SAN JOSE, CA

The San Jose Unified School District provides secondary school students with a menu of education choices.[177] Approximately 10 percent of secondary school students in the district participate in an alternative education option. One of these options, a "Plus school," is a school-within-a-school that serves students who are at grade level in terms of credits earned, but have been unsuccessful in traditional high schools and are off track to graduate.[178]

Students in a Plus school are similar academically to students in California's other continuation high schools (schools that provide an alternative route to the high school diploma), but also face challenges stemming from personal issues at home (e.g., they may be undocumented or come from homes with family disruption or domestic violence), behavioral health issues such as substance use, or risky behavior such as gang involvement. The students are interviewed by the staff and must be willing to follow all the conditions of the Plus school. Students are invited and then must elect to join the alternative school. Because the fit of students to each particular school is critical to the success of the program, school counselors review a student's academic records, attitude, and behavior to match the student to the best placement. The students have the opportunity to continue to participate in sports, extracurricular activities, and maintain their friendships while enrolled at the Plus site.

The Plus site is staffed with 2 teachers and a school counselor, with enrollment capped by state law at 40 students. Teachers are chosen for each school, and the hiring process involves a student-hiring committee that interviews prospective teachers. A Plus school offers smaller class sizes and more individualized attention than traditional schools. Results from a school climate student survey indicate that perceptions of a positive school climate are much higher in Plus programs than in traditional high schools.

With the guidance of the counselors, Plus students create their own individualized learning plans for how they will earn credits and prepare themselves for graduation. Students can also enroll in classes at their home schools, community colleges, or vocational training centers, as well as earn credits through work experiences. The Plus schools offer students additional services, such as assistance with the college admissions process, life skills, and behavioral health support.

Graduation rates at Plus schools are higher than in comprehensive high schools, with four of the six currently in operation graduating 100 percent of its students. Additionally, Plus students outperform their high school peers on the state's assessments.[179]

Reentry

Although many students in alternative schools stay in these settings until they graduate or earn a GED, others may wish to transition back to their home schools or to another traditional school. Students who are expelled and enroll in alternative education pathways face particular challenges in returning to a traditional school setting. Many states currently do not have policies in place that require schools to re-enroll students who have been expelled, to admit students expelled from another school, or to allow reentry to a student who was referred to an alternative school.[180] This can leave students with no place to go to receive an education, or "on hold" in the alternative school setting that may not meet their needs. State laws and district policies should support the return of all students placed in alternative schools to their home school, or another school when circumstances dictate and it is in the best interest of the child. When transfer options are available, decisions should be made after a careful review of the student's academic and behavioral progress at the alternative pathway, the reason for the student's original enrollment in an alternative program, and the supports that will be needed in transitioning to another educational setting.

In addition to changing policies on re-enrollment, states and districts must ensure that credits and coursework earned at alternative education pathways are transferable and recognized by the student's home school or another traditional school. Students who transfer from an alternative setting risk being further behind academically if their credits are not accepted at the traditional school or not transferred in a timely way. To help with this process, both the home school and alternative pathway should have a transition coordinator or education liaison to serve as a broker among youth, home/new school, and alternative setting, and to facilitate students' transitions back to the traditional education setting. Depending on the number of students that a traditional school may have transitioning in and out of alternative programs, the school should either have a distinct position serving these functions or have the school counselor or other staff take on this role if possible (the transition coordinator should also serve a similar function for students returning from juvenile detention facilities).*

The transition coordinators should work together and involve additional staff to develop a plan for each student. The transition plan should include information on student performance, intervention strategies used, academic coursework taken, and progress toward student goals. Coordinators should also work with student support teams in the new school or home school and with community-based partners to ensure that students receive continuity in services to meet their academic, behavioral, and related needs. Student support teams should review the student's progress with the teacher(s) to ensure that the transition plan is working. Families and students should also be heavily involved in the re-enrollment process, and given the opportunity to provide input into scheduling, coursework, and classroom assignments.

* For more about reentry from courts and juvenile justice settings, see the Courts and Juvenile Justice chapter of this report.

Students need to be fully reintegrated into the school community, and a transition coordinator working alongside the student support team can help provide guidance and services to facilitate this process, including using restorative practices in situations in which an incident with another student occurred.[181]

Conclusion

Providing positive conditions for learning and school wide strategies to improve student engagement are critical to reducing the need for disciplinary actions, as described in the previous chapter. There are some students, however, who need additional targeted and intensive behavioral interventions to help keep them in the classroom and out of the disciplinary and juvenile justice systems, and to help prepare them for college and career.

Many students have unmet behavioral health and related needs that put them at heightened risk for suspension, expulsion, and even arrest. Schools must be given the data-driven supports, structures, and resources to identify these students early, match them with appropriate services and interventions, and monitor their progress to ensure that the schools' actions are effective. School personnel cannot meet students' needs alone—nor should they. In addressing the needs of the whole child, it is necessary to expand internal capacity and to forge external partnerships with qualified community-based service providers, organizations, and other public agencies serving youth and their families.

KEY TAKEAWAYS

- School, district, and state leaders must have an understanding of the range and severity of behavioral and related needs that prevent students from achieving academic goals or that contribute to their acting out in school.
- Data-driven tools (such as early warning and intervention-tracking systems) that incorporate real-time information and indicators of academics, behavior, and attendance can help school counselors, support teams, or other staff identify students who may need additional supports and interventions. These tools can also inform decisions about the appropriate services, and assess how interventions are working.
- Schools that do not already have student support teams should consider bringing together educators, administrators, specialized instructional support personnel, and others as needed to problem-solve, develop intervention plans, and monitor student progress.
- Students and their families should be engaged in the process of determining supports and interventions that build on their strengths, rather than one that focuses exclusively on students' deficits.
- Through behavioral health assessments, school climate surveys, and other mechanisms, school officials and others who work with youth in schools can determine the gaps in resources and assess what is required to provide students who have intensive needs with appropriately responsive and targeted action plans.
- To address students' behavioral issues, state and district leaders must support schools with necessary structures and capacity. Schools should develop meaningful community-based partnerships to supplement and complement their efforts to create an integrated, comprehensive system of care.
- The use of alternative education schools or programs needs to be re-conceptualized as a system of multiple pathways that includes high-quality nontraditional settings for all students—not just those removed from school for disciplinary reasons—to achieve positive academic and social-emotional outcomes.
- Students who are removed from school for disciplinary reasons must be provided with continuity in learning and intervention services. They must have the support of both a qualified and effective educator and a designated staff person who acts as a transition coordinator to support students' reentry to a traditional education setting or another placement, as appropriate.

SCHOOL-POLICE PARTNERSHIPS

SUMMARY OF POLICY STATEMENTS AND RECOMMENDATIONS

POLICY STATEMENT I

School districts and individual schools engage in a collaborative process with law enforcement, the school community, and other stakeholders to consider the most appropriate school-police partnership.

RECOMMENDATION 1: Review the types of school-police partnership models being used in the district or jurisdiction and examine additional options to engage with law enforcement.

RECOMMENDATION 2: Involve a diverse group of stakeholders and review multiple data sources to evaluate the need for officers on a school campus to maintain school safety while contributing to a supportive learning environment and minimizing students' involvement in the juvenile justice system.

POLICY STATEMENT II

Educators and school officials do not call on officers to respond to students' minor misbehavior that can be appropriately addressed through the school's disciplinary process, and officers use their discretion to minimize arrests for these offenses when possible.

RECOMMENDATION 1: Ensure that policies clearly define officers' roles and the criteria for when to engage police in non-emergency situations that will help minimize arrests while addressing victims' needs.

RECOMMENDATION 2: Train teachers, administrators, staff, and police about when to directly involve officers with student misconduct on campus and about available alternatives to arrest.

RECOMMENDATION3: Collect and analyze school-based arrest and referral data to help determine whether school and police personnel are adhering to policies regarding the involvement of officers and responses to student misconduct.

POLICY STATEMENT III

In collaboration with school authorities, police leaders develop recruitment and selection processes to ensure that school-based officers are suited for the position and receive comprehensive training, support, and supervision.

RECOMMENDATION 1: Recruit and select officers who are committed to maintaining safety while promoting supportive learning environments and helping reduce youths' risk for involvement in the juvenile justice system.

RECOMMENDATION 2: Ensure that law enforcement agencies and training authorities, in collaboration with school leaders, provide appropriate training for officers on school policies, practices, and working with youth in a school setting.

RECOMMENDATION 3: Tailor school-based officers' supervision and evaluation to their defined roles and goals to effectively support officers' efforts and to monitor their progress.

POLICY STATEMENT IV

Written agreements formalize key elements of the school-police partnership that are periodically reviewed and refined based on data and feedback from a diverse group of stakeholders.

RECOMMENDATION 1: Understand the legal issues that school-based officers and other police personnel serving schools encounter.

RECOMMENDATION 2: Ensure that school-police information-sharing principles advance school safety goals and facilitate the provision of services and supports to students, without increasing stigmatization or violating privacy mandates.

RECOMMENDATION3: Outline in writing officers' roles and authority as defined through the collaborative process for determining the parameters of the school-police partnership.

INTRODUCTION

THE TYPES OF RELATIONSHIPS that police have with schools in America vary by district and even among individual schools within a district. Although all school officials can simply call their local law enforcement agency for an emergency response or routine assistance, there are many ways in which officers interact with students and staff. These interactions can range from the formal involvement of full-time, specially trained school-based officers to officer-led education programs offered periodically on drug use and crime prevention, or there may be no regular on-campus presence of officers at all.

There is growing awareness among policymakers and practitioners that schools and communities have distinct needs and goals that should be considered when developing or revising plans for engaging officers on school campuses. When police are assigned to schools, there is considerable debate about their roles and level of engagement, which is inextricably tied to how these officers are selected, trained, and supervised. This debate also focuses on schools' policies regarding how educators and other staff request officer assistance, as well as school personnel's expectations for how officers should interact with students. The extent to which the recommendations in the Conditions for Learning and Targeted Behavioral Interventions chapters are effectively implemented can also influence officer involvement in schools.[1] Although there are multiple paths for schools, police, and the school community to take together, the goal should be the same: to help schools provide safe and nurturing environments that promote students' academic success and reduce behaviors that put them at risk for juvenile justice involvement.

A Road Map to the Section

This chapter examines the factors that have contributed to various school-police partnerships. It reviews the research and perceptions associated with school-based officers' engagement with students, and it discusses how police interactions with youth can be influenced by the circumstances under which school personnel ask officers to intervene.

Although many school authorities are already working with police agencies to determine what type of partnership works best, a process template has not yet been developed to guide jurisdictions in making full use of available data and engaging a diverse group of stakeholders. To address this gap, this chapter's policy statements and recommendations are organized to help readers follow such a process for determining what type of partnership police can have with schools, including deciding whether to place officers on particular campuses. This chapter recognizes that not every school in the nation will need, request, or be able to support a school-based officer.

The proposed decision-making process can help school and law enforcement officials prioritize resources among campuses and take into account the best fit for their particular community. Because decisions about officers' involvement in schools, and the success of any school-police partnership, is linked to the responsibilities officers assume and whether they are properly recruited, selected, trained, and supervised, these topics are explored as well. This chapter also stresses the importance of strong relationships between school administrators and officers, including articulating how expectations and policies can be formalized in a memorandum of understanding (MOU) to help ensure proper implementation and accountability.

Particular attention is paid to ensuring that police are not used for classroom management and routine discipline. School officials and police alike should ensure that roles are defined and understood to minimize arrests of students for minor misbehavior.* A scuffle between students in line for the bus does not need to be treated as an assault, and a student who heckles a speaker at a school event does not need to be charged with disorderly conduct.[2] The research is clear that there are serious long-term consequences for setting youth on a path toward juvenile justice involvement. Negative outcomes are particularly compelling for youth of color, students with disabilities, LGBT youth, and other student groups who tend to be disproportionately represented among disciplined and arrested students. Every effort should be made to avoid having police arrest students for minor misconduct that can be appropriately dealt with through the school's disciplinary process.

At its core, this chapter is meant to provide insight into what communities can do through school-police partnerships to keep all students in a safe and productive classroom and out of the juvenile justice system whenever possible. It also stresses the need for school and police personnel to divert youth who have violated school code of conduct violations or minor offenses to appropriate restorative programs, supports, and services when possible.

Police clearly play an important role in any school's overall critical incident response plan, which is vital to student and staff safety. As essential as emergency response planning is, however, there are extensive resources already available.[3] The focus here is only on how those critical incident responses relate to school climate and officers' potential range of responsibilities. Many of the activities that officers can conduct in schools could be integrated into the safety and crisis planning that schools are already conducting, or through the expansion of special teams.[4] School-based officers are used best when they are integrated into more holistic school climate and safety plans and activities.

* See the Introduction to the report for definitions of misbehavior that constitute violations of codes of conduct, status offenses, and minor offenses. Some state statutes make disruption of an educational institution or classroom a misdemeanor (see, e.g., Florida Title XLVI, Chapter 877 , Section 13) and include interference with teaching as "disorderly conduct" (see, e.g., North Carolina § 14-288.4. holding that disorderly conduct includes "disturbs or interferes with the teaching of students at any public or private educational institution").

This chapter focuses primarily on the roles of officers in non-crisis situations (that is, not incidents involving active shooters, natural disasters, or outside threats to safety). There are also important, but already well documented, topic areas that simply cannot be fully explored in this chapter. For example, police engagement in problem solving related to truancy and various forms of bullying are only briefly considered in this report in the narrow context of officer responses to various types of students' misconduct and risk of victimization.[5]

Background on School-Based Officers

The placement of officers in schools is not a recent phenomenon. Municipal and county law enforcement have been formally engaged with public schools for more than five decades,[6] from the first school resource officer (SRO) program in the 1950s to the dramatic expansion of the practice in the 1990s, which reflected community policing principles and collaborative child welfare-based partnerships.[7] School districts also can create their own police departments if authorized by law.* As of 2008, there were an estimated 250 school police agencies operating under the authority of school districts.[8]

School-based officers continue to perform a wide variety of activities on campuses. For example, in addition to mentoring and enforcement duties, on-site officers have engaged youth in the classroom to help improve students' awareness of stranger danger/safe havens and to prevent drug use, gang involvement, and youth violence.[9] Many prevention programs conducted by law enforcement that address risky behaviors and positive decision making have taken deep root in public schools and continue to operate in many districts today.[10]

Although many municipal and county police agencies continue to assign officers to school campuses, others partner with schools using off-campus officers to provide school safety and after-school programs.[11] Other collaborative activities include participating in projects to reduce juvenile arrests and confinement; serving on school safety committees, advisory boards, and planning bodies; providing expertise for school safety surveys; conducting drug and gang prevention programs and staff training; leading problem-solving activities; acting as guest speakers for classes and assemblies; and assisting with school events.[12] The majority of activities undertaken by off-campus municipal and county police officers, however, are traditional policing functions, such as patrolling the school campus, student travel routes, and drug-free zones in the immediate area of the school, as well as responding to calls for service.[13]

* These agencies have officers with the powers to arrest, carry firearms, and conduct other activities allowed peace officers in the state. These agencies report to the school district directly, but typically coordinate with local law enforcement agencies where there is overlapping jurisdiction.

Defining Officer and Security Personnel Terms

There are many titles and definitions used for police and security personnel assigned to public schools that can generally be sorted into four categories:

TABLE 1. DEFINITION OF TERMS

Personnel Characteristics	Common Titles
1. Local (municipal and county) law enforcement agency officer with sworn authority assigned to school(s).	School resource officers (SROs), school safety officers, school police, and school liaison officers.*
2. School district police department officer with sworn authority.	
3. Security firm employee. (The school district can contract with a firm for sworn personnel with arrest powers or for civilian security.)	School security officers, guards (armed and unarmed), and aides.
4. School security officer hired directly by the school district. (Arrest powers determined by state law, but typically personnel do not have the arrest powers afforded sworn law enforcement officers.)[14]	

Although some of these terms are meant to distinguish between sworn officers authorized to carry firearms and make arrests and non-sworn personnel without such authority, they are often used interchangeably.[15] Some terms are defined in state statutes that blur this distinction and others create other less-recognized titles. For example, Texas's legislature created a new category of school law enforcement in 2013: A "school marshal" can be an employee of the school district or charter school to act as school security and may make arrests and exercise all authority given peace officers.[16] In New York City, school-based officers are known as "school safety agents."[17] To confuse matters further, the term "SRO" has come to be used colloquially as a generic term to refer to any personnel who provide safety activities for a school, even if they are only there for brief periods, lack state law enforcement certification, and do not perform the full functions of a specially trained SRO.

* Note that school district police agency officers are often referred to as "school police officers" (SPOs). Although the term SRO has been used primarily to refer to municipal and county law enforcement officers assigned to schools, some school district police officers also refer to themselves as SROs.

DEFINITION OF SCHOOL RESOURCE OFFICER (SRO)

The Office of Community Oriented Policing Services (COPS) and the National Association of School Resource Officers (NASRO) define an SRO as a career law enforcement officer with sworn authority who is deployed in community-oriented policing and assigned by the employing police department or agency to work in collaboration with schools and community-based organizations

- to address crime and disorder problems, gangs, and drug activities affecting or occurring in or around an elementary or secondary school;
- to develop or expand crime prevention efforts for students;
- to educate likely school-age victims in crime prevention and safety;
- to develop or expand community justice initiatives for students;
- to train students in conflict resolution, restorative justice, and crime prevention and awareness;
- to assist in the identification of physical changes in the environment that may reduce crime in or around the school; and
- to assist in developing school policy that addresses crime and to recommend procedural changes.[18]

For the purposes of this report, "school-based officers" include both sworn school district police agency officers and sworn local law enforcement officers (municipal and county) who are assigned to schools, have arrest powers, and meet state training/certification standards for any law enforcement officer in that state.

Factors Traditionally Related to Placing Officers in Schools and Defining Their Roles

Political, social, and economic factors have shaped the extent to which officers are assigned to schools and the nature of their engagement. Among these policy and social pressures have been the "tough on crime" movement, reactions to fears of juvenile "super-predators,"[19] and the community-policing/problem-oriented policing movements. The increase of on-campus officers in response to high-profile shootings in the early 1990s and other incident data was accompanied by policies to address growing concerns around violence at schools.[20] The widespread acceptance of zero tolerance policies to address guns, drugs, gangs, and violence in and around public schools had a clear impact on officers' presence on school campuses and expectations for stricter enforcement of offenses.

In addition, zero-tolerance policies often led school officials to call on municipal and county off-campus patrol officers to enforce student misconduct. Evidence suggests that during this era of strict enforcement, a significantly increased number of students of color came into contact with school disciplinary systems and the juvenile justice system.[21] As officers and security personnel became a familiar presence in schools, their enforcement roles sometimes expanded beyond addressing serious criminal acts to misconduct traditionally handled by principals or other school leaders.[22] This may be due, in part, to the effects of strict compliance policies and a lack of clarity around roles and responsibilities of police personnel, school administrators, and teachers.

Economic considerations have also contributed to the prevalence of school-based officers and the evolution of their role. State, city, and county revenues declined during tough fiscal times, causing reductions in police staffing in large numbers of local schools.[23] Those cuts were felt not only by local police and sheriffs' departments, but also by school district police departments. A 2010 survey conducted by the U.S. Department of Education's Office of Safe and Drug-Free Schools found that many schools had extensive SRO layoffs, furloughs, and cuts to their programs.[24] As school districts faced deep budget cuts, many looked to local police agencies to pick up the costs of school security and safety, but municipal and county agencies were facing similar reductions in funding as a result of the recession.[25]

The availability of federal grants to support officers in schools can also affect the number and type of police partnerships with schools. During the recent economic downturn, funding from a number of federal agencies that had supported officers and security was cut.[26] School and law enforcement officials who see a need for officers in schools continue to be concerned about how to support officers funded by remaining federal programs when those grants end, and about the ebb and flow of funds that often seem tied to high-profile incidents.

What the Research and Surveys Say about Officers in Schools

There have been numerous evaluations of school-police curriculum-based programs, such as GREAT or D.A.R.E.-Plus, as well as other crime prevention and truancy programs.[27] Recent interest in research, however, has been focused more on whether it can reveal the impact of school-based officers on specific outcomes, such as crime rates, arrests, and feelings of safety, rather than on the success of particular officer-led educational programs.

There are extremely strong and often opposing opinions about whether officers should be placed in schools. For decades, there have been requests for SROs that seem to outpace funding and personnel capacity. At the same time there has also been vocal opposition to their presence, particularly in some large urban schools. Given these opposing views it is somewhat surprising how relatively little research has been conducted on officers' impact on a number of important

measures. The studies that have been conducted are often dated (by a decade-old or more) and have yielded conflicting results. The studies also have uneven methodological standards,[28] such as a lack of comparison groups (SROs vs. no SROs).[29] Another limitation of the research is that it often does not distinguish school security personnel from full-time, sworn SROs, or note differences in training, roles, or other attributes that may affect findings.[30] It is also not always clear what the contributions are of off-campus patrol officers who have been called to the school compared with school-based officers.

The interpretations of the findings also vary. Some study authors warn readers that there may be factors unrelated to the presence of SROs that may have affected the findings. Other researchers conclude that SROs "cause" a problem without accounting for intervening factors. For example, some studies look at the numbers of school-based officers increasing at the same time as higher student arrest rates and conclude that more officers cause more arrests. Yet they fail to consider the seriousness of the offense (felony arrest vs. enforcement of a misdemeanor) and zero-tolerance or other policies that may affect when officers are called to respond to student misconduct. Similarly, some analysts attribute decreases in crime to officers in schools without considering other relevant factors as well.

Surveys on perceptions of officers in schools can provide additional information and context for research. They can reveal the full range of perspectives and concerns that can be valuable for shaping school-police partnerships. It is clear that survey respondents' views differ based on the district, school, or even individual experiences outside of school. There are surveys that have found strong parent, student, and school personnel support for school resource officers.[31] In contrast, other reports highlight that parents and students feel threatened by or oppose the presence of police, particularly in communities of color.[32] Perceptions of safety when officers or security personnel are present in a school also vary. Some surveys indicate that having an officer makes individuals in the school feel safer (although this is generally more true of adults than youth),[33] while others indicate that armed officers can make students and teachers feel less safe.[34]

Some reports on particular programs have indicated that SRO efforts are contributing to a number of positive outcomes, including reducing crime through problem solving, improving student behavior, and increasing feelings of safety on campus and comfort with reporting crimes among students and faculty.[35] Some SRO programs also report a decline in truancy when schools and SROs collaborate.[36] Other relevant program reports note that SROs can help maintain order during students' arrival and departure time and can head off fights and bullying.[37] In contrast to these findings, there are a number of reports that indicate that officers on campuses contribute to increased ticketing and arrests of students for minor offenses such as disorderly conduct or disruption of class. These reports indicate that officers make schools feel less welcoming and criminalize typical adolescent misbehaviors.[38]

Examples of issues for which the small pool of available research cannot provide adequate direction include these (see also Table 2):

1. ***School safety/reductions in reported crimes:*** As underscored in the Introduction to this report, schools are generally safe places,[39] but data collected on school crime and feedback on victimization indicates that some schools continue to deal with violent and nonviolent crimes, including bullying.[40] The level of school-based officers' impact on school safety is difficult to quantify because of the lack of rigorous research that can control for other factors affecting crime rates and reporting practices.[41] Factors that can influence the number of reported crimes include changes to school policies, such as a movement toward or away from zero tolerance for particular offenses, changes in how teachers are told to involve officers, and measures to encourage crime reporting.*

2. ***School-based arrest rates:*** There has been increased attention to and concern about the number of students who are arrested for minor offenses or ticketed by officers. Despite overall decreases in juvenile crime, there are jurisdictions that still report high numbers or even increases in school-based juvenile court referrals.[42] Some reports suggest that zero-tolerance policies have contributed to these increases, often for infractions that may not previously have been considered dangerous or threatening enough for courts to address.[43] Even with the movement away from zero tolerance, some policy analysts and other groups posit that more officers on site would naturally detect more offenses. Proponents of officers in schools contend that this assertion does not take into consideration whether officers have received proper training and supervision regarding preventing crimes and how they use their discretion when a minor offense is detected.[44] For example, school-based officers are increasingly trained to use referrals and diversion when appropriate (in keeping with community-policing principles) instead of arresting students for minor offenses. Some police agencies are tracking arrest reductions and engaging with community groups to increase officer training, diversion options, and efforts to chart progress on reducing disproportionate impact.[45]

   Disproportionate Impact: Concerns about increases in discipline and arrest rates are especially pressing in regards to students of color, given their overrepresentation in the disciplinary and juvenile justice systems for minor misconduct, without any research support that they misbehave at higher rates.[46] There is also a disparate impact of disciplinary actions on students with disabilities (particularly those with emotional behavioral disorders)[47] as well as LGBT youth,[48] which puts those disciplined students at greater risk for involvement with the juvenile justice system. School-based officers note that even in schools with no on-campus officers, there can be a disproportionate impact of disciplinary policies on students of color and youth with disabilities, an issue that everyone involved with students should be working to redress.

* Sometimes increases in reported crimes indicate that a trusting relationship is established with officers that encourages reporting. Additional inquiries are required to determine if actual incidents of crime are increasing or if reporting is up.

There is very limited research on school-based arrest factors. Future research will need to take into account the interplay of officers' discretionary actions, school policies, level of training for officers and security personnel, victims' complaints, and other potential factors.

TABLE 2. EXAMPLES OF RESEARCH FINDINGS ON OFFICERS IN SCHOOLS

Indicator	Examples of Positive Findings	Examples of Negative Findings[49]
Safety/Reductions in Reported Crimes	■ A four-year study of Chicago's school-police partnership program indicated that crime fell nearly 50 percent over the study period.[50] ■ A study that compared schools with and without an SRO found that the presence of an SRO was related to fewer assault and weapons charges.[51] ■ A 1999 study that compared rates of arrest and delinquency before and after program implementation found that the total number of intermediate and major offenses decreased from 3,267 in the year before program implementation to 2,710 for the year after SRO assignment.[52]	■ A national study of schools with SROs did not find lower reported violent crime and had higher reports of weapon and drug offenses.[53] ■ An evaluation of New York City's Impact School Initiative indicated that heightened police presence in the most dangerous schools in the district did not result in significantly safer environments.[54]
School-Based Arrest Rates	■ Schools with an SRO had fewer arrests for more serious charges, such as weapons possession and assault, as compared with schools without an SRO.[56]	■ Having an SRO was not associated with an increase in total arrests but did lead to more arrests for disorderly conduct, even when controlling for factors such as school poverty.[56]

Although the body of research and survey findings taken together have sometimes conflicting results and are open to different interpretations, they do offer insights into how programs are being conducted and provide a foundation for developing a well-defined research agenda for evaluating future school-police partnerships. Even with all the caveats about studies to date, the research and program reports have highlighted promising practices, elements of successful programs, common goals, and areas where implementation concerns should be addressed.[57]

How officers are perceived in the school is often linked to how they are perceived in the community. A survey of National Association of School Resource Officers (NASRO) board and members indicated that one of the barriers to effective partnerships is students' previous negative experiences with officers out of school.[58] These experiences extend to how students' family members and friends have described their interactions with police as well. SROs routinely talk about their hope that by building a trusting relationship with students in schools, they are fostering longer-term positive interactions with officers. Police need to be prepared to address issues of trust, mutual respect, and other concerns both inside and outside the schools' walls.

MILWAUKEE POLICE DEPARTMENT'S STOP PROGRAM MILWAUKEE, WI

In an effort to keep students safe and on track for personal and academic success, the Community Prosecution Unit developed a "youth prevention program" for young leaders (ages 12–17).[59] Students Talking it Over with Police (STOP) is a seven-week program in which officers meet with students for an hour each week. SROs and School Patrol Officers co-facilitate discussions with youth, with the goal of improving relationships between young people and law enforcement. Through ongoing dialogue, the police department works to reduce youths' anxiety related to interactions with officers, and helps both youth and officers better understand how to interact appropriately with one another.

The STOP program was piloted in 2010 in partnership with the Boys & Girls Club as an after-school program for 180 students. In 2011, STOP expanded to an in-school program and as of April 2014, the STOP program is in 45 schools across Milwaukee, with 50 Milwaukee Police Department officers as trained facilitators.

Results from STOP's 2012 outcome evaluation found that program participants made statistically significant improvements in their 1) general knowledge about the police, 2) knowledge about what to do if stopped by the police and what the appropriate behavior is for an officer during a stop, 3) general perceptions of the police, 4) willingness to cooperate with the police, and 5) perceptions of procedural fairness.

For more information about STOP, visit stopbash.com/about-stop/.

Much has also been written about the costs of hiring officers,[60] and on whether those investments are having an impact on staffing school counselors and others who can help address misbehavior and its underlying causes.[61] SROs interviewed for this report indicated the value of the partnerships they have with school counselors and student support teams. Those officers believe that they can be a component of a comprehensive approach to helping students and also feel that investments should be made for more counselors and behavioral healthcare providers.[62] Often there are different funding streams for school counselors, psychologists, or other behavioral health staff (education or mental health resources) than for officers (public safety resources), which means that funding for one may not be related to support for the other, although budgets differ by district. In other cases there may be issues of prioritization and allocation of resources that should be considered in collaborative discussions about school-police partnerships.[63]

In some cases, law enforcement can help supplement or better connect schools to resources. For example, for the past 40 years, the Hayward, CA Police Department has employed a cadre of mental health counselors who provide prevention and counseling interventions in coordination with the SRO program. The counselors, supported by the police department and a combination of grant and contract funding, provide family-focused outpatient mental health services from within their offices at the police department. Additionally, as part of their school-based program, Hayward Police Department counselors are assigned to two schools, two days a week. Through this placement, they serve as a liaison between the school and the police department to provide counseling services and school climate and prevention support alongside school staff.

The Current Status of Officers in Schools

The lack of a clear definition for the types of law enforcement that serve students and staff on campus makes it difficult to determine the total number of officers and security personnel assigned to schools. Officers may be assigned to schools full-time, part-time, or as part of their routine patrol. There is no central source of data that disaggregates the number of sworn officers from school district and municipal or county law enforcement agencies and from non-sworn security personnel assigned to schools.[64]

- In the 2009–10 school year, 43 percent of schools reported they had one or more "security staff" at their school at least once a week. "Security staff" includes school security and guards who are not law enforcement officers, SROs, and law enforcement personnel who are not SROs.[65]
- As of 2006, "an estimated one-third of all sheriffs' offices and almost half of all municipal police departments assign[ed] nearly 17,000 sworn officers to serve in schools."[66]
- NASRO estimates that in 2013 there were about 10,000 SROs around the country, mostly in junior high and high schools.[67] Those numbers appear to be growing following the tragedy at Sandy Hook Elementary School in Newtown, Connecticut.[68]

Even before President Obama's January 2013 executive actions to make schools safer,[69] many cities, counties, states, and individual school districts had already reallocated resources to provide more law enforcement and security personnel in schools.[70] As a result of the executive action to "provide incentives for schools to hire school resource officers," in September 2013, the Office of Community Oriented Policing Services awarded 144 local agencies support for an additional 370 SROs.[71] Also as of September 2013, at least 29 states introduced more than 90 bills in the preceding eight months related to SROs and school security personnel; at least 17 were enacted in state legislatures.[72] Some of these laws authorized law enforcement agencies to provide school districts with SROs, permitted the creation of school district police agencies or units, and provided guidance on training and certification standards for school-based officers. Some states have passed legislation to shape officers' roles in schools; for example, Texas now prevents school police officers from issuing citations for Class C misdemeanors, such as disruption of class, disorderly language, and in-school fighting.[73] California passed legislation that requires school safety plans to include clear guidelines for the roles and responsibilities of SROs and/or police officers on school campus.[74] Colorado also adopted legislation that adds SROs to the list of community partners defined in Colorado law as most essential in helping schools develop and improve their safety plans, train in multi-hazard emergency response, and ensure compliance with the national incident management system.[75] The Newtown shooting also prompted other school safety proposals around the country that included installing a broad range of security equipment, putting security guards and officers in all primary and/or secondary public schools, and even arming teachers or other staff.[76]

The movement towards having a greater security presence in schools has come with increased attention to making sure that school-police partnerships are developed using a transparent and informed process that takes into account the distinct needs and concerns of individual schools. When officers are placed on campus, there is growing pressure to have mechanisms for ensuring their proper selection, training, role definition, and supervision. At the same time, communities are calling on school personnel at every level to properly engage officers and not call on them to respond to and enforce minor code of conduct violations that may also be considered arrestable offenses. These issues are addressed in the policy statements that follow.

POLICY STATEMENT I

School districts and individual schools engage in a collaborative process with law enforcement, the school community, and other stakeholders to consider the most appropriate school-police partnership.

It was clear from Consensus Project participants and interviews with those in the field that there are strong feelings on both sides about whether officers should be placed in schools and about the role of officers serving students and staff. There was general agreement, however, that it is appropriate for the decisions about school-police partnerships to be made at the local level.

A local collaborative process for defining the school-police partnership and making the decision about officer placement will help the school community and police determine the best approach for their jurisdiction. For those school districts that determine they want officers in schools but lack the resources to support police assignment in all of them, such a collaborative process would help prioritize where officers may be most effectively deployed. The reality is that not every school or district in the country will feel officers are needed on campus. Others will be clamoring for them. Ultimately, through a decision-making process that engages a broad group of stakeholders, school and law enforcement leaders will decide how schools should partner with police. The process should take into consideration data from multiple sources and feedback that represents a wide range of perspectives.

The process outlined in this chapter is meant to be helpful for jurisdictions that do not have formal school-police partnerships as well as for jurisdictions that are looking to reassess or evaluate the effectiveness of their current partnership. School systems should begin by working with police to conduct an analysis of their environment, including persistent issues of crime and disorder, disaster and emergency preparedness, and the physical state of their buildings and campuses. They should also take into account the requests, needs, and concerns of parents, students, teachers and other school staff, behavioral health personnel; juvenile justice practitioners; and other adults who are involved with school-aged youth. Police and school leaders should also consider whether the functions that properly trained SROs provide on crime prevention, mentoring, education on the law and good citizenship, and other non-enforcement activities, align with the school's goals and climate.

The ways in which schools decide to engage in a partnership with police vary from jurisdiction to jurisdiction. According to a 2013 survey of NASRO members and other interviews in the field, the decision to place a local police officer on campus can take into account a variety of factors, including available funding for officers; teacher, administrator, student and/or parent requests; reports of crimes; and perceived safety issues or prior calls for service.[77]

In a national study of school-based officers, police involvement in schools was also "significantly and positively" influenced by three factors: school level (i.e., elementary, middle, or high school), amount of school crime, and the previous presence of officers.[78] A later study found three other factors associated with daily police presence on campus: school size, percentage of children receiving reduced-price school lunches, and school location.[79] It is also more common for schools that enroll high populations of students of color to have a greater police or security presence.[80]

Interviews conducted for this report revealed that in some cases these decisions are often politically driven, at least in part, in reaction to high-profile critical incidents in schools. In other cases, officer-placement decisions are being made by school district administrators who request officers for all middle or high schools in the district. These decisions can also be made based on a school principal or superintendent observing a successful SRO or school police officer program in another school or district. Although many districts, schools, and police agencies are making cogent decisions on how to engage officers on and off campus, these decisions are often not data-driven, lack specific goals, or narrowly focus on action plans related to threats to school safety.

Schools typically engage with police, at minimum, to determine how officers will respond to calls for service and prepare for critical incidents. Beyond those functions, police personnel across the nation when serving schools assume a number of roles and conduct a broad range of activities. School and police leaders are increasingly working with communities to examine these roles and activities, including making decisions about whether to assign officers to schools, revise the role of officers currently assigned to schools, reassign officers from one campus to another, or engage in a different type of partnership using only off-campus officers. The following recommendations and related discussions are meant to help guide these decision-making processes. The factors that can affect the ability of police to maintain school safety while supporting nurturing learning environments are also considered.

RECOMMENDATION 1: **Review the types of school-police partnership models being used in the district or jurisdiction and examine additional options to engage with law enforcement.**

Although this report focuses on the roles of sworn police officers from municipal, county, or school district police agencies, schools may also want to consider whether to use private security personnel.[81] Schools often have hybrid approaches for using school-based officers and security personnel. Some school districts have local law enforcement officers, school district police officers, and security personnel in their schools, in various combinations. It is also possible to bifurcate enforcement and prevention duties. For example, Milwaukee, Wisconsin has two sets of school officers serving together in schools: SROs and School Patrol Officers (SPOs). The SPOs' primary responsibility is responding to calls for service from schools and enforcement, whereas the SROs deal with more of the relationship building, mentoring, and classroom presenting.[82] More important than the labels are the actual roles and responsibilities of officers.

TABLE 3. POSSIBLE TYPES OF LAW ENFORCEMENT/SECURITY ARRANGEMENTS FOR SCHOOLS			
Officer or Security Presence	**Description**	**Authority**	**Examples**
Local municipal or county law enforcement agency officer assigned to school campus*	Officer reports within the local law enforcement agency's chain of command Typically assigned to work full time in a particular school	Sworn officers have full arrest powers and are armed The most common model is SRO	Rutherford County (TN) Sheriff's Office School Resource Officer Division, rutherfordcountytn.gov/sro/whatis.htm Garland (TX) Police Department, ci.garland.tx.us/gov/lq/safety/police/unit/school.asp
School district police department officer assigned to a school campus	Officer reports within the School Police Department's chain of command Typically assigned full time to a campus or patrol assignment The department is operated by the school district	Sworn officers have full arrest powers and are armed Tasks are typically the same as municipal/county SROs	Miami-Dade Schools Police Department, mdspolice.com Los Angeles School Police Department, laspd.com
Security firm employees contracted by school for on-campus assignment	The school district contracts with a security firm The officer reports to the authority designated in the contract	Typically non-sworn officers from a security firm, but may include sworn off-duty officers from a local police agency[83]	Alexandria City (VA) Public Schools (ACPS),† acps.k12.va.us/

* SROs may also be provided by state police agencies. For example, the Delaware State Police has a State Police School Resource Officers unit. The Red Clay School District alone has a public safety department with five full-time Delaware State Police School Resource Officers and one Delaware Constable who serves as the supervisor for the program. All secondary schools are assigned an officer. The emphasis is on integrating SROs into the culture of the schools and helping students succeed, while avoiding arrest whenever possible. For more information, see redclayschools.com/pages/RedClay/Parents_and_Students/PS_Documents/Red_Clay_Public_Safety_Departm.

† In addition to using contracted security personnel from a firm, ACPS also hires its own security who are ACPS employees. School district police department officers also may be assigned to a secondary school campus.

TABLE 3. *(continued)*

Officer or Security Presence	Description	Authority	Examples
School Security Officer employed by the school district	Non-sworn official working under the direction of a local school administrator In some states, security personnel may need to meet a certification program	Limited arrest powers depending on state laws[84] Generally responsible for ensuring safety and maintaining order and discipline in a school, though duties vary within and among districts Officers may monitor visitors and may detain students violating the law and notify local law enforcement officials	Virginia School Security Officer Programs, dcjs.virginia.gov/vcss/ssod.cfm Mesa (AZ) Public Schools *
No on-campus officer School district agency (if applicable) and/or local law enforcement agency responds to calls for assistance	Local police agency provides routine patrols/ responses or assigns officers to be at schools for the start and end of the school day May also provide after-school and education or other programs and other non-emergency services Responds to critical incidents and reports of crimes May be formal or informal partnership	Sworn officers are assigned by police agency supervisors or as part of routine patrol duties to provide a full range of policing services	Sausalito Police Department (CA),† ci.sausalito.ca.us/index.aspx?page=154

* The Mesa Public School District hires security officers to work in two middle schools and six high schools. There are also 10 security officers who primarily respond to elementary schools, but patrol the district as secondary responders to middle and high schools. Security officers do not have arrest powers and do not need to be certified. The Mesa Public Schools and the Mesa Police Department also place SROs in middle and high schools through district and state grant funding. The district supplements these SRO positions with part-time off-duty police officers as well.

† The Sausalito Police Department's "Recess Patrol" program requires officers to visit schools during recess to provide opportunities for positive interactions with the students. For more information on similar school visitation programs, see, e.g., schoolsecurity.org/2014/03/school-visitation-programs-beef-police-presence-budgets/.

A critical factor that helps schools determine the type of school-police arrangement to make can be the types of available funding. According to a review of state education statutes as of September 2013, 8 of the 50 states provide some kind of state-level funding specifically available for SROs or other school-based police, including grant programs and available matching funds. Four states had county-specific funding mechanisms, such as tax levies, county general funds, and various permit fees. The majority of states leave the funding of school-based police to the individual school districts.[85]

Potential funding sources for placing officers in schools include the following:[86]

- ***Grant funding:**** Federal and state grant programs can provide support for school-based officers, but plans must be made for retaining officers, as needed, when those funds are exhausted, particularly when facing persistent budget constraints.[87] A police department, school, district, or some combination can apply for grants to fund a school officer program.
- ***School district funding:*** If a school district has its own police agency, or is interested in creating one, the agency's funding can be used to support officers in the school. In addition, school district funds can be used to contract for services or pay the costs for employing a school security officer, depending on the needs of the school.
- ***Police department funding:*** If the school district does not have its own police agency, school leaders can determine if the municipal or county law enforcement agency has the budget to staff requested positions for individual schools. Typically the municipal law enforcement agency incurs the costs from its operating budget or any grant funds if the school district cannot support the positions.
- ***Shared or blended funding:*** Some school district and municipal agencies share the costs of officers in schools, drawing on their operating budgets and grant funds. The Ohio School Resource Officers Association identified a number of funding sources that could be used to support officers in schools (sometimes for prescribed activities such as drug prevention), including the Ohio Attorney General's Drug Use Prevention Grant, the U.S. Department of Justice's Community Oriented Policing Services (COPS) and the Edward Byrne Memorial Justice Assistance Grant Program (JAG); possibly asset forfeiture monies (depending on allowable uses for the department); and the state's Department of Education.[88] Other federal sources include the Substance Abuse and Mental Health Services Administration's Safe Schools/Healthy Students initiative and the U.S. Department of Education's Office of Safe and Healthy Students.

* For more on potential federal grant programs to support officers in schools, see csgjusticecenter.org/wp-content/uploads/2014/05/FederalGrantProgramsChart.pdf.

The most important decisions in determining the type of school-police partnership typically relate to whether to assign officers to a particular campus, to all schools within a district (or a particular level such as all middle or high schools), or to rely on municipal/county police responses and joint programs without an officer based on campus.

RECOMMENDATION 2: **Involve a diverse group of stakeholders and review multiple data sources to evaluate the need for officers on a school campus to maintain school safety while contributing to a supportive learning environment and minimizing students' involvement in the juvenile justice system.**

To evaluate the type of partnership that would meet a school's or district's needs and goals, education and police leaders need to engage a range of stakeholders and analyze available data on a number of dimensions.[89] Much of the data described below is already being compiled or can be readily collected, including through school climate surveys that provide information on student, staff, and family perceptions of safety. Student and school-level data should also be available from state data systems and any early warning data systems that may be in use in the district.[90] There also may be information from school safety audits. There are a number of committees that already exist in schools that can help lead this effort—whether it is a school leadership team, a school improvement planning team, or a school safety planning committee, or some combination.

SCHOOL SAFETY PLANNING

In the wake of tragedies such as the shootings in Newtown and Columbine, school safety plans have focused on increased security measures and emergency responses. As of October 2013, 33 states have statutes that specifically require every school or district to have a comprehensive school safety or emergency plan.[91] In 2013 alone, 11 states passed legislation that revised existing policies and 2 states passed legislation creating new policies for safety planning.[92]

Plans typically detail specific procedures for responding to threats against the school including intruders in the building, natural disasters, and medical emergencies. Common elements of state legislative-directed school safety plans include the following:[93]

- Requirements for various safety drills including fire drills, tornado drills, and active shooter drills
- General school building and infrastructure requirements for school safety
- Procedures for responding to school emergency or crisis situations
- Involvement by teachers, students, families, and community members in the creation of the plans
- Involvement in the development and implementation of the plan by state departments of education and specific school safety entities
- Procedures for distribution of school safety plans and/or confidentiality of such plans

School safety plans are typically stand-alone documents and most states require their development in partnership with local law enforcement and/or school district police agencies. Because safety is an integral part of school climate, some plans may include goals and activities for improving the environment and sense of safety, but the emphasis is typically on enhanced security of the physical facility, student and school personnel responses, and law enforcement protocols.[94]

School-police partnerships should consider how school safety plan provisions will affect the school climate, particularly installing safety equipment and running safety drills, and how to mitigate fears and concerns proactively. They should also examine how school safety plans can be coordinated with school climate strategies and school improvement plans to leverage the work often being done on parallel tracks.[95]

This recommendation requires that data analyses and stakeholder discussions focus on a number of considerations to assess what type of activities police might carry out on school campuses and how they could be implemented. The same process should also be used by jurisdictions with current school-police partnerships to reassess their success and effectiveness in achieving identified goals.[96] Many of the issues require engaging students, their families, and the adults in the school who have contact with students, as well as service providers or community members.

The key considerations and questions that are provided below can be used as a self-assessment tool to stimulate discussion with stakeholders on school safety and the presence of officers on campus and off-campus responses. Information gleaned from conversations about these questions can also be used as an advocacy tool by schools and districts to garner support for improving school-police engagement.

There is no simple equation for determining the best school-police partnership model, including whether to put an officer on a particular campus. No set of questions and weighted responses could be fashioned to yield quantifiable results that could accurately direct these actions. It became clear that such a metric is not yet possible, in part because the research base is not yet there to draw these types of conclusions. In the interim, some advisors have proposed that although there is no single indicator that determines the need for police in a particular school, a critical consideration would be the seriousness of the offenses that take place in school and the overall proportion of department calls for service by the school. The severity and impact of offenses could also be gauged, in part, by student and staff perceptions of safety. Decisions on whether to place an officer on campus should also be based on concerns about specific risks (e.g., gang or weapons problems).

The steps suggested below are designed to get closer to a formal process for determining the best school-police partnership by outlining four distinct steps to consider incident and perception data in making these decisions:

1) Review safety data from police, school, and other sources
2) Consider stakeholder perceptions
    a. emotional and physical safety
    b. officers in schools
    c. appropriate roles for officers
3) Determine the goals of the school-police partnership
4) Determine the best partnership model

OFFICERS IN SCHOOLS: A COLLABORATIVE DECISION-MAKING TOOL

I. **Review Safety Data:** School leaders and police should use measurable and observable data from a variety of sources that can provide a clear and accurate picture of the school's safety needs. Quantitative data can include numbers of crimes reported by students and school personnel; arrests; tickets (where applicable); calls for service to law enforcement agencies; crime data on and around the school grounds; and disciplinary data including suspensions and expulsions. Any survey or incident data that has been collected on bullying incidents, student drug or alcohol use, or gang activity should also be reviewed.

ISSUES FOR CONSIDERATION:

School safety needs are important factors in determining whether routine patrol responses, more formal school-police interactions, the placement of officers on campus, or other types of partnerships between schools and police are needed. The consideration of the police role should be made in the context of other school- and district-wide initiatives as well. The school safety data that can be collected is extensive, but may be readily available from existing police or school sources. Local leaders can prioritize data on arrests, police calls for service, and disciplinary actions stemming from conduct that resulted in physical harm if capacity for more extensive data collection is limited.

Data collection is merely a first step in assessing baseline crime and disorder. Information from surveys and assessments of school climate, behavioral health interventions, and other strategies that improve safety should also be considered. Although schools are generally safe environments, the questions provided in this self-assessment tool can help identify the extent of individual schools' criminal and gang/drug activity, as well as the need to address students' risky behaviors and behavioral health.

A. Does the school have a safety/security plan?

- **1.** If so, when was this plan developed, and how often is it reviewed and/or revised?
- **2.** Are school-based officers part of the safety/security plan, and if so, in what way?

B. What does the data say about the crime and safety problems a school may have based on the following potential indicators?

- **1.** Total number of arrests on campus
  - **a)** any information on frequent locations for incidents (e.g., cafeteria, parking lot, classrooms)
  - **b)** offense types
- **2.** Number of calls for service and/or arrests at school events off campus and/or at bus stops or on school buses
- **3.** Number of calls for service from school to local/county law enforcement agency (off-campus officers)
  - **a)** through 911 vs. non-emergency assistance (if available)
  - **b)** by offense type (if available)
- **4.** Number of calls to school district police agency (if applicable)
  - **a)** offense type (if available)
- **5.** Number of on-campus officer interventions (if applicable)
  - a) numbers of arrests or tickets (if applicable)
  - b) offense types

6. Number of tickets issued on campus (from off-campus police or school-based police, where applicable)
7. Number of weapons confiscated
8. Number of incidents where drugs were confiscated
9. Number of office referrals, disaggregated by reason for referral
10. Number of in-school suspensions, out-of-school suspensions, and expulsions, disaggregated by type offense/violation
11. Police reports on gang and drug activity on campus
12. Student attendance and truancy rate[97]

C. What do these data suggest about particular crime or safety issues?

D. Is it possible for the data to be disaggregated to reveal any disproportionate impact on particular populations?

E. What factors might explain the overall or specific data results or affect their accuracy?

F. How does the school compare with others in the district?

II. Assess Perceptions of School Safety and of the Presence and Potential Roles of Officers in Schools: In addition to collecting and analyzing quantitative data, school leaders should gauge perceptions of school safety held by staff, parents, and students. They should then consult with police officials about how these perceptions compare to the data collected. School and police leaders should also discuss how students, parents, and others in the school community feel about having officers on campus and what they perceive their role should be if placed in a school.

Perceptions of safety and feelings about the presence of officers in the school can be gathered through interviews, community and school-based forums, and surveys. Many validated school climate surveys already collect this information.[98] When validated school climate surveys do not cover school safety perceptions, schools and districts can administer additional surveys at the same time as the validated climate survey that focus on perceptions of safety and officers in school. Perception data and feedback can reveal the conditions under which teaching and learning occurs at the school. Research shows that feeling unsafe in school is a significant barrier to learning, and students who report these feelings are less likely to be engaged and have lower academic achievement outcomes.[99] Although there are mixed results from research on whether officers make students and staff feel safer, the discrepancies may come down to the selection, training and role definition of the particular officer assigned to a school, as well as to how police are perceived in the greater community.

ISSUES FOR CONSIDERATION:

A number of sources and mechanisms can be used to gauge the school community's feelings of safety and its perception of police partnerships. Some researchers caution that perceptions are not always accurate and may change after data on actual incidents or other issues is discussed. Nonetheless, perceptions must be taken seriously and may help explain why statistics do not tell the whole story about school conditions (e.g., under-reporting of crimes).

It is important to also recognize when negative interactions with officers in the community carry over into the school.* Many police practitioners believe that specially trained officers building positive relations with youth in schools can help develop mutual respect that can begin to address tensions and build relationships outside school.

It is critical that all voices are heard in this step of the planning process, particularly as the roles of police officers on and off campus are defined. Questions on three key areas are meant to help inform the partnership plan: 1) perceptions of safety, 2) perceptions of police, and 3) the role that officers should play in school partnerships.

Perceptions of Safety

A. What do school climate and other surveys, and discussions with stakeholders reveal about the following?

1. Overall sense of student and staff safety (from in-school or external threats and harm)
2. Perceptions of physical safety
   - **a)** students' sense of physical safety in the school
   - **b)** adults' sense of physical safety in the school
3. Perceptions of emotional safety (e.g., intolerance for bullying and harassment, and support for sharing feelings)
   - **c)** students' sense of emotional safety in the school
   - **d)** adults' sense of emotional safety in the school
4. Feelings about the presence of security equipment (e.g., cameras, metal detectors, bars on windows)
5. Perceptions of student and adult safety in particular areas of the school or during certain types of activities (e.g., cafeteria, hallways, sporting events)
6. Whether students of color, those with disabilities, English language learners (ELLs), youth who self-identify as LGBT, or other populations feel they are less safe or disciplined or treated differently by officers than their peers

Perceptions of Police

B. What do surveys, discussions, and other feedback from students, families, teachers, other staff, and adults working in the school reveal about whether those responding perceive that police in schools increase or decrease these measures:

1. Actual school safety
2. Feelings of safety and security
3. Level of disorder and drug use in school
4. Arrest rates

* NASRO officers who were surveyed for this report listed this as one of the barriers that SROs in schools face.

5. Referral rates to services and diversion programs
6. Positive school climate indicators (e.g., school feels welcoming, secure, caring adults)
7. Attendance
8. Rates of bullying
9. Constructive officer relationships with parents, students, and community members
10. Students' positive decision-making/avoidance of risky behavior
11. Students' good citizenship

Roles of Officers Engaged in Partnership

C. Knowing that law enforcement officers must respond to serious crimes, threats to the safety of teachers and students, and charges filed by victims, what additional roles should officers have (whether based in the school or responding to calls or requests from the school)?

1. Crisis preparation (natural disasters, critical incidents)
2. Participation on school safety committees
3. Facility security planning and implementation (including crime prevention through environmental design)
4. Risky behavior intervention and prevention including drugs, weapons, gangs, and bullying
5. Other crime prevention and education activities (e.g., driving under the influence, texting while driving, or the impact of graffiti)
6. De-escalation of fights or threats to safety
7. Connections to diversion programs, supports and services in school, and referrals to school discipline personnel to help minimize arrests for minor misconduct
8. Mentoring (in-school or after-school)
9. Event and facility security, such as security at the start and end of school and traffic control
10. Encouraging reporting of sexual or child abuse
11. Monitoring of "spill-over" crimes from the community to the school and from the school to the community[100]
12. School-police athletic programs and other structured positive programming
13. Safe passage programs for students to and from school for high-gang and violence areas
14. Problem-solving partnerships to resolve crime and safety problems on campus
15. Coordination with local juvenile justice service providers to provide reentry assistance for students on probation or returning from detention facilities or alternative programs
16. Attendance and truancy reduction through problem solving
17. Liaison with community- and faith-based organizations and other service providers
18. Others

PREVENTION RESOURCE OFFICERS WEST VIRGINIA

The West Virginia Division of Justice and Community Services developed the Prevention Resource Officer (PRO) program in which state-certified police officers with at least one year of experience serve in middle and high schools. PROs work to maintain school safety while improving students' relationships with officers and their knowledge of criminal justice and law enforcement. As of March 2014, there were 68 schools with one PRO each.

The three main components of the PRO Program reflect shared school-police goals:[101]

- **Prevention**—The officers used a PRO-developed curriculum to teach classes on non-traditional educational topics such as criminal and civil law, domestic violence, drug and alcohol prevention, gang prevention, and bullying.
- **Mentoring**—Officers are taught conflict resolution and de-escalation techniques, as well as provided training on mentoring to build positive relationships with the students with whom they interact daily.
- **Safety**—Officers are trained to maintain school safety and prevent violence, as well as to respond to critical incidents and emergencies. Program guidelines specifically outline that PROs should not be employed to enforce discipline.

PROs are on duty a minimum of 35-40 hours per week. In addition to the regular school day and the requirement that they teach at least one non-traditional class per week, PROs typically attend extra-curricular activities throughout the school year. For more information on the PRO program including program guidelines, visit djcs.wv.gov/pro/Pages/default.aspx.

OFFICERS IN SCHOOLS: A COLLABORATIVE DECISION-MAKING TOOL *continued*

III. **Determine the Goals for a School-Police Partnership:** Based on the data and stakeholder feedback, school and police leaders should develop specific goals to address the identified safety and crime prevention concerns and the appropriate responses to help alleviate them. In addition, the school should determine if there are other services on-campus or off-campus police provide that would benefit the school.

In all cases, it is important to determine what types of activities are needed and which school personnel already conduct these activities. In most cases, school safety concerns require multiple responses from a variety of entities (including behavioral health services), with officers as a part of a comprehensive solution.

ISSUES FOR CONSIDERATION:

Goals should be as clearly articulated as possible with discrete activities associated with each goal.[102] For example, if data reveal that the school and the community surrounding the school have a gang issue, one of the school's goals should be directly tied to reducing gang activity on school grounds, perhaps with the creation of a safe passage program for students having to cross gang territory, and working with at-risk youth to prevent gang involvement.[103]

Additionally, goals should be measurable so that schools and police can evaluate the effectiveness of the partnership, and make adjustments as needed.[104] At this early point, it is not necessary to determine if the activities would be carried out by a school-based officer or by a municipal, county, school district agency, or some combination. It is more important to stay focused on the school's safety and youth development goals—and whether officers can help schools achieve those goals.

A. What are the school's top safety, crime prevention, and youth development goals that might benefit from police involvement?*

1. Specific crimes or safety and disorder problems revealed by the data and school community surveys
2. Prevention programs deemed most important based on data or other feedback
3. Support for positive student decision making, good citizenship, and other youth development goals
4. Programs to facilitate positive interactions and increase comfort with law enforcement

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IV. Determine the most appropriate partnership for school-police engagement to achieve safety and crime prevention goals for the school campus: School-police partnerships should be built on a foundation of a shared vision and goals, ongoing communication, and positive interaction. When all levels of school personnel, students and their families, communities, and police work together to creatively tackle problems, a number of positive outcomes can be expected—including fewer arrests for minor offenses, greater connection of students to needed services and supports, reductions in particular crime problems, more frequent reporting of problems to officers, and decreased fear of crime and violence.

In determining the most appropriate partnership for a particular jurisdiction, it is helpful to explore four areas of inquiry:

- Has the school had previous experience with a school-based officer or a school-police partnership with off-campus officers?
- What is the school and police capability to address the identified problems and goals?
- What is the appropriate level of police involvement on campus to achieve identified goals and priorities?
- What are the principles and levels of commitment that are needed to ensure that schools and police agencies are fulfilling their responsibilities in the partnership?

ISSUES FOR CONSIDERATION:

This is the most difficult step in the process. The capacity of schools to address identified goals and the potential benefits that police could provide to supplement the work of school staff must be considered. It is important to understand the availability of police resources and the community and political issues that may be involved in deploying them.

The previous discussions about which activities would support a positive school climate and enhance school safety/crime prevention will help determine the type of partnership a school may benefit from and the level of officer involvement in various activities. Answering a single question or a combination of questions in previous sections of this tool in a certain way does not automatically translate into the need (or lack of need) for police officers on campus. Rather, the self-assessment tool is meant to shape a productive conversation among various stakeholders that can result in an effective data-driven school-police partnership plan. The tool should facilitate the identification of goals and help local leaders and school communities understand how police can help achieve those goals.

* For more information on setting measurable goals, and for examples of school safety and law enforcement goals and data collection to measure improvement, see Raymond, B., *Assigning Police Officers to Schools: Problem-Oriented Guides for Police Response Guides Series No. 10, (Washington DC:* Office of Community Oriented Policing Services, U.S. Department of Justice, 2010): 27. (e.g., Goal: Reduce crime and disorder in and around the school; Data to collect: crime incidents by type in and near school, non-criminal disorder incidents in and near school, victimization in and near school).

Previous Experience with Officers Serving School

A. What prior experiences have there been with officers?

1. Does the school have a prior history with police officers on campus? If so, what was the level of engagement?
2. If the engagement ended, why did it end and were there consequences?
3. If the school district never had an on-campus police partnership, was there a specific reason not to engage in this type of relationship?
4. Were other partnership activities performed by school district, municipal or county officers who were not assigned full-time to the school (or who were part-time among several schools)?
5. Do other schools in the district have school-based officers affiliated with a school district police agency or municipal/county law enforcement agency; if so, what was their experience?

School and Police Capacity

B. What school and police capacity issues should be considered?

C. What funding does the school district have to support officers' efforts?

1. Are there school district police agency resources?
2. Is there funding to contract with local police agencies for on-campus assistance?
3. Is there funding for police-led or sponsored activities that may involve officers not assigned to the campus?

D. What funding do local and municipal agencies have to support officers in schools? Can adjustments be made to free up patrol or other officers to provide services and programming at schools?

E. How do the school-police partnership activities fit with other efforts to improve school climate, school safety, and behavioral health?

F. Are there school counselors, school psychologists, social workers, student support teams, or other in-school (or external partner) behavioral health staff with whom officers might coordinate to help support students and minimize their involvement with the juvenile justice system?

Making the Decision about Partnership Models

G. What is the appropriate level of police involvement on campus to address the identified goals and priority needs?

1. What did the analyses of data, surveys, and feedback from previous questions reveal about safety and prevention-related needs and goals?
2. What did the findings of the previous questions on the capacity of the school and police agencies reveal?

H. What are the best ways to achieve the goals using a combination of school and police personnel?

1. What remaining concerns or perceptions need to be addressed?

Commitment and Principles

I. Is there agreement on the level of commitment from school and police leaders to support the partnership?

1. What structures and supports do schools need to make the partnership work?
2. What structures and supports do the police need to make the partnership work?
3. Is there specific and clear communication of the commitment by law enforcement agency leader(s) to officers? And the same from education leaders to the school staff and community?
4. Are there clear and consistent communication plans that provide the opportunity for police and school officials to resolve problems that may emerge in the partnership?

COMMUNICATION PLANS

A strong commitment by police and schools must be reflected in communication protocols. School and police leaders need to communicate to their own personnel and to the school community a shared vision for the partnership at the start of an agreement and at the beginning of every school year. Police leaders should plan to meet regularly with key school personnel and other stakeholders to understand any fears and safety matters that exist on campus and how to best respond to issues as they arise. School and police leaders should establish protocols for regular communication and develop processes to review and help update school safety and improvement plans to achieve mutual goals.

At a minimum, school and police personnel communications should include the following:

- At the beginning of the school year, school-based officers and police and school leaders discuss the roles and responsibilities for on-campus and responding patrol officers. An orientation meeting should be held between identified officers, teachers, and all school staff as well as an assembly with students. To facilitate communications and common understanding of roles, school-based officers, educators, and school officials should participate in joint training with facilitated discussions about how student misconduct will be handled and when officers will be engaged with students.
- Regularly scheduled in-person meetings should be held between an on-campus officer and/or police leaders and the school principal to share information about safety issues and officer activities, and to review campus and related community incident data and other concerns. Officers and principals should also meet regularly to discuss follow-up actions regarding incidents and overall threat and security assessments.
- Regular conversations should be encouraged between officers, teachers, specialized instructional support staff, and student support teams to build a cooperative relationship that will help de-escalate situations, maintain safety, and result in lower arrest rates.
- Officers should also provide students and families with opportunities at school events to build positive relationships. They should participate in discussions with parents and community leaders through in-school forums and PTA meetings.
- Police relationships with the greater community clearly affect perceptions and openness to the presence of police in schools. Officers should be encouraged to meet with community members to discuss school-based efforts. The 2013 Intergovernmental Agreement signed between Denver Public Schools and the Denver Police Department, for example, requires that SROs meet with community stakeholders at least once per semester. School-based police officers and officers responding to schools should take this opportunity to expand their understanding of resources available in the school and community to support students as well.

OFFICERS IN SCHOOLS: A COLLABORATIVE DECISION-MAKING TOOL *continued*

J. Are school and police officials committed to taking the following steps needed to shape an effective partnership?

1. Developing and structuring a role for officers that fosters positive relationships with students, focuses on safety and prevention efforts instead of routine student discipline, minimizes the use of arrest for minor misconduct, and supports the goals and needs of particular schools identified through the collaborative process
2. Ensuring that officers working with students are properly selected, trained, supervised, and evaluated
3. Training teachers, administrators, staff, students and their families, and other adults serving students on the proper role of officers while present on school campuses
4. Establishing oversight and review processes to ensure that school personnel are appropriately asking officers to intervene
5. Using data to assess the effectiveness of the school-police partnership and to guide decision making
6. Entering into an MOU to ensure that there is a common understanding of when officers will be asked to respond to incidents, what activities they will conduct, and what information can be shared

The policy statements that follow include detailed discussions and recommendations that relate to each of these steps.

POLICY STATEMENT II

Educators and school officials do not call on officers to respond to students' minor misbehavior that can be appropriately addressed through the school's disciplinary process, and officers use their discretion to minimize arrests for these offenses when possible.

There is general agreement that officers engaged with schools should maintain or increase the safety of students, teachers, and other personnel through crime prevention, problem solving, education, and enforcement for serious offenses.[105] The greatest controversy about a police presence in schools relates to the arrest of students for minor offenses. Among the factors that should be considered in examining arrests are the extent to which school personnel are requesting officers to arrest or to respond to incidents on the school campus, the seriousness of the offense (including injury/harm and threats to safety), victims' complaints, and current school and law enforcement policies.

Concerns about arrests that occur in schools are especially significant for students of color and youth from other disproportionately impacted populations. Black and Hispanic students in particular are overrepresented in minor and discretionary-based ticketing and arrests.[106] When measuring impact, it is important to look at the racial breakdown of the full student

body to determine disproportionality. As with suspensions and expulsions, racial and ethnic disproportionality in school-based ticketing and arrest is experienced in many jurisdictions across the country.

- In New York City, 95 percent of all arrests in public schools studied in 2011–12 involved Black or Hispanic students. Their representation in the student population was approximately 30 percent of students.[107]
- In Connecticut in 2011, White students comprised 62 percent of the student population, and 35.3 percent of students arrested. Black children represented 13.2 percent of the state's students, and 27.6 percent of those arrested, while Hispanic students were 18.6 percent of the state's students, and 34.2 percent of those arrested.[108]
- In Florida, a 4-year study revealed that Black youth represented 22 percent of the overall youth population, and 47 percent of school-based delinquency referrals to the juvenile justice system.[109]
- In North Carolina, 43 percent of all delinquency referrals to the juvenile system were school-based; 46.2 percent of these were filed against Black students who made up 26.8 percent of public school students.[110]

The disparate impact of school-based arrests and ticketing on youth with disabilities and students who identify as LGBT is also an issue of great concern.[111] Data on arrests within LGBT or other populations may be difficult to attain because a number of schools and police departments do not have the mechanisms in place to collect such data; some groups are concerned about the collection of data that is not the result of self-identification, and fear that the information will not be used appropriately (especially individual-level data). Still, a number of examples have emerged that point to disparate impact on these groups:

- In Pennsylvania, a study revealed that students with an identified disability and in need of special education were disproportionately represented in school-based arrests. Though students with disabilities comprised only 13 percent of the school-aged population, they comprised 24 percent of the referrals to the police or juvenile justice system. In some schools, more than 50 percent of referrals to the police were for students who had a disability.[112]
- In Florida in 2011–12, youth identified as requiring an Exceptional Student Education (ESE) program accounted for 29 percent of all school-based referrals to the juvenile justice system (a 5 percent decrease from 2010–11),[113] but represent approximately 18 percent of the student population.[114]
- A study published in the medical journal *Pediatrics* found that LGBT youth are more likely to be harshly punished by schools and courts than their non-LGBT peers; nonheterosexual adolescents had between 1.25 and 3 times greater odds than their heterosexual peers of experiencing a disciplinary sanction.[115]

There is certainly recognition that arrest is the appropriate response for serious offenses, particularly those involving violence or threats to student or teacher safety on a school campus. Officers also must be responsive to charges made by a victim or victim's parents/guardians. Officers increasingly recognize, however, that in many incidents involving minor offenses where they have broad discretion, students will have better long-term outcomes if they are referred to other school or community-based services rather than arrested. Accordingly, many agencies embrace an SRO/community policing philosophy in which problem solving and partnerships are used to engage students and their families in both preventing and resolving minor school-based incidents.[116]

Clear policies to minimize arrest are only effective, however, if they are backed up by access to alternative programs for students whose actions put them at risk. As the previous chapters on Conditions for Learning and Targeted Behavioral Interventions outline, many schools are developing alternative programs that keep students engaged in school and attempt to modify the types of behavior that increase the likelihood of arrest. It must be clear to all officers under what conditions these alternatives can be used to divert students to school-based services, supports, or restorative programs.

There is little doubt that some officers are arresting and/or ticketing students for minor offenses taking place on school campuses.[117] It is unclear how many of these arrests or tickets are related to victim complaints, calls to 911 from school officials for responding patrol officers, or school administrators' or teachers' requesting on-campus officers to enforce minor misconduct. Police officers have reported that teachers and school staff are not always aware of what will happen once officers are called to intervene, including the possibility of an arrest, or of the long-term consequences that a student may face if arrested. It is also unclear how many arrests are the result of off-campus patrol officers' or on-campus officers' direct observation and action.

In response to concerns about student arrests for minor misconduct, many police officials and a growing number of school administrators have expressed their opposition to expectations that officers should be classroom disciplinarians or arrest students for misbehavior that the school should resolve. Officers, teachers, and all adults working with youth in the school need to be clear on the appropriate role of officers in schools, particularly in regard to enforcement activities. This is best achieved by training officers, educators, and school officials together.

To formally address concerns about the use of arrests for minor offenses, many school districts and police are working together to develop policies and procedures. These policies may be prompted by judges, legislatures, advocacy groups, concerned parents and students, or by the school-police partners themselves. The policies outline specific roles that school and police personnel should take to minimize arrests and promote positive alternatives.[118] These policies may be memorialized in school codes of conduct and in MOUs between police agencies and school districts. Police efforts may also be part of larger collaborative efforts to improve outcomes for youth.

THE CAMBRIDGE SAFETY NET COLLABORATIVE CAMBRIDGE, MA

In Cambridge, Youth Resource Officers (YROs) not only interact with youth in schools, they also participate in the Cambridge Safety Net Collaborative in which they help "foster positive youth development, promote mental health, support a safe community and schools, and limit youth involvement in the juvenile justice system through coordinated services for Cambridge youth and their families."[119]

Partners include the Department of Human Service Programs, Cambridge Public Schools, and the Cambridge Health Alliance as well as other community-based service providers and the courts. Officers in the Youth Family Services Unit (YFSU) volunteer for the assignment; they are selected by a panel of collaborative partners and are trained to assume case management and diversion activities. Since the formation of the police department's YFSU, which includes school-based officers, the agency reports that there has been a 59 percent decrease in juvenile arrests for criminal offenses. Risk and needs assessments are conducted for those youth entering Safety Net and a Youth Service Plan is developed that outlines attainable, measurable goals designed to reduce the risk of future delinquency. YROs' jurisdiction extends from the school setting and school-sponsored activities to the "community involving students of the Cambridge Public Schools …for incidents involving violence, attempted violence or threatened violence, the use, abuse and/or distribution of alcohol or other drugs, or other incidents."[120]

For more information, visit cambridgema.gov/cpd/communityresources/safetynetcollaborative.aspx.

The recommendations that follow include discussions of three central problems that emerged from the debate about officers in schools and that can be addressed by effective school-police partnerships:

1. The lack of clear criteria for when school personnel should involve officers in enforcement activities
2. Insufficient understanding among police and school personnel about the roles of officers, even when some criteria for their involvement have been established
3. Inadequate mechanisms for routinely tracking adherence to policies

RECOMMENDATION 1: **Ensure that policies clearly define officers' roles and the criteria for when to engage police in non-emergency situations that will help minimize arrests while addressing victims' needs.**

School districts and police often lack clear policies on the role of on-campus officers and guidance on when arrest or alternative actions should be used in response to student misconduct. The distinction between disciplinary matters for the school to handle and

misdemeanor criminal acts for police to handle can be blurred. Teachers, administrators, other school personnel, and police need a shared understanding that achieves school safety goals but also minimizes students' risk for arrest for minor offenses.[121] It is important for all students, parents, school personnel, and police officers assigned to school campuses to know who is responsible for addressing disciplinary matters such as dress code violations, cell phone use, or disrupting a class.[122] Similar clarity is needed about circumstances under which police will be called—for example, for possession of weapons, distribution of drugs, violence, and threats of violence. By reducing officers' involvement in classroom management matters, school administrators and police can help ensure that student and staff safety and crime prevention are the highest priorities.

Requesting Police Involvement

The first step is to make clear to all adults in the building, parents, students, and police personnel under what circumstances to involve officers in incidents with students. A growing number of agreements between police and school districts say "police involvement should not be requested in a situation that can be safely and appropriately handled by the District's internal disciplinary procedures."[123]

Policies related to when to involve officers and a clear definition of their roles in the school should be reflected in the school code of conduct and any formal written agreements between police and schools.[124] Consistent compliance with the related policies can build trust with both the school administrators and staff, and also with students and their families who know what to expect from the officers and what officers can expect from them.

Some codes of conducts have matrices that instruct when school personnel should involve police in student misconduct.* Increasingly, the levels of responses to student behavior are based on the student's age, grade, number of prior violations or offenses, and seriousness of the act. Examples of matrices that are meant to guide school personnel on when to involve police include the following:

- Baltimore City Public Schools' revised code of conduct (2012–13) contains a chart that lists inappropriate, disruptive, and/or illegal behaviors and the corresponding levels of disciplinary responses, including when it is appropriate to involve a law enforcement official.[125]
- In 2013, Buffalo Public Schools revised its Code of Conduct to include a chart listing specific offenses that "may" and "must" be reported to law enforcement. It states that law enforcement must be notified by the school principal or his/her designee for violations that "constitute or may constitute a crime, and which, in his or her judgment,

* School-police partnerships that formalize officer roles in MOUs are discussed in Policy Statement IV. Some police practitioners caution that overly broad exclusions of properly trained school-based officers preclude them from using their connections with youth to help de-escalate a situation before a safety threat arises.

substantially affect the order or security of a school, its students and/or its staff, as soon as practicable." When a student is referred to law enforcement, the principal/designee must submit a report describing how the student's conduct violated the Code of Conduct and constitutes or may constitute a crime.[126]

- Chicago Public Schools' Code of Conduct includes a chart distinguishing when the Chicago Police Department "may" be notified and when it "must" be notified about particular misconduct.[127]
- In Fort Wayne, Indiana, SROs are involved in student misconduct when specifically required by the Code of Conduct. The code lists a series of offenses and behaviors that require school officials to request SRO intervention based on grade level and seriousness of the offense.[128]
- The San Diego Unified School District's 2012 Uniform Discipline Plan stipulates that any municipal law enforcement personnel working on school grounds are "encouraged to exercise their authority to arrest in a manner that is consistent with the goals and requirements of the plan." The plan articulates six levels of graduated responses to misbehavior, in which typically only levels 5 or 6 may result in referral to law enforcement, and in those cases arrest should only be used as a last resort.[129]

This type of guidance is much more likely to be accepted when police and the school community are involved in its formulation. For example, in Chicago, parents, families, and community partners, including police, are invited to provide input on the revisions to the code of conduct every year. Similarly, Baltimore City Public Schools assembles annually a code of conduct committee led by the Superintendent (CEO) of the school district to review the code in partnership with students, families, police, and other school-based partners. This review helps ensure that the code is in compliance with state and municipal laws and offers the opportunity to approve or revise it before the school year.

Schools that do not have school-based officers should develop agreements with local law enforcement officials on when it is appropriate to contact them.[130] The Sacramento City Unified School District, for example, has instructed school officials who do not have their own SROs about the appropriate response to school events and safety needs (with options for calling an SRO from another school, municipal police non-emergency, or emergency response/911).[131] Although school principals or administrators typically make the decision to involve officers, all teachers and school staff should be aware of when to contact the police directly. If two students in the cafeteria exchange pushing and harsh words, school-based officers would be called to intervene and de-escalate the situation if the students did not respond to a teacher's, staff member's, or principal's instruction to stop. According to some code of conduct provisions, off-campus emergency police would be called only if there was an imminent threat to students' safety and/or the involvement

of weapons. As a result, most of these incidents would be kept within the school's disciplinary system rather than risking arrest of the students. If the school has an SRO, he or she may de-escalate a situation at the scene, or may also be informed of the incident if not present and be involved subsequently in discussions with the students involved. The ability of off-campus officers to de-escalate the scene or make an arrest may depend in large part on their training and whether there are clear policies for responding to students' misbehavior. Policies may also be developed to provide officers with alternatives to arrest or ticketing for students' truancy offenses. Some school districts have developed attendance resource centers/truancy diversion programs where students are assessed to determine why they are skipping school. Youth and families have the opportunity to meet with school staff and counselors, as well as community-based providers and police officers, to address any family challenges that may contribute to the student missing school.[132]

In identifying factors that may be keeping students from attending school, it was discovered that fear for their own safety was keeping some youth away. In some places such as Los Angeles, CA; Chicago, IL; Bridgeport, CT; and Detroit, MI, where there are areas with high levels of gang activity, police have provided safe passage to students who were not going to school because they feared crossing a rival gang's territory to reach the campus.[133] Attendance or truancy centers and safe passage programs have emerged across the country as ways to encourage attendance and keep students safe while reducing involvement with the juvenile justice system due to truancy.

Providing Guidance on Police Arrest or Alternative Actions

No universal or nationally accepted standards exist that explicitly state when a law enforcement officer should or should not be involved in enforcing student misconduct on school campuses.* School officials cannot dictate when officers can investigate or enforce laws on school campuses (so long as they meet legal standards) any more than officers can require school officials to suspend or expel students.[134] Both can, however, work together with other stakeholders to develop criteria that guide actions to address student misbehavior, minimize contact with the juvenile justice system when possible, and serve the needs of all students and staff for safe and productive classrooms. Based on feedback from project participants, consensus emerged on general guidelines as follows:

* The model MOUs and governance documents described in Policy Statement IV reflect the range of proposed approaches, but there is not a standard that has been universally implemented and evaluated.

ENFORCEMENT GUIDELINES

School-based officers should

- enforce the law for serious offenses and investigate or assist in the investigation of criminal offenses and threats to safety occurring on campus;
- be provided with guidance for using their broad discretion when responding to school-based incidents and use alternatives to arrests whenever possible; and
- not enforce school codes of conduct for violations that may also be considered minor offenses, but can be appropriately addressed through the school's disciplinary process.*

School administrators, police officials, and other school staff working on safety, student health, and school climate must work together to ensure that criteria to involve officers in incidents with students and the use of alternatives to arrest are clear and reflect their collective priorities.[135] The resulting policies on involving police should be reflected in school codes of conduct, MOUs, and training.

RECOMMENDATION 2: **Train teachers, administrators, staff, and police about when to directly involve officers with student misconduct on campus and about available alternatives to arrest.**

Police and school personnel must have a shared understanding of the school's mission and policies on the limited use of arrests and exclusionary discipline. In addition to the information conveyed by school leaders at the start of each academic term, all staff and police assigned or responding routinely to the school should be trained on when staff is to involve officers and on diversion programs or other alternatives to arrest. Ideally, this should be done jointly to ensure that everyone is getting the same information, although it may be more difficult for patrol officers than for school-based officers to coordinate training times. It is also an opportunity to talk through concerns and potential scenarios. The Montgomery County, MD Police Department, for example, conducts biannual joint training of public school administrators, SROs, and school district security staff that is coordinated by the Police Department's Patrol Services Bureau. When possible, school leaders should also be encouraged to attend training for school-based officers to understand how police are being prepared to work with students and staff. School-based officers are also encouraged to attend school staff training on positive behavioral interventions, creating a positive school climate, and effective responses to student misconduct.[136]

* As mentioned earlier, some state statutes have included disruption of class or interference with public education as misdemeanors, which can apply to a broad range of student misbehavior. These may also be listed as violations of the students' code of conduct. (Officers do not enforce code of conduct violations that are not crimes.)

Officers should have full knowledge of the incidents or behaviors that trigger a mandatory suspension or expulsion, particularly if it is also an arrestable offense. For example, drinking alcohol on campus may trigger a suspension, but an officer may still have the discretion to arrest or to recommend (or connect) the student to counseling services or a diversion program. Patrol officers specifically assigned to work with schools in their district need to know what resources are available to them for diversion rather than arrest.

A recent survey showed that SROs often refer youth to student support teams and/or restorative justice programs as alternatives to arrest.[137] One alternative to arrest that officers frequently have at their disposal is to involve school support staff and propose referrals to community-based organizations if warranted. In most instances, when an officer identifies a youth who needs support and services, the officer will either reach out to the teacher or guidance counselor to inquire about possible resources or send a student directly to the school counselor to receive these referrals. Although some school-based officers get involved in making referrals for support services for students and families, officers generally prefer to engage school personnel on these matters. Typically officers do not get directly involved with direct service agencies, although they may encourage youth to get involved in police-supported athletic or after-school programs. In many schools, youth who are consistently truant are not typically brought to the attention of the officer, but instead are referred by school counselors to programs and interventions aimed at reengaging the youth in school and working with the family to ensure their support.

Police departments are increasingly emphasizing crisis intervention training (CIT) for their officers.[138] Although typically focused on adults experiencing a mental health crisis, some agencies provide training for crisis intervention with juveniles.[139] For example, the Connecticut Alliance to Benefit Law Enforcement has established the Crisis Intervention Team—Youth (CIT-Y) training curriculum, developed by police officers for police officers to address youth-specific issues. The one-day voluntary training is provided by the Alliance to law enforcement officers who interact with youth (both SROs and county police). The training topics include adolescent development; trauma education and trauma-informed responses; youth crisis intervention, de-escalation and communication techniques; and community resources to link youth to supports and services.[140] In addition, some school districts, such as Bexar County, TX, and Oklahoma City, OK, are providing this training to school-based officers. All the SROs in Fort Wayne, IN, also are also CIT-trained officers.[141] Officers are taught to de-escalate and stabilize a situation when possible so that the school and family can address the student's needs and behavior.

When the San Diego Unified Police Department recognized that calls for mental health-related issues were increasing across the district, it partnered with the local Psychiatric Emergency Response Team (PERT), whereby officers can connect students to mental health clinicians when appropriate rather than arresting them. Officers receive specific training on when and how to refer cases to PERT.[142] In Anne Arundel County, MD, the police department has contracted with Partnership Development Group, Inc. to create a mobile crisis team that is available to every middle and high school in the county. When SROs or other school personnel call in the team for a student in crisis, the team first meets with the counselor and other school staff to discuss the situation and can then connect students with additional services and supports.[143]

There are times when a student may respond to a confrontation in a way that can escalate the problem or spark an arrest if officers are not properly trained.[144] For example, a teacher asks a student to stop talking on her cell phone during class. The student refuses, speaks disrespectfully to the teacher, and pushes the teacher away when he attempts to take the phone. The teacher asks a school-based officer to help remove the student or take the phone away. The officer reaches for the phone and the student also pushes the officer away. If not de-escalated, the encounter could continue to deteriorate and result in arrest. Many school-based officers are trained to use de-escalation techniques (oftentimes separate from CIT training) and to stabilize the situation and determine with school personnel what the appropriate course of action should be to resolve the situation.[145] In some cases the officer will simply write up an information report so the incident is on record, and then advise school staff about the problem, with the intention that the event will be handled through the appropriate disciplinary and support channels within the school.

RECOMMENDATION 3: **Collect and analyze school-based arrest and referral data to help determine whether school and police personnel are adhering to policies regarding the involvement of officers and responses to student misconduct.**

Once policies are in place to help minimize the use of arrests for minor misconduct and cross-training on procedures has been completed for school and police personnel, it is important to know if these policies are being followed and having the intended impact. It is also critical to see if they are contributing to an unintended disproportionate impact on particular groups of students. Collecting and analyzing data on the outcomes of police responses to student misconduct can help to accomplish this. The data can help determine whether officers and school staff may be "over-enforcing" in their responses to misbehavior in schools; whether there are diversion programs or other alternatives available to officers when they have discretion to arrest or not; and the types of offenses for which arrests are being made.

DATA TO TRACK REDUCTIONS IN SCHOOL-BASED ARRESTS AND DISPROPORTIONATE IMPACT BRIDGEPORT AND HARTFORD, CT

In 2009, Connecticut launched the School-Based Diversion Initiative (SBDI) to reduce suspensions, expulsions, and arrests by diverting cases to the appropriate school and community-based support services. Initially funded by the John D. and Catherine T. MacArthur Foundation's Models for Change Mental Health/ Juvenile Justice Action Network, SBDI is now overseen by Connecticut's Juvenile Probation Department of the Court Support Service Division (CSSD) and the Connecticut Department of Children and Families (DCF).

As part of the SBDI in Bridgeport and Hartford, schools, police, and community partners are working with the Center for Children's Advocacy and the Center for Children's Law and Policy to track data on the reduction of school-based arrests for minor student misbehavior and the disproportionate impact on students of color. The following are among the reported strategies undertaken in these two cities:

- Creating school-police collaboration teams to monitor school-based arrest data
- Training for the Bridgeport Police Department on local diversion programs that are alternatives to arrest
- Arranging in Bridgeport for the Juvenile Review Board to review all misdemeanor arrests for possible diversion[146]
- Training for Hartford police officers on using Emergency Mobile Psychiatric Services as an alternative to arrest for students in crisis[147]

These, and other efforts, are demonstrating results. Hartford's school-based referrals declined 78 percent from March through June 2012 when compared with the previous year. Bridgeport's school-based referrals declined almost 40 percent. The Bridgeport Police Department also reports referring more students to diversion options, particularly for minor offenses. Although almost all students arrested in Hartford and Bridgeport schools before the SBDI were youth of color, many of them are no longer involved with the juvenile justice system for minor misconduct.[148]

School administrators, law enforcement leaders, police officers, and school staff should review what data is available and which data may need to come from other sources.[149] Typically, an examination just of arrest and referral practices could include school data (e.g., incident, referral, attendance, disciplinary, and repeated offense) and police data (e.g., calls for service to local police agency, crime reports, and arrests). School administrators and police supervisors may also need to review or establish school-based officer activity logs and reports that include the desired information in a readily retrievable form.[150] Information should be collected on race, gender, age, grade in school, and offense type. To the extent possible, schools can provide additional information on students with disabilities and other specific populations. Additional guidance on data collection can be found in the Data Collection chapter of this report.

If officers are primarily employing alternatives to arrest or addressing incidents informally for minor offenses, over time there should be lower arrest numbers for student misbehavior, although the informal handling of incidents or de-escalation/prevention efforts may not appear in data collection efforts. Fewer cases being refused by the courts for lacking prosecutorial merit because they are school disciplinary matters may also reflect adherence by both the school and officers to new policies that minimize arrests.* Increases in referrals to restorative programs and behavioral health services can also be positive indicators of adherence to new policies. If arrest rates for minor offenses are not declining after the implementation of these policies, school and police partners need to examine what other factors might be affecting these outcomes.

School-police partners should schedule regular meetings to discuss the data, review particular incidents that provide context, and address any needs for change based on the information presented. These meetings can also focus on improving reporting processes. The data analysis may also reveal that a particular officer, teacher, or other school staffer is experiencing difficulty with the policy. This should be an opportunity for police supervisors and school leaders to learn more about the reasons why this is happening and to help with problem solving and additional supports. For example, an educator may need clarification on when and how to involve an officer in student misconduct and when to refer a student through the school discipline system, or an officer may need more training on employing alternatives to arrest that are available through the school. Alternatively, the analysis may reveal that the school does not offer enough alternatives to arrest, in which case the school should work with stakeholders to develop more options or programs for youth to reduce the use of arrest for low-level incidents.

An examination of the extent to which officers are employing alternatives to arrest is only one aspect of an assessment of how school-police policies are working. The measures on school-based arrests should be analyzed comprehensively as to whether conditions for learning also improve or worsen, how other partnership goals are being met, as well as other measures of a safe and supportive school climate.

* As the Data Collection chapter indicates, it is important to look at a number of measures to ensure, for example, that if arrests are down, serious school crimes and fear of crime are not escalating as a result.

POLICY STATEMENT III

In collaboration with school authorities, police leaders develop recruitment and selection processes to ensure that school-based officers are suited for the position and receive comprehensive training, support, and supervision.

The recruitment, training, and supervision of school-based officers are of tremendous importance to their successful placement on campuses. This is particularly true when trying to implement school-police partnerships that go beyond traditional enforcement activities. Much has already been said about the role of police in schools being largely dependent on the individual officer and how he or she is trained, supervised, and evaluated.[151] Research has shown that the quality and intensity of processes for selection, training, and supervision of school-based officers is highly variable.[152] Some states have passed statutes that mandate minimum requirements and training for school-based officers. For example, in Connecticut, the statute requires school security personnel to be law enforcement or retired law enforcement officers. The statute also requires that school resource officers receive training in children's mental, social, emotional, and behavioral health needs.[153] The parameters set out in state statutes, however, still allow for significant flexibility and discretion on what additional training individual districts and police agencies or even individual schools might provide.

Much of the discussion about officer selection and assignment in this chapter relates most directly to municipal and county SROs. School district police agencies may well use some of the same criteria and approaches during the interview process when candidates are considered for school police officer positions. Although some municipal and county police agencies may have rigorous processes to ensure that school-based officers have the desired qualities and experience, others may simply assign officers to schools through a rotational method. To ensure school-based officers are suited to working with youth in schools and are committed to supporting student success, jurisdictions have started to establish more rigorous criteria and systematized selection processes.

Still there is tremendous variation in how officers are trained before being placed in schools. Sworn officers in municipal police or county sheriffs' offices must meet state Peace Officer Standards and Training (POST) certification standards for any law enforcement officer in that state, but they may not receive training that prepares them for serving the school community. The standard academy training for state and local police officers does not fully prepare officers to work with youth or in a school setting. Officers assigned to schools either full or part time should receive training aligned with their specific school roles and responsibilities, including working with students and understanding issues related to cultural competence and equity. School district and municipal agencies use a variety of briefings and training that can range from an orientation by school officials on an officer's first day to 40 or more hours of intensive training specifically on working

with youth and school issues. Non-sworn security personnel must also typically complete certain training requirements before being allowed to work in a school. As with sworn officers, the content of training should align with their specific roles and responsibilities.

According to an analysis of state education statutes, states typically require school-based officers to meet the POST authorities' requirements for law enforcement officers in the state. Some states require additional training for working in schools and others authorize school boards and police training authorities to establish specific requirements.[154] States do not typically require that security personnel have the same training that sworn officers (or former officers) bring to the position. Although security officers may have different roles in schools than sworn officers, there is concern that security officers are not always trained to de-escalate incidents with students and to help minimize their contact with the juvenile justice system when appropriate. Virginia has addressed concerns about training and qualifications through a certification program for school security officers.

There are typically very limited opportunities for new school-based officers to gain practical knowledge from other SROs, as they are often somewhat isolated in assigned schools. This makes the supervisor's role that much more important to an officer's success. Supervisors can supplement formal training by helping municipal and county officers address the challenges of working on a school campus. Supervisors can positively influence the commitment and skill of school-based officers and other officers who work with youth, and are critical to implementing department goals and policies by communicating and translating priorities and information along the chain of command. Supervision for school-based officers varies significantly across the country. Officers typically need to report to both school and police agency leaders. Supervisors in municipal or county police agencies may oversee both SROs in various schools and officers conducting traditional policing duties in the community, which can make it difficult to remain connected closely enough to help officers navigate the policies and priorities of both schools and law enforcement.

The recommendations that follow draw from the vast amount of information that has been amassed on recruitment, selection, training, supervision, and evaluation of school-based officers, as well as promising practices from the field.

RECOMMENDATION 1: **Recruit and select officers who are committed to maintaining safety while promoting supportive learning environments and helping reduce youths' risk for involvement in the juvenile justice system.**

Police and school administrators should articulate a clear set of criteria to ensure that officers who are placed in schools have the appropriate background, experience, and interest in carrying out the responsibilities of the position. When developing selection criteria, school-police partnerships should refer back to the results of the local collaborative decision-making tool in Policy Statement I for defining how school-based officers will operate. Depending on the goals, the roles already articulated may include some or all of the following:[155]

- Student and staff safety/law enforcement officer
- Critical incident first-responder
- School facility and event security
- Teacher/leader on crime prevention, safety, and avoidance of risky behaviors
- Partner to school counselor or school-based teams in supporting youth and connecting them to services
- Positive role model and mentor
- Liaison to local law enforcement agency and programs for at-risk youth

To facilitate personnel matches, municipal and county police agencies should have written criteria for school-based officers that have been reviewed with schools. The literature and practitioners' reports of their selection processes indicate that criteria should take into account the specific skills, motivation, experience, and temperament needed for working in a school environment. School district police agencies should be working with school leaders to ensure that entry standards are also being met, but this is done primarily at the hiring stage and when making assignments for particular schools.

Most baseline selection criteria for municipal or county SROs include the following personal characteristics:[156]

- ***Experience working in a police force***

  Most agencies require officers to have at least 2 to 3 years of street experience to ensure that they are familiar with law enforcement protocols and statutes, and can apply the relevant knowledge to the school setting, including answering students' questions about policing and the law.

- ***Interest in working with youth within the age range of the school***

  Officers applying for school-based positions should express strong interest in working with students. Existing engagement in youth activities, such as mentoring and involvement in the police athletic league (PAL), is a useful indicator.

- ***Strong interpersonal skills***

  School-based officers should be able to build and maintain productive relationships and communicate effectively with a range of stakeholders, including parents, students, teachers, and administrators.

- ***Appropriate demeanor***

  Students, families, and school staff should see officers as approachable, likeable, and patient.

- ***Capacity to work independently***

  SROs can be isolated at times, functioning largely without direct daily supervision or collaboration with other officers. They must be comfortable working with minimal contact with their department and immediate supervisor. This is especially important for officers working in rural areas.

- ***Flexibility and an understanding that each situation is distinct, with a willingness to consider a range of factors in making decisions***

  Successful school-based officers examine all sides of a situation before determining action. Officers should have a desire to problem solve with others and consider all courses of action.

- ***Ties to the community***

  Familiarity with the school and community makes it easier for the officer to establish credibility and rapport. An officer who has had positive relationships with youth served by the school is especially beneficial for this role.

- ***Cultural competence and knowledge of bias issues in policing***

  The officer has shown sensitivity and understanding of racial, gender, and cultural differences and a knowledge and commitment to addressing issues of bias that can be present in policing.

There are also skills and expertise that officers either bring with them from previous assignments or that they can gain through training and field experience, such as the following:

- Knowledge of school-related/juvenile legal issues, including information sharing, how to interview youth, and the disproportionate impact of actions on particular groups of students
- Knowledge of the juvenile justice system
- Familiarity with school and social service resources
- An understanding of child/adolescent development and psychology, particularly trauma-informed care
- Sensitivity to the needs and culture of particular groups of students, including English language learners (ELL), LGBT, and students with disabilities or behavioral health issues
- An understanding of crime prevention through environmental design (CPTED), school safety technology, and implementation of security measures
- Trained in mediation and other conflict management strategies, including the application of de-escalation techniques for youth
- Proficient teaching and public speaking skills
- Experience using and analyzing data
- Trained in other areas identified as relevant to roles of new and in-service school-based officers[157]

Depending on the role and goals set out in the collaborative process for determining whether an officer should be placed on campus, officers' skills, training, and even personal characteristics may vary or be weighted differently. For example, if the local group determines an officer is needed on campus and should focus on addressing gang activity, that expertise and experience may be weighted more heavily than other factors. Any psychological evaluations and background/reference checks should be completed early enough in the process that significant training investments are not made for candidates who are not suited for placement in a school.

Recruitment

Once criteria are established, school-police partners can use them to recruit and select appropriate candidates. Researchers and practitioners believe that officers assigned to schools from municipal or county agencies should volunteer for the assignment to ensure that applicants are motivated to work with youth.[158] Allowing officers to volunteer has been shown to yield higher levels of commitment to the program.[159] There is consensus that officers assigned to schools should not be there because their department devalues them.[160] Officers under consideration should understand that school-based positions serve an important function in their local law enforcement agency. Officers should be aware of how their role would vary from that of a traditional officer, including possibly longer hours and different functions. They should be given details of the assignment that takes place during the school year, as well as in the summer, when the officer is engaged with the police department while taking a break from school-year work.[161]

Although police agencies use a range of recruitment strategies, most school-based officer candidates are identified and referred by their supervisors or fellow officers. Typically supervisors have a good sense of which officers fit the profile for a school-based position and would be successful in that role. Additional recruitment strategies include more traditional approaches such as announcements in police department job bulletins, internal newsletters, or email blasts; however, interviews revealed that these methods often do not yield the most qualified applicants. Most police agencies agree that the best way to recruit school-based officers is through direct referrals.

Some programs have also found that focusing on the positive elements of the position is useful in recruiting applicants. Incentives include working with youth and having the opportunity to make a difference in their lives, to gain access to specialized training and skills development, and to enjoy more favorable schedules with holidays and weekends off. Police departments should be very clear when recruiting and offering incentives to ensure that candidates are positively motivated by the work itself when considering and or applying for school-based positions.

SRO Selection Process

Municipal and county police officials should involve school leaders in the officer selection process to ensure that any specific concerns or expectations are addressed. Experience shows that buy-in from school leaders makes for an easier transition for officers and results in a stronger working relationship from the start.[162] A scan of SRO programs confirmed that when school district and school-level administrators were involved in the screening process, their acceptance of the program and the officers significantly increased.[163] Involving school personnel in the process also promotes transparency in the selection process and the criteria set for officers.

According to interviews conducted for this report, many municipal and county police agencies do not include school administrators in the selection process. A common challenge to engaging school staff in the process includes frequent personnel changes in both police departments and schools. Because of the desire to fill positions quickly, local police agencies feel they lack time to involve school principals in the decision-making process. In addition, staff responsible for hiring at the police agency may not always appreciate or agree with the value of involving particular school administrators in the process.

The first step in the SRO selection process should be a candidate's expression of interest. Many local agencies require applicants to submit a formal letter or application that details their interest in and any prior experience working with youth. Other agencies have an informal process whereby interested candidates share their knowledge and understanding of the SRO's roles and responsibilities, as well as previous assignments or experiences that demonstrate their suitability for those roles.

Following an expression of interest, municipal and county police agencies should include these steps as part of the selection process:

1. ***Initial Interview with Police Agency***

   This interview provides the first screening of potential candidates and is meant to determine each candidate's level of commitment to working with students. It provides an opportunity to identify what specialized training the officer may have that would lend credibility to his/her candidacy, as well as any additional qualifications such as experience as a sports coach, trained mentor, former teacher, substance abuse counselor, or civic leader that would translate to the position.

2. ***Second Interview: Panel Format***

   Police agencies should consider bringing together a panel for second-round interviews when time permits.[164] Panel members might include the following:

   - First-line police agency supervisor
   - School administrator

- ☐ Current school-based officer (if applicable)
- ☐ Parent
- ☐ Educator
- ☐ Community member
- ☐ Student

This in-person interview focuses on observing a candidate's demeanor, communication skills, and responses to problem scenarios. Panel interviews can also reinforce the roles and expectations of the job and allow candidates to ask questions to ensure a good fit for all parties. (When panel interviews are not possible, the selected officer should meet with a group made up of school staff, students, parents, and others serving youth in the schools for an exchange of ideas and concerns, and to explain the officer's role.)

3. Reference Checks

Successful candidates from the interviews may also be subject to the following as part of their selection process:

- ☐ A reference check for each candidate (e.g., current and previous supervisors and peers)
- ☐ A thorough review of his or her personnel file*
- ☐ Additional discussions with selection team or other stakeholder representatives

4. Group Decision-Making Process

Unless a final interview is needed to decide between the top candidates, the hiring panel should recommend a candidate to the police chief and school administrator. If reaching consensus proves difficult, the panel should provide the police chief with the scores for and all feedback on each candidate.

Ultimately, the selection decision is made by the municipal/county law enforcement agency that assigns officers to the school. Feedback from practitioners indicates that every effort should be made to address school administrators' concerns and expectations before placement.† School administrators do not typically have veto power over the selection of a particular SRO, but if the selected officer is not a good fit or administrators have problems with the officer, the police agency should try to find a more suitable candidate.

* Must be done in accordance with union contract, if applicable.
† As school district employees, school district police chiefs and school district administrators typically have a working relationship and sit in on various district committees related to school safety. To the extent possible, school district police chiefs work to involve superintendents and principals in the selection of school-based officers and the identification of training topics.

COLLECTIVE DECISION-MAKING PROCESS DENVER, CO

According to the 2013 Intergovernmental Agreement between the Denver Police Department and Denver Public Schools,

"The Police Department and Denver Public Schools [DPS] understand the importance of ensuring that each SRO embraces and works collaboratively with school administration and understands the school culture they are a part of. Therefore, selection of SROs assigned to the SRO Partnership will be made through a collaborative process involving the Police Department and DPS school administration. Notwithstanding the foregoing, the District Commander from the district where the SRO is assigned to the SRO Partnership shall have the final decision as to the placement of each SRO."

For more information, see juvjustice.org/sites/default/files/ckfinder/files/Denver%20IGA.pdf .

RECOMMENDATION 2: **Ensure that law enforcement agencies and training authorities, in collaboration with school leaders, provide appropriate training for officers on school policies, practices, and working with youth in a school setting.**

Training is critical to meeting the mutual goals of an effective school-police partnership. Officer training has been provided by a combination of federal, state, and local law enforcement training agencies, private contractors, membership association trainers, internal police agency training programs, and others. Although there has been a lack of formal evaluations of the effectiveness of particular programs, anecdotal feedback is that the training provided by many of these sources is very useful and appropriate.

There are three levels of training for school-based officers:

1. All sworn police officers must be certified, which requires receiving basic academy training as prescribed by each state's Peace Officer Standards and Training (POST) commission or council at a local or regional academy or training center.[165] This curriculum is for individuals who will be sworn law enforcement officers in the state and does not provide specific training on how to effectively manage school campus issues. Firearms training and certification is required of officers who will carry weapons.
2. Special post-academy training has been developed for school-based officers to help them better understand the needs of students, laws related to juveniles, the developmental stages of childhood and adolescence, CIT training, and other topics.[166] In surveys of school-based officers and school police association members conducted for the Consensus Project, most respondents indicated that school-based officers receive special training for working in schools. Active shooter training, critical incident management, and investigation protocols were among the leading training topics mentioned. Training may also include conflict resolution, developing positive relationships with youth, and cultural competency.[167] According to the surveys, typical basic SRO training is 40 hours.[168] There are other agencies that provide no special training to school-based officers beyond a basic orientation. Common challenges to providing adequate and appropriate training are funding, staff time, and the time and location of training sessions.[169]
3. Some police agencies also provide in-service training annually or periodically. Others make additional training for current SROs voluntary.

Although it is widely acknowledged in the field that a combination of both coursework and field training is helpful to prepare officers for situations they may encounter while working in schools, most agencies do not have adequate resources for current SROs to train officers being assigned to a school or to allow them to shadow experienced SROs in their schools.

COLORADO POST TRAINING FOR SROS

In accordance with the 2012 revisions to Colorado's state education statute,[170] in January 2014 the Colorado POST Board announced the release of a new SRO training curriculum to prepare law enforcement officers for school-based positions.

The new 40-hour training incorporates elements of crime prevention, intervention, and enforcement that are tailored for basic SRO training, including risk assessment and emergency planning; trends in school policing and mitigation of "school-to-prison pipeline; bullying, suicide, and drug-abuse prevention; and critical incidents." The SRO training also integrated additional specialized training related to Colorado-specific programs, including Safe2Tell,[171] active shooter training, and others. POST staff developed the curriculum after meeting with members of the Colorado Association of School Resource Officers and other SROs throughout the country.[172] The training is administered to SROs by vetted training providers, including NASRO and Corbin & Associates, Inc. The training is to be provided to all new SROs; those who have already completed a 40-hour basic SRO training course will not need to complete the training again. The Colorado POST is able to provide grants to cover training costs for some agencies, while others pay out-of-pocket.

The 2012 statute requires that all municipal and county law enforcement agencies in the state have at least one person trained in the new curriculum, with the goal of scaling up training to reach all school-based officers. Prior to 2012 there had been no training requirement for school-based officers in Colorado. Some agencies provided extensive specialized training, while others required officers to watch a 90-minute video describing some of the issues they might encounter when working in schools, and still other agencies did not provide any specialized training at all.

For more information, see coloradoattorneygeneral.gov/departments/criminal_justice/post_board.

Pre-service Training

Officers should receive as much training as possible before stepping onto a school campus. There are extensive resources and written guidelines for training school-based officers as well as curricula currently in use across the nation.[173] Basic SRO training is typically based on a 40-hour curriculum developed by the NASRO or one of the state SRO associations.[174] Training materials and programs have also been developed by the U.S. Department of Justice Office of Community Oriented Policing Services (COPS), individual police agencies[175] and their training authorities, or contractors.[176] Through the FY13 Community Policing Development (CPD) Program, the COPS Office is in the process of developing an integrated SRO model training and curriculum.[177] There are also Regional Community Policing Institutes throughout the country that provide related training, according to some of the NASRO survey respondents. Basic training for SROs typically focuses on a range of topics related to working in schools and with youth, including those topics compiled in Table 4.[178]

TABLE 4. SRO TRAINING TOPICS	
Working in Schools	**Working with Youth**
■ History, roles, and responsibilities of school-based police ■ Legal issues involved in school settings and working with youth (e.g., searches, interviews/interrogations, investigation protocols, information sharing, selective enforcement, civil rights issues, mandatory reporting and arrest)[179] ■ Working collaboratively with school administrators and staff ■ Safe school preparation and critical incident management, including CPTED, security equipment use, and event security ■ Active shooter training ■ Threat assessment ■ School-based problem solving[180] ■ Policies and procedures for patrol officer-SRO interactions ■ School and community resources for student services and supports ■ School procedures and guidelines for student referrals, notice for arrests, disciplinary actions for codes of conduct violations vs. serious offenses ■ Using outcome measures and data analysis tools to track outcomes and identify and prevent unintended consequences	■ Child/youth development issues, including common characteristics and stressors associated with different developmental stages as well as the challenges for students stemming from events like the transition from middle to high school ■ De-escalation techniques and alternatives to arrest, such as conflict resolution, peer mediation, and restorative justice programs that stress accountability, empathy, and prosocial skills rather than punishment ■ Mental health interventions[181] ■ Underlying causes for youth behavior such as child trauma, abuse, and neglect[182] ■ Current juvenile trends, including gang involvement, homelessness, and drug abuse ■ Children with disabilities and special needs, including familiarity with federal laws ■ Cultural competence and issues related to the impact of law enforcement action on all students ■ Establishing positive relationships and appropriate boundaries with students ■ Teaching and classroom management strategies for police-led education programs ■ First aid

To the extent possible, new officers should have the opportunity to shadow veteran school-based officers in the field.[183] These experiences provide critical on-the-job training and allow new officers to observe how to positively interact with students and strategies for building productive relationships with school administrators, and to ask questions about issues as they arise. Law enforcement agencies can support other peer-to-peer learning opportunities for all officers on the job through informal and formal mechanisms (for example, coaching and mentoring) to share concerns, barriers to effective practices, and other issues.

Advanced In-service Training

School-based officers should receive ongoing training that is formalized in a governance document (such as an MOU) to ensure that police and school officials have a shared understanding of the support that will be provided to officers.[184] Many individuals and organizations recommend that 10 hours of in-service training be provided to officers annually.[185] The content of training should be tailored by both school and police leaders to ensure that officers have the best, most up-to-date information pertaining to the operation and safety of the school campus, including updates on laws and the school code of conduct, changes in school policy, and key issues facing educators. Most administrators do not want school-based officers out of the building for long periods of time. To minimize disruption, in-service training should be scheduled on non-school days, professional development days, and over the summer when possible.[186] In-service training can also be provided on topics that directly align with the roles outlined by the school/police partnership, such as the following:

- Gang Resistance Education And Training (GREAT)[187]
- Active shooter/critical incident planning and safety[188]
- Crime prevention through environmental design (CPTED)[189]
- Community policing
- Crisis Intervention Training (CIT) for Youth[190]

FLORIDA SRO PRACTITIONER AND SPECIALIST DESIGNATIONS THE FLORIDA CRIME PREVENTION TRAINING INSTITUTE (FCPTI)

FCPTI established the SRO Practitioner and Specialist designation programs to formally recognize officers who have excelled in their work and who demonstrate a commitment to the SRO program through advancing their education and knowledge.

SRO Practitioner

The SRO Practitioner designation is awarded to experienced SROs (employed as a certified law enforcement officer for at least three years) who attend a minimum of 130 hours of SRO-related courses through FCPTI. Coursework for this designation includes successfully completing the 40-hour basic SRO training and 90 hours of additional SRO instruction offered through FCPTI.[191] Courses range from conflict resolution and cultural competency to critical incident planning and school-based threats.

SRO Specialist

The SRO Specialist designation recognizes those SROs who have earned 88 hours of SRO-related courses through the FCPTI. The SRO Specialist designation has two coursework tracks:

1. SROs who have completed FCPTI's 40-hour Basic Training class can earn an SRO Specialist designation by completing 24 hours of SRO Intermediate Training and 24 hours of SRO Advanced Training. These officers are also able to work towards the Practitioner designation.
2. SROs who have not completed FCPTI's 40-hour Basic Training class can also earn an SRO Specialist designation by attending one conference of the Florida Association of School Resource Officers and 64 hours of FCPTI SRO courses. To work towards the Practitioner designation, these officers must take FCPTI's Basic Training class.

The designations distinguish these officers as leaders in their agencies, in their communities, and at their schools. Both designations expire after two years and may be renewed by completing eight hours of SRO training. For more information, see fcpti.com/fcpti.nsf/pages/SROPD.

Cross-Training

As previously noted, surveys and other feedback indicate that cross-training of police and school personnel is helpful to ensure that officer roles and responsibilities in the classroom and on the school campus are clear.[192] When appropriate, officers should be encouraged to attend school-based training for educators and other staff on issues related to school climate, encouraging positive behaviors, developing positive relationships with students, and minimizing the use of exclusionary discipline and arrests. The same opportunities should be offered to school leaders so they may be more aware of what SRO training is being provided to the school's officers. Joint training can happen after school, over the summer, or during professional development days as well. Training for school-based officers and school staff should focus on the following:

- Strategies for improving school-police partnerships and ways to integrate officers into the school's culture
- Specific roles and responsibilities of officers working in the school and any mandated reporting requirements among school staff[193]
- Legal issues regarding information sharing between school personnel and police, as well as an understanding of other issues regarding search, interviews, and more[194]
- Teacher, staff, and officer roles in responding to victims, enforcing code of conduct violations vs. situations that call for officer involvement, and the use of arrests
- Alternatives to out-of-school suspension, expulsion, and arrest when appropriate

Although not the focus of this report, officers and school personnel should be aware of the extensive resources available on preparing for and responding to disasters, critical incidents, and active shooter situations.[195]

SCHOOL SAFETY ONLINE TRAINING SERIES

In April 2013, in partnership with the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP), the International Association of Chiefs of Police (IACP) launched a series of online trainings related to school safety. The free, interactive trainings are intended to help law enforcement, other public safety personnel, school officials, and school safety team members better understand steps that can be taken to secure schools. Participants pace themselves through the introductory-level training, which assists them in developing crisis response strategies and plans to prevent and respond to events that threaten the safety of learning environments.[196]

Training topics include the following:[197]

- **Assessing School Safety**

  Training focuses on identifying needs and strategies for performing a comprehensive school safety assessment. Participants learn about the role of safety in supporting student success and what tools can be used to assess the safety of the school campus.

- **Forming a Safe School Planning Team**

  This training helps participants understand why it is necessary to create a safe school planning team, as well as how school-police partnerships can effectively identify potential members, roles, and responsibilities for the team.

- **Preparing for a School Crisis**

  Participants examine several tools that can be used in preparing for a school crisis, including the Federal Emergency Management Agency crisis management model and incident command system, and review how to include these strategies in their school safety plans.

- **Responding to a School Crisis**

  Participants learn evidence-based strategies for responding to a crisis or critical incident and discuss how to incorporate these strategies into school safety plans.

These trainings build on IACP and OJJDP's classroom training course, "Partnerships for Safe Schools."[198] Survey responses about the online training have been very positive. More than 90 percent of respondents reported that the trainings increased their knowledge of the topic, that they were able to apply what they learned to their job, and that they were satisfied with the overall quality of the training.

STRATEGIES FOR YOUTH

Strategies for Youth is a nonprofit organization that works with districts and schools to provide training around the role of officers and their responsibilities. The organization provides training to school-based officers, administrators, counselors, teachers, and other staff in small group settings on a number of topics, including the following:

- Child and adolescent development
- Impacts of exposure to trauma
- Demographic factors affecting home/school lives of children
- Cultural factors impacting youth behavior
- Juvenile law for officers in schools
- Implicit bias
- Asserting authority effectively with youth
- Understanding how youth perceive assertion of authority
- Teaching officers how to recognize signs of prevalent mental health issues and respond appropriately

Sessions are interactive and include role-playing with youth. The organization also provides training to students about code of conduct and disciplinary rules and regulations. For more information, visit strategiesforyouth.org/.

RECOMMENDATION 3: **Tailor school-based officers' supervision and evaluation to their defined roles and goals in order to effectively support officers' efforts and to monitor their progress.**

Many municipal and county law enforcement agencies struggle with the inherent challenges in supervising officers who are stationed in schools. Effective supervision not only provides regular oversight, but also helps reassure officers that they are a valued part of the police agency. Supervisors must make sure the goals of the SRO program are being met, support officers' professional growth, keep officers integrated in the police agency as well as the school, and help identify early any problems with how officers are engaging with students or staff.[199]

Although supervision structures may differ by the type of school-police partnership,[200] superiors in their own police department typically supervise school-based officers.[202] Many municipal and county agencies do not have a dedicated supervisor for school-based officers; instead, these officers may report to the same supervisor as non-school officers. Because supervisors typically oversee multiple officers, supervision for school-based officers often consists of informal check-ins and quick visits to the school site to speak with the officer and school administrators to ensure that any issues or conflicts are being addressed. Municipal/county school-based officers do not typically attend roll call or check in with supervisors at the end of shift.

Municipal and county agencies need to be cautious about using traditional measures to monitor the progress of or evaluate school-based officers in the same way as other sworn personnel without considering school factors and the distinct goals of the position. Just as many police agencies revised their evaluation process to meet the goals of community-oriented policing, there is a comparable need to ensure that school-based officers are being evaluated on achieving the goals and objectives in the school environment.

Based on a review of the literature and conversations with practitioners and experts in the field, the following steps are recommended as part of a comprehensive supervisory structure for school-based officers:

Establish clear reporting lines

Decisions related to the supervision of a school-based officer depend on the police agency's capacity, available supervisors' workload, and location. The supervisor should work with school administrators who have daily contact with officers and should monitor their progress and activities. Specific supervisory roles should be articulated through the MOU for municipal/county agencies or other governing documents between the school district police agency and the education authority. It is important for the police supervisor and school administrator to recognize that it is a challenge for officers to report to school administrators while also being

accountable to supervisors in the police agency. Ongoing communication will help resolve conflicts in priorities, activities, and goals. Officers should be engaged in these conversations so they can help identify any needs for additional training or support.

Supervisors should be carefully selected from among former school-based officers or a juvenile unit and briefed on school-related concerns. Some principles of effective supervision include the following:

- Maintain regular contact, including email and telephone communication
- Visit the school campus to observe officers in a variety of contexts
- Meet regularly with school administrators
- Periodically bring officers from various schools together to discuss common challenges
- Maintain an open-door policy
- Regularly monitor officers' progress through in-person meetings as well as email and activity logs or reports

SRO CENTRAL COMMAND AND STUDENT OUTREACH ANNE ARUNDEL COUNTY, MD

The Anne Arundel County Police Department is the fifth largest police department in Maryland, with approximately 660 sworn officers. Of these officers, 21 of them, along with two sergeants and one lieutenant, make up the School Resource Unit. Members of the SRO unit are employees of the police department, which provides all salaries and training. The police department hosts a large central command whereby all SROs and county officers report to a single location to facilitate coordination, training, and information sharing. Given the decentralized nature of SRO work, having a central command provides opportunities for direct communications among officers and encourages peer supports.

The agency also has received recognition for its Speak Out software application for smart phones, which allows students to anonymously report incidents. Because of challenges in convincing students of the anonymity provided, overlapping reporting systems are also promoted, such as a student safety hotline. Posters and materials with QR codes help students to reach out using the technology they are most comfortable with. For more information, see naco.org/newsroom/countynews/Current%20Issue/10-22-2012/Pages/Countypolicecreateappgearedtoschoolsafety.aspx .

Performance measures should be tailored to the responsibilities of school-based officers[202]

When monitoring the progress of school-based officers and conducting performance evaluations, supervisors should examine the full range of activities related to the officer's essential functions and duties within the school. Competencies that school-based officers should be able to demonstrate will differ, but may include any of the following:

- De-escalates conflict effectively
- Uses problem-solving skills
- Makes appropriate referrals to community and in-school resources
- Responds appropriately to requests for assistance and uses discretion properly
- Raises awareness among students about the harms of alcohol and drug abuse, gang involvement, and other risky behaviors
- Ensures that student and staff are aware of safety precautions
- Contributes to safety planning
- Increases feelings of safety among students and staff
- Works effectively with school faculty and administrators
- Respects staff, students, and families
- Exhibits strong interpersonal relationships with students and staff while maintaining professionalism and appropriate boundaries
- Demonstrates cultural competency
- Is easily accessible
- Demonstrates knowledge about youth issues
- Arrives at work on time and dresses appropriately
- Actively participates in team meetings as needed

Measure progress and determine areas of support that officers need when working in or with schools

Supervisors should conduct periodic reviews to monitor the performance of officers working in schools and identify areas in which additional support would be useful. Supervisors can determine the extent to which officers exhibit the competencies listed above through a range of means and information sources. Recognizing that school administrators and staff have the most frequent contact with officers, every effort should be made to get their input.[203] Mechanisms for collecting information can include the following:[204]

- ***Review of activity logs***

  If the officer maintains an activity log, these entries can provide an opportunity for officers to describe their day-to-day functions and accomplishments. Supervisors should review logs regularly with an eye toward assessing the officers' problem-solving and diversion work meant to help students succeed at school, make healthy decisions, and reduce arrests for minor offenses. Notes on the logs can help inform an annual assessment as well.[205]

- ***Review of case or arrest reports***

  Although all police agencies require supervisors to review officers' arrest reports, supervisors of school-based officers should pay particular attention to them. Because arrests of students are often an option of last resort, these should be reviewed to ensure that actions are consistent with policies and guidance. They may also alert supervisors to situations when officers are feeling pressured to make arrests.

- ***Review of complaint history***

  Formal complaints made against the officer should be examined. Supervisors should also keep track of how complaints were addressed and resolved. (Also see the MOU discussion in Policy Statement IV about complaint processes.)

- ***Field observations***

  Supervisors should visit the school to speak with officers and school administrators, and observe officers' interactions with youth. If possible, supervisors should observe officers in a variety of settings, including any training or teaching activities they perform.

- ***Meetings with officers***

  Through regular meetings with groups of school-based officers, supervisors have an opportunity to share department and programmatic information, identify problems that officers collectively may be having, and further develop a rapport among them. These meetings also provide some context when supervisors are assessing how an officer is performing in a particular school.

- ***Meetings with school administrators and staff***

  Meetings that include teachers, administrators, and police provide a forum to engage staff and officers on key issues at school, as well as help to identify themes for annual in-service training and future objectives.

- ***Survey data***

  Surveys help provide supervisors with a better understanding of student, staff, and family perceptions of safety in the school building, the officer's role, and their interactions with the officer. Some of this data may already be collected as part of a school climate or safety planning survey. Survey data can also provide information on stakeholders' opinions of the officers' performance in such areas as visibility, rapport with students, communication skills, and impact on the school environment.

- ***Additional stakeholder input***

  Supervisors can seek out additional stakeholder input through focus groups and individual conversations with students, staff, and parents.

Given limited time and competing demands, not all of these measures may be undertaken, but regular contact with the officer and school will provide continuous information for the supervisor and feedback to the officer. Performance monitoring should be used as an opportunity to promote discussions about any modification to the school-police partnership goals or desired activities for the officer. Supervisors should create an environment where officers feel they can openly ask questions, reflect on practices, and seek out resources to improve their skills. Officers and their supervisors should collaboratively develop a growth plan that addresses any issues uncovered through the review process, and outlines steps to build competencies in areas of personal interest or school need. Supervisors should establish a follow-up process and timeline to review the officer's progress towards goals.

More about evaluating the school-police partnership is reviewed in Policy Statement IV. Additional resources are available to help guide agencies through the process of developing performance evaluations for school-based officers and programs.[206]

POLICY STATEMENT IV

Written agreements formalize key elements of the school-police partnership that are periodically reviewed and refined based on data and feedback from a diverse group of stakeholders.

Most school-police partnerships are formalized through a memorandum of understanding (MOU), which is also sometimes called a memorandum of agreement (MOA). MOUs may be legally binding agreements if they meet all the requirements of a valid contract. It is important that MOUs set clear guidelines and expectations to help keep the school community safe and protect the dignity and rights of all students. These agreements must also take into account all relevant federal, state, and local mandates.

Although there are model MOUs, it is important for jurisdictions to tailor agreements to their distinct needs and resources. All of the major activities and decisions described in this chapter can be reflected in these written agreements: defining the type of partnership; determining when to involve officers in incidents at school; and deciding who will hire, train, supervise, and evaluate officers serving schools. These agreements are typically between the municipal/county police department and the school district.

In areas where there is a school district police agency, however, the school district police agency may be party to an MOU with a municipal or county police department that outlines whether officers will receive the same training as municipal or county police and information on how enforcement actions will be coordinated. The school district police agency may also have a mutual aid agreement with the local municipal or county law enforcement agency, particularly where agencies have redundant services or overlapping jurisdiction.

Recommendations 1 and 2 focus on the legal issues and information-sharing principles that all partners should be aware of before entering an MOU. The remaining recommendations reflect the respective roles and responsibilities of schools and law enforcement agencies that advance collaborations while respecting one another's authority.

RECOMMENDATION 1: **Understand the legal issues that school-based officers and other police personnel serving schools encounter.**

In developing an MOU, there are a number of legal issues that must be considered. Unfortunately, many of these matters lack bright-line rules and case law is sometimes conflicting or unclear. Consulting legal counsel is critical for ensuring that all federal, state, and local mandates are met. Although this section primarily reviews federal mandates regarding information sharing and other aspects of school-police partnerships, all governing authorities must be considered. Much of the literature and training related to the legal issues that officers face while working in schools tends to focus on two topics:

1. ***Information Sharing***

- ***Who is receiving information:*** What information can be shared with SROs or other school-based officers as well as officers not based on school campuses
- ***Who is releasing information:*** What information SROs and other officers can disclose to school officials, their municipal or county law enforcement agencies, or other parties
- ***What information is being shared:*** Whether there is personally identifiable information in student educational records, directory information, health records, criminal records, or other types of information
- ***Circumstances under which sharing is permitted:*** For what purposes the information will be used by officers

2. ***Governing legal standards for searches:*** Officers may be subject to different standards for searches depending on the purpose of their search and other factors. In discussions with officers and others in the field conducted for this report, the greatest concerns centered on searches of property, which is the focus of the text below. (There are extensive resources on personal searches, interviews/stops, and other related matters that are referenced below as well.)

A cursory review of these issues is provided below to help readers ask the right questions and know when to involve legal counsel before memorializing policies and practices in an MOU.

Legal Issues Related to Information Sharing

With regard to information sharing, the most important factors that school and police officials must evaluate are how officers are defined and classified when they are trying to access information for a particular purpose. Under the Family Educational Rights and Privacy Act (FERPA), education agencies (schools and districts) have discretion to define when school-based officers are considered "school officials" for information-sharing purposes and what activities are considered to have "an educational purpose." These definitions will help determine what information can be shared with and by police, under what circumstances, and with whom the information can be shared. Some questions for determining legal obligations include the following:

- Is the officer considered a "school official" under FERPA?
- Does the officer have "a legitimate educational purpose" for accessing student education records? And is the officer limiting use of that information ONLY to educational purposes?
- Are the school-based officers designated as a "law enforcement unit" under FERPA with information that is separately collected and maintained by officers for law enforcement purposes?
- Is information gathered by officers used for a law enforcement purpose alone or in combination with educational purposes?
- Is the emergency exception under FERPA that authorizes officers to access student education records applicable?

As detailed in the Information Sharing chapter, most schools and districts have adopted the model guidance provided by the U.S. Department of Education for notifying students and their parents of their privacy rights. This model notification includes a broad definition of "school officials" that includes school-based officers. This generally means that school-based officers do have access to student education records without prior parental consent if the information is being used for legitimate educational purposes only. That information cannot then be used or shared to make arrests, however, or be used for other law enforcement purposes absent an emergency.

Where school-based officers are considered to be "a law enforcement unit" under FERPA (which can include a single officer) and have collected and maintained their own separate student records (for example on gang affiliations, drug activity, arrests, or other information) for law enforcement purposes, the law enforcement unit has control over those records and with whom that information can be shared.

These statements are somewhat of an oversimplification and do not take into consideration all exceptions and court interpretations of the law. For more detailed descriptions of the federal laws governing information sharing for officers and specific analyses around scenarios involving on-campus and off-campus responding officers, see the Information Sharing chapter of this report.

Legal Standards for Searches

Whether a municipal or county SRO or school police officer is considered a "school official" is also a critical determination when it comes to the search standards to which officers are subject. The courts have historically held school officials to a lower standard for searches than patrol officers. The landmark case is *New Jersey v. T.L.O.,* decided by the U.S. Supreme Court in 1985, in which the court determined that "school officials" need only have a "reasonable suspicion" that an illegal act or school rule has been violated (as opposed to the "probable cause" standard that law enforcement officers must meet).[207] The majority of courts across the nation have found that SROs and school police officers are considered school officials and only need to meet reasonable suspicion standards so long as certain conditions are satisfied. The overarching question seems to center on whether the officer assigned to the school is directed by and answers to the school or to the law enforcement authority in carrying out the search. There are conflicts, however, and courts may consider a number of additional dynamics.

The factors that courts consider differ by jurisdiction, but in addition to on whose behalf the officer is acting, factors typically also include for what purpose the search is being conducted and whether the officer is assigned to and/or paid by the school. For example, officers who conduct the search in order to gather evidence for a criminal investigation or on behalf of their municipal or county law enforcement agency will likely be held to the higher "probable cause" standard. For more information about the standards that courts in various states have held officers to for conducting searches in school, see the table in Appendix C.[208]

Any evidence of a crime uncovered by a school official's search, or by the school official accompanied by an officer, or by an officer searching at the request of a school official, can be used for arrest purposes. Yet if the court finds the officer was not acting as a school official at the time of the search and lacked probable cause, the evidence may be suppressed at trial.

When interviewing SROs in the field for this report, most reported that they are required to meet a probable cause standard. There are several potential reasons this may be the case:

a. The officers typically act in a law enforcement role for policing purposes

b. The state or district has determined SROs should not be considered school officials for the purpose of searches

c. The police agency assigning the officer to the school is holding the officer to a higher standard consistent with the legal standard outside of schools

d. Officers are unaware of their ability to use a lower standard in certain circumstances

Some advocates are also calling for all school-based officers to be subject to the same probable cause standards as patrol or other officers responding to the school and that this provision should be included in the MOU.[209] Among the reasons given for the inclusion of a probable cause standard in an MOU is that the lower search standard creates additional tensions between the school community and law enforcement, and that it better protects police agencies given the often conflicting case law.[210] Other reviewers for this report believe the matter should remain in the hands of the courts, some of which have determined that school-based officers (whether a school district police officer or a municipal/county SRO) need only meet the reasonable suspicion standard if acting on behalf of school officials to further an educational purpose.

The standards set out in case law may be better understood by focusing on the actor(s) conducting the search as depicted in Table 5:*

TABLE 5. PERSON CONDUCTING A SEARCH AND THE LEGAL STANDARD

Person Conducting Search	Standard that Applies
Police Officers Acting Alone	**Probable Cause** Generally, courts are more likely to require probable cause when: ■ an outside police officer conducts the search or the police officer is ultimately responsible to a law enforcement agency ■ the purpose of the search is to uncover criminal activity ■ the officer, not the school officials, has initiated the search[211]
School Officials Acting Alone	**Reasonable Suspicion** ■ The lower "reasonable suspicion" standard strikes the balance between the student's legitimate expectation of privacy and the school's interest in maintaining a safe and effective learning environment.[212] ■ "The reasonableness standard should ensure that the interest of students will be invaded no more than is necessary" to preserve school order.[213]
SRO Acting Alone	**Reasonable Suspicion (typically):** ■ Courts consider who employs the officer, who the officer reports to, and the officer's assigned duties.[214] ■ The majority of jurisdictions find that reasonable suspicion is required based on a finding that a police officer acting as an SRO is more closely connected to the school than the police department.[215] ■ Some courts have distinguished between school police officers employed by the school district (which require reasonable suspicion) and those employed by an outside police department and assigned to the schools (which require probable cause).[216]

* Reprinted with permission from Majd, K., Waldman, R. & Wolf, W. (2009). *Defending Clients Who Have Been Searched and Interrogated at School: A Guide for Juvenile Defenders.* Washington, D.C.: National Juvenile Defender Center, Barton Juvenile Defender Clinic, Emory University School of Law, Youth Advocacy Project, & Committee for Public Counsel Services, at njdc.info/pdf/defending_clients_who_have_been_searched_and_interrogated_at_school.pdf, pp. 8–9. Note that "school official" in the second row of the table refers to teachers, administrators, and staff—not officers acting in furtherance of educational purposes.

TABLE 5. *(continued)*	
Person Conducting Search	**Standard that Applies**
School Officials Acting in Concert with Law Enforcement	***Jurisdictions Vary*** **Reasonable Suspicion is typically required when:** ■ the school mainly controls the search[217] ■ law enforcement involvement is minimal in most jurisdictions[218] ■ school officials initiate the investigation and law enforcement officers search a student at the request or direction of school officials[219] ■ school officials perform searches based on information from, or in the presence of, law enforcement officers[220] **Probable Cause is required:** ■ usually when a law enforcement officer generally works outside of the school system and is simply on assignment at the school (if officer is not acting under school's direction)[221] ■ in a few jurisdictions, for all searches performed by law enforcement officers, regardless of who initiated the search[222] ■ when a school official is acting at the behest of law enforcement[223]

School and police leaders should be aware of whether school-based officers are to be considered "school officials" and what the governing legal standard is under a variety of search scenarios. School officials also need to understand when they themselves may also be considered "agents of law enforcement" for the purposes of search standards as well. School officials cannot be asked to conduct searches on behalf of police officers to circumvent the probable cause requirements.

Searches often go hand in hand with interviewing and interrogating students. There are a number of useful and clear resources to guide personal searches, interviews, and interrogations of youth.[224] That information is not reiterated here, but should be reflected in an MOU and be consistent with training that officers working in schools receive. Many MOUs have provisions that if it is necessary to arrest a student for the commission of an off-campus offense, whenever possible the arrest should not be carried out on school grounds. If an arrest is to be made on school grounds for an on-campus offense, when practicable the principal should be notified prior to the arrest. Students should be called to the principal's office or otherwise arrested out of the view of fellow students and led out of the building with as much privacy and dignity as possible.

The legal issues that are related to officers' involvement in public schools are complex. With sometimes conflicting and vague case law, it is particularly important that legal counsel from police and schools be involved in reviewing the issues raised here as they consider developing or revising MOUs.

RECOMMENDATION 2: **Ensure that school-police information-sharing principles advance school safety goals and facilitate the provision of services and supports to students, without increasing stigmatization or violating privacy mandates.**

One of the most divisive topics addressed by the advisors to this report was information sharing. There is considerable concern that even if all legal standards are met, certain key principles should guide all information sharing with and from police. These principles may be included in MOUs or in separate information-sharing agreements. Teachers, police, behavioral health professionals, court and juvenile justice personnel, civil rights advocates, and youth and their families agreed that where sharing is working, it is because 1) the individuals involved are committed to using the information to serve and protect students, and 2) there is a high level of trust among recipients and providers of information. Recognizing the challenge of needing to depend on trusting relationships, stakeholders put tremendous effort into developing safeguards to help ensure that information sharing will be carried out by all parties in accordance with clear guidelines and accountability standards.

Information-sharing agreements should not only address legal issues, but should also be practical and principled. They should address such matters as

- what type of information should be shared between schools and law enforcement, with whom, and for what purposes;
- how it will be shared, stored, or deleted; and
- what privacy safeguards (technological and personnel oversight) are required.

Some school-based officers believe that having certain information about students (e.g., conditions of probation, release notice from a secure facility, behavioral intervention plans, or involvement in community-based criminal incidents such as gang activity that could spill over onto school grounds) could help them better perform their jobs. They would like the information to be used to support students' reentry into the school after juvenile justice system involvement and to make them aware of issues that could positively affect their responses to these students' misconduct. SROs have reported using this information on the school campus to support, mentor, or guide students in avoiding risky behaviors and successfully completing their conditions of probation.

In contrast, some family members, students, and advocacy groups expressed fear that providing officers with this information will increase scrutiny of these youth, potentially resulting in greater chances for arrest or probation revocations, as well as potentially stigmatizing them at school with their peers, teachers, and other adults. They are also concerned about consequences for students when municipal or county police provide the school with information about students who have been arrested or are believed to be involved in illegal activity. Many school-police partnerships have developed systems of notifying school officials of arrests or potential gang activity. Yet some groups reported that information about arrests has prompted some schools to automatically suspend students even if the charges are ultimately dismissed, allegations of gang involvement are found to be untrue, names were entered into a database in error, or the arrest was a nonviolent misdemeanor.[225]

A 2013 poll showed that most SROs surveyed receive some sort of notification when a student is leaving a juvenile justice placement or disciplinary alternative education placement (DAEP) and returning to the school, but SROs do not usually receive information when the child is placed under supervision of the juvenile justice system. This level of information sharing also depends on the police department and the school-based officer's relationship with the courts and/or with probation agencies. Some SROs reported using this information to work with student support teams to help students transition back to their regular classrooms and to engage them with continuing services and programming.

Despite the challenges about how to best share information, a fair number of schools or school districts and municipal police agencies have been able to develop strong partnerships to coordinate services and leverage resources. Some police departments, such as East Palo Alto, CA have officers who will share information with schools about off-campus minor incidents such as curfew violations, graffiti, and vandalism involving students to help the student avoid further juvenile justice involvement. The purpose of the information sharing is to provide alternatives to arrest so the student can choose to participate in school-based diversion programs.

School-based police officers interviewed for this report indicated that they would like to see an increase in information sharing and communication to make sure pertinent public safety information flows between the officers and school administrators as necessary and appropriate. Officers noted, however, that all parties must agree on what information to share, with whom, for what purposes, and on strict oversight and accountability.

Teachers, administrators, and police agree that information sharing is necessary when there is a threat of imminent harm to students and adults in the school or potential "spillover" crimes that occur in the community, such as a gang incident in the evening that promises reprisals the next day at school. In these cases, there is an understanding that this information is important to share with targeted schools. In Lowell, MA, for example, the sergeant who oversees SROs reviews police reports daily for incidents that might have involved Lowell public school students. The SROs are notified of off-campus incidents that happened during non-school hours if they impact school or student safety. These incidents might include fights or other serious events that are likely to spark conflicts on campus.

Police and school officials admit that case-by-case determinations are routinely made about what information to share, particularly to advance collaborations with community-based groups working in schools to reduce youth violence. Some police and school officials also have clear guidelines about what information they will not share, such as not identifying students who have been victims of sexual assaults.

All personnel in systems (including schools) that have mandatory reporting requirements for crimes against children must be aware of their responsibilities. They should be cognizant of when permission is needed from parents or guardians to share information with other professionals for the child's treatment or other services as well. It is also important to create pathways for students to report abuse and neglect. In a school setting, a child may be more likely to report abuse, domestic violence, or other safety concerns to an officer if a trusting relationship is forged. Students' reports of abuse or neglect can alert student support teams or school counselors of the potential need for supports and services. School-based officers may also be provided with information from patrol officers about a child's family in crisis that may indicate an opportunity to involve a school counselor.

There are often appropriate mechanisms for sharing information that can be used that meet all privacy mandates. But just because information can be shared does not mean it always should be shared. The MOU or separate information-sharing agreement presents an opportunity to limit the use of information only to those individuals who need it to serve students and advance school safety while minimizing stigmatization of youth and protecting their privacy. Information about students involved with multiple systems, including education, juvenile justice, mental health, child welfare, and others, could potentially be shared but would require a new layer of permissions and policies that have effective privacy safeguards and oversight for appropriate usage.[226]

RECOMMENDATION 3: **Outline in writing officers' roles and authority as defined through the collaborative process for determining the parameters of the school-police partnership.**

The MOU provides an opportunity for school and police partners to formalize their agreement on the type of partnership they will have and how they will address roles, responsibilities, training, information sharing, and other important aspects of an effective school-police partnership. Police and school leaders have extensive experience with using formal agreements such as MOUs, yet these partnership agreements can become quite complex. The agreement should be developed by school and police leaders with the advice of legal counsel from both parties. It should reflect input from parents and students and other stakeholders. The MOU should be signed by the chief of the law enforcement agency and principal of the participating school or superintendent of the school district or the education authority.

A NASRO survey showed that most respondents—the majority of whom were SROs assigned by a city/county law enforcement agency—reported having an MOU or other written agreements between the school district and their agencies.[227] Similarly, a survey of the Major Cities Chiefs Association found that most respondents reported having an MOU between their police agency and the school district in their jurisdiction.[228] A number of SROs interviewed for this report noted that they were aware of the existence of an MOU between their school and their police department, but were not familiar with its contents or provisions.[229]

These school-police agreements vary considerably. The COPS Office and other policing associations and agencies, as well as student advocacy groups and school safety associations, have developed a range of model or sample MOUs describing the role of school-based officers in school (see examples in text box).* Some MOUs may also include other agencies beyond just police and school districts, including juvenile justice agencies and mental health partners.[230]

* This list of sample MOUs is meant to help readers appreciate the range of potential approaches; the inclusion of a sample agreement in this list does not constitute an endorsement of its provisions. Additional examples can be found in the resources listed at safesupportivelearning.ed.gov/events/webinar/intersection-school-safety-and-supportive-discipline-navigating-roles-and.

EXAMPLES OF MODEL MOUS AND RELATED GUIDANCE

National Law Enforcement Examples

- Office of Community Oriented Policing Services, September 2013, *Memorandum of Understanding for FY2013 School-Based Partnerships* at cops.usdoj.gov/pdf/2013_MOU-FactSheet_v2_091613.pdf .

- Canady, M., James, B., & Nease, J. (2012). *To Protect and Educate: The School Resource Officer and the Prevention of Violence in Schools, 48.* Hoover, AL: National Association of School Resource Officers, pp. 47-49, nasro.org/cms/wp-content/uploads/2013/11/NASRO-to-Protent-and-Educate-nosecurity.pdf .

- Kochel, T. R., Laszlo, A. T., & Nickles, L. B. (2005). *SRO Performance Evaluation: A Guide to Getting Results.* Washington, D.C.: U.S. Department of Justice, Office of Community Oriented Policing Services, pp 43-45, cops.usdoj.gov/files/ric/CDROMs/Tribal/law/SROPerformanceEvaluationGuide.pdf .

State Examples

- Atkinson, A. J., & Kipper, R. J. (2004). *The Virginia School Resource Officer Program Guide,* dcjs.virginia.gov/forms/cple/sroguide.pdf.

- The North Carolina Department of Public Safety Sample MOU for SRO-School Partnerships at ncdps.gov/div/JJ/sro_agreement.pdf.

- The Kentucky Center for School Safety at kycss.org/schoolresource.php .

- A Uniform State Memorandum of Agreement between Education and Law Enforcement Officials (2011 Revisions). Approved by the New Jersey Department of Law & Public Safety and the New Jersey Department of Education, state.nj.us/education/schools/security/regs/agree.pdf .

Advocacy Group Examples

- ACLU. Kim, C.Y., and I. Geronimo. (2009). *Policing in Schools: Developing a Governance Document for School Resource Officers in K–12 Schools.* New York, NY: American Civil Liberties Union, aclu.org/files/pdfs/racialjustice/whitepaper_policinginschools.pdf .

- The Advancement Project's Model MOU at advancementproject.org/resources/entry/proposed-memorandum-of-understanding-between-the-school-district-and-police .

- Dignity in Schools. *A Model Code on Education and Dignity: Presenting a Human Rights Framework for Schools.* New York, NY, dignityinschools.org/files/DSC_Model_Code.pdf .

Based on a review of the literature, sample or model MOUs, and surveys and interviews of police agency personnel, the following eight elements were most commonly found in school-police partnership agreements. It is unusual, however, to find MOUs that contain all of these elements:

1. Goals and objectives

The MOU should reflect the goals and objectives that emerged from the engagement of school community stakeholders. They should be tailored to the needs and priorities of schools in the district. Goals will vary, but should include such common themes as improving or maintaining school safety, promoting positive experiences with law enforcement, protecting students' privacy and dignity, reducing the need for police enforcement (arrests and citations) for minor offenses, connecting students to needed supports and services, and reducing disparities for students of color and vulnerable populations. Surveys and feedback from practitioners also indicated that among common goals and objectives are improving the preparation and response to critical incidents (e.g., natural disasters or threats posed by individuals with weapons).

SCHOOL-POLICE MOUs/MOAs HARTFORD AND BRIDGEPORT, CT

The MOU in Hartford and MOA in Bridgeport, CT, are based on a model agreement created by the state's Juvenile Justice Advisory Committee.[231] As of March 2014, it has been tailored or adopted by at least 16 other school districts and their police agencies,[232] and states that "The purpose of this agreement is to encourage a more consistent response to school incidents and to reduce the number of referrals of students to court by establishing guidelines for the handling of non-emergency disruptive behavior at school and school-related events by school and police personnel." The MOU and MOA reflect input from students, parents, teachers, and others in the school community. The agreements include guiding principles for working together and outline which offenses are best dealt with at the classroom, school administration, assessment and service, and law enforcement levels. Although both cities' agreements state that SROs will not be responsible for student discipline or enforcement of school rules, SROs may assist school personnel in de-escalating conflicts. The Hartford MOU recognizes that officers retain discretion over options that include alternatives to arrest and "in no way restricts, supersedes or limits HPD [Hartford Police Department] officers' requirements under Connecticut State Statutes or by Department Policy and Procedures."

The Hartford agreement can be found at *hartford.gov/images/mayors/MOUPoliceAndSchools.pdf* .[233]

2. Roles and responsibilities of all parties

School-police partnerships will typically outline distinct roles as determined during the partnership planning process. For example, Denver's Interagency Agreement outlines the roles and responsibilities for each party involved, so each agency is clear on its obligations and expectations.[234]

DENVER MOU ON SRO RESPONSIBILITIES DENVER, CO

The High School/Middle School SRO will:

i. Differentiate between disciplinary issues and crime problems and respond appropriately.

ii. De-escalate school-based incidents whenever possible.

iii. Understand that the District has adopted a Discipline Policy that emphasizes the use of restorative approaches to address behaviors, and is designed to minimize the use of law enforcement intervention.

iv. Enhance school safety on school grounds to help foster a safe and secure learning environment.

v. As partners with the District, when appropriate and to the extent that SROs are familiar with various City agencies or community organization, SROs may assist school staff and students with locating such City agencies or community organizations.

vi. As partners with the District, when appropriate, SROs may assist with resolving law enforcement issues that affect the School District and the broader community.

vii. Provide a positive liaison between the Police Department, the students, the school administration, and the District security department.

viii. Participate in meetings with school administration when requested by school administration during the SRO's normal shift.

ix. Officers making an arrest or writing a citation/summons to a student at school, at a school event, or on a school vehicle shall notify the school principal or the principal's designee in a reasonable time period, not to exceed the mandates set forth by state law.

x. Question students in a manner and a time when it has least impact on the student/suspect's schooling so long as the delay in questioning does not interfere with the effectiveness of an investigation.

For more information, see juvjustice.org/sites/default/files/ckfinder/files/Denver%20IGA.pdf .

In an effort to clearly communicate the roles of school personnel and police in incidents involving students, some MOUs refer to matrices developed in student codes of conduct for a list of student offenses that warrant officer involvement, and those that may be handled through the school's disciplinary system (See Policy Statement II, Recommendation 1 for information on Baltimore, Buffalo, Chicago, Fort Wayne, and San Diego).

In most cases, jurisdictions using this approach have tried to direct educators and school staff on when they must or may involve officers. Guidance focuses on which types of misconduct should be considered a disciplinary matter and not a misdemeanor offense (e.g., talking in class as a classroom discipline issue and not disorderly conduct requiring a police response). MOUs are typically careful not to limit police authority or discretion. Instead, they urge officers to minimize arrests for minor offenses (particularly when there has been no injury or threat to school safety) and access alternative programs when possible. These MOUs typically distinguish school disciplinary violations from offenses for which officers should be called.

Several groups have gone a step further, however, by stating in a proposed MOU that the police agency agrees not to arrest or ticket students for particular categories of minor offenses, such as first-offense misdemeanors in which there is no serious injury or threat to individuals' safety. These may also be outlined in a related matrix, flow chart, or code of conduct.* Several advisors for this report cautioned that attempting to limit officer discretion is likely to meet with resistance or problems with enforcement in most jurisdictions.

* Some model MOUs, for example, state types of offenses when arrests and tickets "may only be used" (excluding, for example, incidents resulting in minor injuries that do not require medical treatment. See e.g., Advancement Project Model MOU at advancementproject.org/resources/entry/proposed-memorandum-of-understanding-between-the-school-district-and-police). Some police advisors stated that officers could be provided guidance but could not be prohibited from enforcing minor offenses. A report by the National Association of School Resource Officers cautions that by trying to limit officer discretion on enforcing minor offenses, it is possible there may be other legal and practical ramifications. For example, the report posits that SROs are less likely to be considered "school officials" if they are told not to address classroom disorder—thereby potentially limiting access to student records and imposing higher standards for searches—and that schools are more vulnerable to obstruction of justice charges. See, Canady, M., James, B., & Nease, J. (2012). *To Protect and Educate: The School Resource Officer and the Prevention of Violence in Schools.* Hoover, AL: National Association of School Resource Officers, nasro.org/cms/wp-content/uploads/2013/11/NASRO-to-Protent-and-Educate-nosecurity.pdf .

SCHOOL-POLICE COLLABORATIVE AGREEMENT BROWARD COUNTY, FL

In 2013, the Broward County School District and several local law enforcement agencies worked closely with a group of juvenile justice and community partners to develop a collaborative agreement on school discipline.[235] The agreement provides school officials with guidance on when to consult with police and promotes the use of graduated sanctions for student misbehavior. It states:

"Many types of minor student misbehavior may technically meet the statutory requirements for non-violent misdemeanors, but are best handled outside of the criminal justice system. In any school year, the first instance of student misbehavior that rises to the level of a non-violent misdemeanor and requires consultation with a police officer should not result in arrest nor the filing of a criminal complaint, but instead be handled through the Code of Student Conduct and Discipline Matrix. Behavior that rises to the level of a felony offense under any of the above statutes is not included herein."

The Role of Officers' section further states that "law enforcement officers shall follow the steps and guiding questions" in a decision flow chart that indicates when officers arrest/do not arrest for both first and repeat misdemeanor offenses outlined in the code of conduct matrix. Although the word "shall" could lead one to believe that law enforcement has been divested of discretion for the designated misdemeanor offenses, such divestiture is actually not allowable under Florida law for County Sheriffs.[236] The agreement sets out to specifically preserve officer discretion in both the MOU, in section 2.05, and as a footnote to the decision-making chart made part of the agreement:

"2.05 Discretion of Law Enforcement.

Nothing in this agreement is intended to limit the discretion of law enforcement. Officers responding to an incident or consulting with school officials are encouraged to use their discretion in determining the best course of action, especially when using alternatives to arrest. While the option to use the criminal justice system is available for many incidents, the totality of the circumstances should be taken into consideration and any less punitive alternatives that ensure the safety of the school community should be considered."

The agreement outlines the path officers will take for specified misdemeanor offenses that warrant alternatives to arrest. Police are also encouraged to use the civil citation and Preventing Recidivism through Opportunities, Mentoring, Interventions, Supports & Education (PROMISE) diversion program as alternatives to arrest.[237]

The MOU may be considered a "work in progress," as the Broward County School Board is working with other local municipal police forces throughout the county to join this agreement, which in updated form may include modifications of the language and revisions based on the implementation assessment to date.[238]

More information on the collaborative agreement can be found at browardprevention.org/wp-content/uploads/2013/10/Collaborative-Agreement-on-School-Discipline.pdf.

School personnel cannot prevent officers from making a lawful arrest (without risking obstruction of justice charges), and officers cannot stop school officials from suspending or expelling a student. Through an MOU that stresses the need to use alternatives to arrests when possible, police and school officials can, however, communicate consistent expectations to the school community and ensure that their own personnel have clear guidance on achieving shared goals.

When there are no SROs or other school-based police officers, MOUs can still be developed between police agencies and schools. Depending on the product of negotiations during the collaborative process for determining police patrol responses to schools and/or the roles of school-based officers, this section of an MOU can vary widely. It can be as simple as an understanding of when local/county police will respond to school-based emergency incidents or conduct patrols at the start or finish of school, or as complex as a full range of officers' responsibilities for providing education programs to students, conducting crime prevention activities, or defining the parameters under which officers can access alternatives to arrest. Some MOUs may outline the roles of each individual player in the agreement and include communication protocols between the school and the police agency, as well as other parties to the agreement.

NEW JERSEY'S SCHOOL-BASED COMMUNITY SERVICE PROGRAMS

New Jersey's model MOU states that an "Education-Law Enforcement Working Group, in consultation with the Administrative Office of the Courts, has developed a program whereby schools can serve as community service sites where students can fulfill their court-ordered community service obligations on school grounds and under the supervision of school staff. By participating in this voluntary program, schools can help to give …judges more disposition options and 'intermediate' sanctions to address certain types of delinquent behavior." Some minor offenses may also be diverted by police from formal processing through "stationhouse adjustments" that result in no juvenile record. See the MOU at state.nj.us/education/schools/security/regs/agree.pdf.

3. The selection, employment, training, logistics, and oversight of school-based officers

As previously noted, there are diverse practices for how school-based police officers are selected, trained, and supervised. These elements of an MOU should clearly outline the role of each agency in these tasks to encourage accountability. Relevant information may include the following:

- Who will be involved in the selection process and who makes the final selection decision
- What the criteria will be for a successful candidate
- What happens if the school has a problem with the selected officer, and procedures for any replacements or extended absences
- Who pays for the officer
- What types of training will be available to the officer and which agency will fund or provide that training
- Officer's duty hours and any summer assignments*
- Staffing levels for school events
- Dress code for the officer (clarify that the school-based officer will be armed on campus)
- Office space, materials, and other logistics needed and who will provide them
- Who will be responsible for oversight and supervision of the officer
- Citizen complaint/feedback procedures regarding police and/or school personnel†
- What reporting responsibilities the officer will have beyond his or her immediate supervisor

* Many MOUs acknowledge that work hours are subject to any existing labor contracts.

† See, e.g., Memorandum of Understanding Between the City of Pasadena, CA and the Pasadena Unified School District in which positive comments and complaints are shared, unless prohibited by law, and each agency is responsible for any disciplinary issues involving their own existing complaint review processes. The Pasadena MOU, effective July 2013, also explicitly states that officers will not respond to discipline problems except when administrators are required to call officers under law. However, on-campus officers may participate in dispute resolution on a case-by-case basis. Lines of supervision are also outlined. For more information, see cityofpasadena.net/councilagendas/2013%20agendas/Sep_16_13/AR%202%20MOU%20(CORRECTED%20AND%20REVISED%20as%20of%209-13-2013).pdf . The Oakland, CA School Police Department has also agreed to a Public Complaints Process and Complaints Reports Policy . The ACLU of Northern California and Black Organizing Project developed a campaign with the parents, youth, schools, and the school police to develop a complaint procedure. It was introduced in the Oakland Unified School District in the 2012 school year and more formally adopted in the 2013–14 school year, so implementation results are not available at this writing.

In addition to noting the critical need for including high-quality, tailored SRO training, the Rochester, NY Police Department emphasized the need for ongoing awareness training related to the partnership elements outlined in its MOU.[239] High turnover in school administrations requires ongoing cross-training and education about police officer roles, when to involve officers, and clarity about other key aspects of the collaboration.

4. Legal Issues

a. Searches and interviews

The legal issues discussed in Recommendation 1 above should be reflected in the MOU. Many codes of conduct and MOUs refer to policies for searching students and their property, including backpacks and lockers.

b. Jurisdictional boundaries and investigation authority

In a formal agreement, all parties will need to understand when and where the agreement applies. The document should clearly identify the jurisdiction of the agreement and its boundaries. This will include defining what are considered "school hours" or "school grounds" for enforcement purposes.

In defining school hours, consideration must be given to the fact that most schools, in addition to the school day, also include school-sanctioned activities such as after-school tutoring, sporting events, academic clubs, student council, or picnics/fairs. The geographic jurisdiction also requires definition. Agreements should be clear on whether school bus stops or sporting events that do not take place on the school campus, for example, are included under the jurisdictional partnership.

This information is also important for separate mutual aid agreements between, or MOUs with, municipal or county police agencies and school districts that may have overlapping jurisdiction.

- The Texas Education Code allows a school district police agency's jurisdiction to include all territory within the boundaries of a district and the property outside of the district boundaries that is owned, leased, rented by, or otherwise under the control of the district. Within this jurisdiction, a school district police agency's peace officer has certain powers, privileges, and immunities; may enforce all laws, including municipal ordinances, county ordinances, and state laws; and may take a juvenile into custody.[240] The Mansfield Independent School District, for example, states that the school district police serves individuals "that are participating in or attending school-sponsored activities which include, but not limited to, extra-curricular activities, students in transit to and from school in a District vehicle or any other school-sponsored or school-related activity on or off campus."[241]

- Fla. Stat. §1006.12 defines a school safety officer's jurisdiction and allows a district school board to enter into mutual aid agreements with other law enforcement agencies regarding overlapping jurisdiction. The Miami-Dade Schools Police Department and Miami-Dade County Police have entered into a MOU that permits school police to exercise "continuing police authority to respond to those law enforcement incidents which occur on School Board District property. This police authority shall be exercised in connection with incidents that occur on roadways and property adjacent to and abutting School Board property and incidents that occur in plain view of a School Board police officer within 1,000 feet of school property."

Jurisdiction for particular kinds of investigations may also need to be articulated, particularly where there is both a municipal/county police agency and school district police agency. Some agencies have the municipal or county law enforcement agency conduct all felony investigations; the school district police agency may assist in these cases but is primarily responsible for non-felony cases. In other cases, responses and investigations may be dependent on the resources each agency can offer. A survey of Major Cities Chiefs Association members and interviews with local law enforcement personnel confirmed that common provisions in formal agreements between a municipal/county police department and a school district police agency deal with

- the jurisdiction for investigating crimes committed on school campuses;
- critical incident management jurisdiction;
- security provisions for school-based events or after-school activities;
- traffic supervision responsibilities; and the
- co-placement of officers from both the municipal and school district agency in schools (including joint training).

There may also be provisions that allow the sharing of resources. For example, a school district police agency may be given access to the municipal police agency's Juvenile Division resources and report-writing program.

c. Reporting Laws

In addition to federal law, most states or municipalities have mandatory reporting laws that require teachers, health professionals, school staff, and other covered entities to report certain types of suspected cases to police, child protective services, or other authorities. In many cases, these laws are related to allegations of child abuse or sexual abuse. MOUs should articulate where to access reporting protocols.

d. Information Sharing

As outlined in Recommendations 1 and 2 above, information-sharing provisions or separate agreements must be in compliance with federal, state, and local laws and reflect the principles agreed upon by school-police partners, other parties to the agreement, and affected stakeholders. Surveys and practitioner feedback indicated that among the types of information typically shared are, at minimum, crimes and any school-wide or student safety threats.

5. Data collection and reporting

The need for appropriate data collection, reporting, and analysis is highlighted in various sections of this report and is summarized in the Data Collection chapter. The processes for data collection and reporting, including who will be collecting which information and how it will be reported (both internally and to the larger school community), should be included in an MOU. Data that can be collected and reported are discussed in the processes described earlier in this chapter as part of the collaborative decision-making tool, and can be tailored to the particular goals of the school and the outcomes of a proposed school-police partnership.

Data collection agreements must include, if at all possible, specific procedures for tracking and evaluating to what extent school policies and police officer actions may be disproportionately impacting students of color, those with special needs, or other affected youth.[242] Demographic data should be collected on disciplinary actions, referrals to programs, and arrests, and should be disaggregated by type of offense, location, response, and the school's information on the student's race, gender, disability status, age, grade, and other characteristics.

Despite the U.S. Department of Education's Civil Rights Data Collection (CRDC), many schools and law enforcement agencies still lack reliable, comprehensive data about which categories of students are being arrested on school grounds, how school policies play a factor in those arrests, and the impact on particular groups of students.[243] When possible, outcome data should be collected to determine the results of referrals and arrests.*

* The Broward County, FL, MOU requires data "reflecting all school-based arrests, referrals to law enforcement, and filing of criminal complaints and disaggregated by location of arrest/school, charge, arresting agency, gender, age, race/ethnicity, disability and ESL status [be] collected by the School District and Department of Juvenile Justice. Data reflecting the number and nature of incidents of misbehavior is also collected by the School District."

6. Evaluation procedures for the partnership

The MOU should clearly articulate a process for regularly evaluating the partnership and its policies and procedures. Typically, expected outcomes and related data will be decided at the same time that school districts and police are deciding whether to assign officers to particular schools or to revisit their roles. The evaluation should focus on those outcomes and related data that the initial collaborative decision-making process identified as related to the goals for the school-police partnership. These may include some combination of reducing drug or gang activity on campus, lowering crime and fear of crime, minimizing the use of arrests for minor offenses, increasing referrals to services, and improving the learning environment for all students and staff. Specific measures tied to those goals may include the extent to which officers use curriculum on how students avoid risky behaviors, number of referrals to the student support team or counselor to address behavior issues, school survey data on feelings of safety or experiences with officers, and use of alternatives to arrest for minor offenses.

To analyze trends and changes, the agencies engaged in the evaluation should return to the baseline data collected to identify crime problems and prevention needs as part of the collaborative decision-making process. Because the raw data does not necessarily tell the whole story of what is happening in schools, the MOU should allocate resources for analyzing and discussing the data to get a full picture of the impact of new policies.* In all cases, police and school district leaders must agree on what data will be collected and by whom, who has access to this data, how often the data will be made available, how it will be used, and how it will be stored and secured.

Although many school-police partners will conduct their own evaluations, some districts have spelled out arrangements for independent evaluations of whether positive outcomes have been achieved in a district. The MOU may indicate who will conduct the evaluation (the school district, police agency, or an independent evaluator) and when, as well as who will pay for the evaluation if it is outsourced. It may also articulate how the results will be used or shared. This process should not be narrowly focused on officer performance; it is about understanding if the school-police partnership is achieving its stated goals.

7. Cost-sharing or funding

As previously discussed, school-based police officer positions are funded through a variety of mechanisms: municipal police budgets, school district budgets, grant and blended funding, and others. This agreement can include details of this arrangement, such as budgets and payment schedules. The Sacramento City, CA Unified School District's agreement, for example, outlines funding and billing procedures for the SROs in their schools. Consideration must be given to how officer positions will be sustained following the termination of grant funds.[244]

* By reviewing trends and particular incidents throughout the school year, it is possible to identify barriers to effective implementation. If these barriers have been addressed and schools are still not seeing the desired results, it may be necessary to revise the policies. The scheduled review of the MOU and related policies need not be the only time this is conducted in collaboration with the school community.

8. Term of the MOU and schedule for review and/or renewal

The partnership agreement should be treated as a living document that will be refined over time. It is important that law enforcement and school district representatives be authorized to periodically review and refine these documents as needed, with input from school staff, parents, students, and other community stakeholders. In some jurisdictions, the MOUs are revisited before the beginning of each school year. In others, more frequent reviews are planned. For example, the agreement among the Birmingham, AL Police Department, Birmingham City School System, Jefferson County Family Court, and Jefferson County District Attorney's Office states partners must meet quarterly to review the agreement and relevant data and to make recommendations for revisions to the agreement.[245]

DENVER PUBLIC SCHOOLS AND DENVER POLICE DEPARTMENT: INTERGOVERNMENTAL AGREEMENT DENVER, CO

In 2013, Denver Public Schools and the Denver Police Department signed an Intergovernmental Agreement that clarifies the enforcement role of school-based police officers in schools, details due process protections for parents and students, requires that SROs meet with community stakeholders regularly, and requires training of SROs and school administrators on working with students while in school. Critical to the development of this agreement was the deep involvement of the community, particularly youth leaders. The goal of the agreement is to establish policies that keep students out of the juvenile justice system and on track to graduate.

The agreement outlines specific roles and responsibilities for SROs, school districts, and police departments, including de-escalating situations when possible, and differentiates between school discipline matters and crime problems to minimize the use of law enforcement intervention. It also requires that SROs be familiar with schools' codes of conduct related to disciplinary matters and attend training.

For more information, visit safequalityschools.org/resources/entry/Padres-IGA or the Padres & Jóvenes Unidos website, padresunidos.org .

After agreements have been signed, MOUs should be shared with staff members who will be under obligation to follow the agreement. These agreements should be available to all school administrators and staff, as well as any police officer who will be in contact with schools, to ensure that they are implementing the policies that flow from the MOU.

Conclusion

Law enforcement agencies have partnered with schools for decades. They have performed a broad range of activities —from improving school safety and critical incident planning to mentoring students and educating them about the law and avoiding gang activity or drug use. In recent years, the roles that school officials and law enforcement officers play in responding to student misbehavior have come under intense scrutiny, particularly in an effort to avoid an over-reliance on suspensions, expulsions, and arrests to address students' minor offenses.

The simple truth is that not every school requests, needs, or is able to fund a school-based officer. This chapter provides a collaborative process to identify and prioritize when officers should be placed on a particular school campus or whether another partnership arrangement works best to maintain safety while contributing to a school environment that is conducive to learning. Law enforcement, school officials, educators, students, parents, and other stakeholders can help define the roles and activities of officers that meet the distinct needs of a school. With the proper selection, training, and supervision of officers serving schools, and the oversight of how school personnel are involving officers, responses to student misbehavior can result in better academic outcomes and less student involvement with the juvenile justice system.

KEY TAKEAWAYS

- Determining the appropriate type of school-police partnership should be a local decision made by education and law enforcement leaders who are engaged in a collaborative, data-driven process with their personnel, students and parents, and a broad range of stakeholders.
- The chapter's collaborative decision-making tool can help police and school leaders identify crime prevention, safety, and related needs of particular schools; develop goals in response to these needs; and determine whether and where to place officers on campuses and how to tailor their responses to particular problems.
- The extent to which schools can create a positive school climate and provide behavioral health interventions (including preventive approaches that encourage positive behaviors, behavioral supports for students and adults, and restorative strategies for addressing student misconduct outlined in previous chapters) can influence officers' involvement in schools.

KEY TAKEAWAYS (continued)

- When officers are assigned to schools (whether state, county, or municipal officers or a school district's own police agency officers), their roles may involve a broad range of activities that are part of a comprehensive effort to support students and educators. At minimum, officers should foster positive relationships with students and the school staff and community, focus on safety and prevention efforts, minimize arrests for minor misconduct whenever possible, and support the schools' specific goals identified through the collaborative process.
- School-based officers working with students must be properly selected, trained, supervised, and evaluated to maintain safety in schools while promoting positive conditions for learning for all students. Off-campus officers serving schools should be made aware of the policies and practices that the partnership has set out for minimizing arrests for minor misconduct when possible and being responsive to victims' needs.
- Teachers, school administrators and other staff, youth and their families, and other adults serving students should be made aware of the proper role of officers and the protocols and criteria for when it is appropriate to call for an enforcement response, as well as the potential consequences for the student.
- There should be cross-training opportunities for officers, such as attending school staff professional development sessions on positive behavioral approaches and restorative strategies, as well as for school leaders to participate in SRO training. Ideally, police and school personnel should also be trained together to ensure that everyone receives the same information about officers' roles and policies for engagement.
- There must be oversight and review processes to ensure that officers are not being engaged in routine classroom management. In keeping with established policies, officers should use their discretion to divert students to alternative programs when possible and reserve arrests for the most serious offenses and threats to safety.
- School districts and their local law enforcement agency(ies) should develop an MOU that reflects a shared understanding of the school-police partnership's key provisions, including legal issues, information sharing, the roles of officers, selection, training, and supervision. The schedule and parameters for routine evaluations of the partnership and reviews of the agreement should be spelled out as well.
- Many proposed school-police partnership activities can be integrated into safety planning, school climate improvement, and other related efforts already underway in most schools.

COURTS AND JUVENILE JUSTICE

SUMMARY OF POLICY STATEMENTS AND RECOMMENDATIONS

POLICY STATEMENT I

The frequency with which students are directed to juvenile court for minor offenses at school or school-sponsored events is routinely monitored, and guidelines or policies exist to minimize such referrals.

RECOMMENDATION 1: Track school-based cases that come to juvenile court, determine the types of offenses with which students are most often charged, and examine how cases are handled (dismissed, diverted, adjudicated, or disposed).

RECOMMENDATION 2: Use data to identify schools with disproportionately high rates of court referrals for minor offenses and develop plans of action to help reduce these referrals.

RECOMMENDATION3: Develop guidelines and policies to minimize referrals to juvenile court for minor offenses.

POLICY STATEMENT II

Students who are arrested and/or charged with a minor school-based offense are diverted, whenever appropriate, from further involvement with the juvenile justice system.

RECOMMENDATION 1: Use information maintained by schools, when appropriate, to guide court diversion and disposition decisions so that they are responsive to youths' and victims' needs.

RECOMMENDATION 2: Use risk/needs screening and assessment tools, when appropriate, to help inform decision making throughout the court process (petition, pretrial detention, and disposition).

RECOMMENDATION3: Identify and expand community-based treatment and service options that meet youths' needs without relying on continuing judicial supervision.

POLICY STATEMENT III

Schools within juvenile correctional facilities are integrated into the state's education system and provide a safe, engaging learning environment; a seamless flow of information between education providers; a curriculum aligned with state standards; and student access to the supports and services needed for academic success.

RECOMMENDATION 1: Provide incentives to hire qualified educators and specialized training to support the juvenile justice teaching workforce.

RECOMMENDATION 2: Provide engaging learning environments in correctional facilities that are similar to those in high-quality traditional schools and that meet the distinct education needs of students in custody.

RECOMMENDATION3: Require independent accreditation of education programs provided to youth in custody and monitor and evaluate such programs routinely to ensure quality.

POLICY STATEMENT IV

Juvenile justice officials, school district leaders, and school staff ensure that youth released from correctional facilities are promptly reenrolled in community school settings and that transition planning facilitates academic success and reengagement.

RECOMMENDATION 1: Designate a transition coordinator in the school to which the student is returning to collaborate with school staff, service providers, juvenile courts and probation, and families to facilitate appropriate placements, swift reenrollment, the provision of necessary academic and behavioral support services, and compliance with a youth's terms of supervision.

RECOMMENDATION 2: Develop criteria to guide decisions regarding where a student leaving a juvenile correctional facility will enroll or reenroll.

RECOMMENDATION3: Ensure that students resume school as soon as possible after release from a juvenile facility.

INTRODUCTION

THE NUMBER OF YOUTH ARRESTED in the United States has declined dramatically in the last decade,[1] with a corresponding drop in the number of juveniles placed in confinement.[2] Despite this trend, some states are not experiencing large declines in youths' involvement with the juvenile justice system or admissions to detention, residential, and correctional facilities.[3] Even when a state experiences reductions, policymakers and practitioners who serve and supervise youth continue to see an unacceptable number of youth locked up for nonviolent, minor offenses.[4]

Whether an offense (known as a "delinquent act" in the juvenile justice system) is considered "minor" is a subjective determination but typically refers to certain misdemeanor offenses in which no serious physical or emotional harm is done and there is no ongoing threat to school or community safety.* Juvenile status offenses are also treated as minor offenses for the purposes of these discussions due to the relative lack of danger to others they present. Status offenses are acts that are only considered criminal if committed by a juvenile (e.g. running away, truancy, curfew law violations, ungovernability or incorrigibility, and underage drinking violations). The movement to use alternatives to arrest, court processing, and detention for these minor offenses has been spurred by the research discussed in this chapter, which shows a significant link between juvenile incarceration and troubling long-term outcomes for youth (such as increased risk of academic failure, dropping out of school, and future involvement in the juvenile and adult criminal justice systems), as well as the disproportionate impact of arrest and confinement policies on particular populations.

TRUANCY

The juvenile courts have been handling truancy cases since the 1960s. In recent years, however, truancy has become a substantial driver of status offense cases.† In 2010, truancy cases constituted 36 percent (nearly 50,000) of the estimated 137,000 petitioned status offense cases across the country.[5]

Truancy is distinct from other violations or offenses because it stems from the student's absence from school rather than misconduct in school. Typically it is defined in state statute along with "compulsory attendance," whereas other prohibited student actions are outlined in a separate section of the state's code.

Each state provides some mechanism for schools to refer truancy matters to juvenile court, but the process can differ significantly from state to state. The trigger for when schools can refer truancy cases to courts depends on the state's definition of truancy, which is based on a set number of unexcused absences (typically between 3 and 15).[6]

* A "delinquent act" is an offense that if committed by an adult would be considered a "criminal offense."
† See Policy Statement II in this chapter for additional truancy-related resources and examples of promising intervention programs.

As part of these efforts, court officials and other juvenile justice professionals have considered the extent to which school disciplinary policies and practices contribute to the overall numbers of youth coming through their doors. Identifying the impact of school policies and practices, however, has proven difficult, in part because of a widespread lack of available data on school-based referrals to the juvenile justice system. Referral source data identifies whether a police officer, school official, or other party initiated the students' involvement in the court process.* Across states where some type of referral source data is available, the volume of school-based cases varies greatly.

For example, in 2011, Texas reported that approximately 9 percent of all referrals to juvenile probation came from schools.[7] During the same year, Florida reported a much larger proportion (15 percent) of school-referred juvenile cases.[8] A study that examined 2004 juvenile court referrals from schools in five states (Arizona, Hawaii, Missouri, South Carolina, and West Virginia) also found wide variation in the volume of school referrals across states, ranging from approximately 4 percent of overall juvenile justice referrals in Hawaii to nearly 17 percent of all referrals in West Virginia.[9] Variability may be caused, in part, by the quality of referral source data within a state, which often contains inconsistent definitions among campuses of what constitutes a "school-based referral." Inconsistent definitions may result in substantial underestimations or distortions in the reported volume of school-based referrals.† Recognizing that failures to identify the full extent of a problem is no excuse for inaction, efforts to minimize student involvement with the juvenile justice system for minor offenses continue to take hold in a number of states across the country.

Roadmap to the Chapter

The policy statements and recommendations in this chapter are presented in a way that mirrors the sequence of decisions that court and juvenile justice authorities face when a youth has been charged with a delinquent act. They offer approaches to address these questions:

- Should the case be pursued at all?
- If the case should be pursued, does it make sense to divert the youth to community-based supports and services?
- If the youth is confined, what steps should be taken to ensure that she or he receives access to high-quality education services?
- When the youth is released, what structures and supports must be in place to enhance the coordination and success of his or her transition back to school?

* A "referral source" is the entity that refers a youth to juvenile court.
† Policy Statement I in this chapter provides additional discussion on why referral source data is problematic and how referral location may provide a more accurate picture of the volume of cases coming into the juvenile justice system from schools.

Background

Established at the turn of the 20th century, the juvenile court system in the United States was created to protect, rehabilitate, and reintegrate youthful offenders back into society. In acknowledgment of youths' vulnerability and varied stages of development, the juvenile court system established special protections that require court records to be confidential; ensure the physical separation of youth from adults during incarceration and in institutional settings; prohibit detainment in adult jails; and require informal court proceedings with a focus on therapeutic interventions.[10] Recognizing the significant liberty interests at stake for children facing delinquency charges, more than four decades ago the Supreme Court held that children are entitled to important due process protections in juvenile court proceedings, including the right to counsel and the right against self-incrimination.[11]

The term "juvenile justice system" used in this chapter refers to all of the organizations, agencies, and individuals that serve youth accused of delinquency or conduct indicating a need for supervision. In order to better understand the context for the chapter's recommendations, the discussion below describes the key juvenile justice decision makers and examines how cases are typically processed across states and jurisdictions.

Key Juvenile Justice Decision Makers

Juvenile justice systems are established under state statute and, as a result, vary considerably across the country and even within states. Despite these differences, the following key decision makers generally directly impact youths' experience in the juvenile justice process:[12]

- ***Prosecution:*** Prosecutors in juvenile court typically report to an elected district attorney. Prosecutors perform a key role in accepting or rejecting cases from law enforcement, informing pretrial detention decisions, and determining if diversionary supports or interventions may be offered to referred youth.
- ***Defense:*** Defense counsel represents the youth throughout any court proceedings and is required to participate in all delinquency cases. Defense counsel for an indigent youth may be from a public defender's office or may be a privately employed lawyer in an assignment or contract system.[13] Appointed counsel is constitutionally required only in cases where the youth is indigent and confinement is a possible punishment.*
- ***Probation Officer:*** Probation officers typically screen cases upon intake, prepare investigative reports for judges to use in detention and disposition decisions, and provide supervision for youth in the community as ordered by the court.

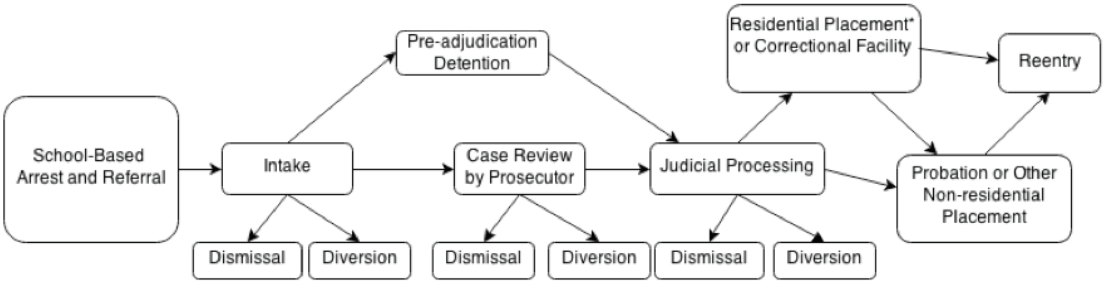
* Youth may be presumed indigent if they do not have an independent source of income and are dependent upon parents or guardians who do not have the financial resources to pay for counsel themselves.

- ***Judge:*** Every state has judges with juvenile jurisdiction. Juvenile court judges may be elected or appointed and, as magistrates, associate judges, or referees, may be subordinate to an elected or appointed judge. They may rotate in and out of juvenile court practice or stay for an extended period of time. Juvenile court judges preside over delinquency cases and may also hear cases involving abuse, neglect, custody, and adoption.
- ***State/Local Juvenile Justice Agency:*** Juvenile justice agencies can be operated at the state or local level, or both. These agencies typically supervise youth after they have been adjudicated delinquent (the equivalent in juvenile court of being found guilty of a criminal offense) and committed to the agency's custody as part of the case disposition. Supervision may be community-based or involve out-of-home placements in non-secure facilities that allow youth access to the surrounding community or in secure settings such as locked juvenile detention facilities.

Juvenile Case Processing

The variation in states' juvenile justice structures and methods can be considerable and requires that the recommendations in this chapter be tailored to jurisdictions' distinct needs and processes. Figure 1 highlights common points of decision making throughout a typical school-based juvenile case process. Each point in the process provides an opportunity for diversion of youth from further involvement with the system, when appropriate.

FIGURE 1: SCHOOL-BASED JUVENILE CASE PROCESS



*A residential placement refers to short- and long-term, secure and non-secure facilities where youth who have been charged with or adjudicated for an offense are held for a specified period of time. Source: Adapted from the Points of Intervention diagram at findyouthinfo.gov/youth-topics/juvenile-justice/points-intervention .

What the Research Says

Three overarching conclusions emerge from the research on youth involvement with the juvenile justice system that are especially important for readers to consider when reviewing the policy statements in this chapter:

1. ***Contact with the juvenile justice system is linked to poor student academic outcomes and increased likelihood of involvement with the justice system:***[14] Research over the past decade has shown that youth who have any formal contact with the juvenile justice system, ranging from a single arrest to incarceration, are at increased risk of falling behind their peers academically, dropping out of school, and being involved again with both the juvenile and adult criminal justice system.

   - A study of more than 4,000 high school students from the National Longitudinal Survey of Youth in 1997 found that both an arrest and a court appearance were significant predictors of youth dropping out of high school. Controlling for behavioral, academic, and demographic factors, the study revealed that a first-time arrest during high school doubled a youth's chances of dropping out, and a court appearance quadrupled a youth's odds of dropping out.[15]
   - A 2003 study of nearly 800 youth from an urban school district arrested while enrolled in the 7th, 8th, or 9th grade found that a student arrested in 8th grade was more than three times as likely to repeat a grade than a non-arrested peer. Any arrest during the 9th grade increased the risk of future dropout. A youth arrested at least once in 9th grade was 3 to 5 times more likely to drop out than a non-arrested peer. Multiple arrests were found to further increase students' risk of dropout; a youth arrested multiple times during the 9th grade was 7.5 times more likely to drop out than a similar youth with no arrests.[16]
   - A 2013 study that linked more than 35,000 Chicago Public School, juvenile, and criminal justice records from 1990 to 2008 found that juveniles' incarceration significantly decreased their chances of completing high school and greatly increased their risk of adult incarceration. Specifically, the study demonstrated that a youth incarcerated for an offense was approximately 13 percent less likely to complete high school than a non-incarcerated peer. Incarceration as a juvenile also was found to increase a youth's likelihood of adult offending and incarceration by 22 to 26 percent.[17]

2. ***Tracking the number of referrals to juvenile court that are the direct result of misconduct at school is difficult in many jurisdictions:*** Juvenile cases resulting from student misconduct in school are most often the result of an arrest. The arrest, however, can stem from a direct observation by an on-campus officer, a request from a school official for police to arrest, a victim complaint, or a patrol officer response to a 911 or other call for assistance. For certain offenses, schools may be required under state statute to notify either law enforcement or the courts.[18] There are also referrals to courts that do not stem from arrests. For example, some jurisdictions have an agreement with law enforcement to issue a summons or citation for a list of offenses, generally minor offenses, instead of transporting a youth to the court. In such cases, a youth receives a summons to appear before the juvenile court and generally is required to meet with a probation officer who determines whether the matter will be handled judicially or non-judicially.[19] In many jurisdictions, referrals may also be made by school security officers or school administrators, social service agencies, and even parents or guardians.

   Depending on local practices and circumstances surrounding an arrest for misconduct at school, the referral source may be coded in juvenile court data systems as either "law enforcement" or "school." To determine if law enforcement codes are school-based, however, may take additional scrutiny of the offense location to see if the address provided aligns with a school campus or related place. There may be inconsistent definitions of whether off-campus school-sponsored events, bus stops, and other locations are considered school-based for purposes of coding referrals.* Due to a general lack of reliable data and consistent definition of terms related to these referrals, there are few studies that can draw definitive conclusions about the scope and implications of cases coming to juvenile court for student misconduct at school.

3. ***Referrals to courts that have a disparate impact on students of color, youth with disabilities, or those who self-identify as lesbian, gay, bisexual, or transgender (LGBT) may also drive disproportionate representation in the juvenile justice system:*** An overwhelming percentage of youth involved in the juvenile justice system for minor offenses are youth of color and students with disabilities.[20] The Texas statewide *Breaking Schools' Rules* research report confirmed that African-American students and youth with identified disabilities were more likely than White students and youth without identified disabilities to experience discretionary suspension, which are suspensions not mandated by law. (Eighty-three percent of African-American males were suspended compared to 59 percent of White males, and 75 percent of youth with an identified disability were

* A student referred to the juvenile justice system may also have been arrested by a patrol officer who encounters the truant, suspended, or expelled student on the street during school hours, as a perpetrator of an offense. These are not tracked as school-based referrals because they are not on school grounds, but may be correlated with exclusionary policies.

suspended compared to 55 percent of youth with no disability.)* The report provides convincing evidence that once suspended, the students studied were three times more likely than students who were not suspended to come into contact with the juvenile justice system. These findings, coupled with other research, suggest that the racial disproportionality observed in many schools' suspension and expulsion rates may contribute to the well-documented over-representation of youth of color in the juvenile justice system.[21] Recent research also suggests that youth who identify as LGBT are over-represented in the juvenile justice system (the Center for American Progress estimates that LGBT youth represent 13–15 percent of the juvenile justice population nationally, but only 5–7 percent of the total youth population) and are more likely than their peers to receive juvenile detention and other harsh punishments for minor offenses.[22]

Current State of Practice

In recent years, juvenile justice leaders and practitioners have worked more proactively with school administrators to shift the responsibility for addressing minor student misconduct away from the juvenile justice system and back to schools' disciplinary systems. Knowing schools cannot make this shift alone, judicial leaders and juvenile justice professionals are joining with youth, families, and other stakeholders to stem the flow of students into courtrooms for misbehavior better addressed by other systems of care. There is a growing emphasis on finding ways to provide supports to students that address the behaviors that put them at risk of contact with police and the juvenile justice system. A 2013 national survey of state court administrators involved in the Conference of State Court Administrators found that at least 20 states are involving their administrative offices of the court to minimize youth contact with the juvenile justice system for minor school-based offenses.[23]

Judges at both the local and state level can be especially effective in spearheading school-justice partnerships and pushing forward agendas to meet these objectives.[24] They are uniquely equipped and empowered to establish school-justice partnerships by convening leaders and practitioners from across affected systems, including education, law enforcement, courts, and health care, as well as stakeholders in the community, to discuss appropriate collaborative solutions to over-referrals of cases involving minor student offenses to courts.[25] State judicial leaders are also well positioned to advocate for expanded data collection and reporting to precisely define the scope of the problem, increase cross-system communication and transparency, and inform potential solutions.

* These percentages include both in-school and out-of-school suspensions.

To be clear, referrals to juvenile court remain appropriate for serious offenses and in some limited circumstances may be needed for offenses considered "minor" to some individuals, but are warranted by the particular case or harm caused. Moreover, when students pose a safety risk to other students, staff, or the larger community, confinement in secure juvenile justice settings may be necessary. In these cases, efforts should be made to provide education and other services that will help these youth return to their schools and communities safely and successfully.

Although promising multi-system partnerships are being formed across many states and local jurisdictions to minimize students' involvement with the juvenile justice system for minor school-based offenses, a number of barriers remain. In addition to the lack of available quality data on the numbers and types of court referrals from schools, there are also problems associated with the lack or misuse of assessment tools that can help to inform youth diversion and placement decisions. Decisions on if and how to move youth through the juvenile court process are not uniformly guided by students' assessed risk of reoffending and relevant school-based information. Those youth who are not diverted and become more deeply involved in the juvenile justice system often face conditions that put them further behind their peers academically and increase chances for recidivism.

When youth are placed in secure settings, including pre-adjudication detention and longer-term residential facilities, they often lack access to high-quality education programs aligned with state academic standards.[26] The quality of education services in both short- and long-term facilities varies widely, and these facilities' programs are often less rigorous and transparent than those in traditional schools.[27] Failure to provide education and other continuity in services increases youths' chances for poor outcomes on release.

Further, although prerelease planning for youth in juvenile correctional facilities will help improve their chances of academic and behavioral success when returning home or to a non-secure community placement, such planning is not always conducted. Uncoordinated transition plans leave many students vulnerable to loss of academic credit, placement problems, and enrollment barriers upon reentry to school, putting them at higher risk of dropping out, lagging further behind their peers academically, and making future contact with the juvenile justice system.[28]

This chapter addresses these barriers and offers recommendations, discussions, and specific strategies to better address whether cases should be referred to courts or diverted to alternative programs, how to support youths' education while in confinement, and how to prepare them for reentry.

POLICY STATEMENT I

The frequency with which students are directed to juvenile court for minor offenses at school or school-sponsored events is routinely monitored, and guidelines or policies exist to minimize such referrals.

Students on school campuses or at school-sponsored events may be referred to juvenile court for criminal (i.e., delinquent acts) or status offenses by school- or community-based law enforcement officers. In some cases, school administrators can refer cases directly to juvenile courts (e.g., when a youth is expelled for a serious criminal offense like bringing a gun to school, the student may be automatically transferred or referred to the juvenile justice system without the intermediate step of an arrest), or they may ask officers to make an arrest.[29] Juvenile court judges, correctional administrators, defenders, prosecutors, probation officers, and advocates for youth frequently express frustration with the large number of cases in which students who have engaged in disruptive or inappropriate, but not serious or violent behavior, are referred to the juvenile justice system.[30] Typically these concerns arise when minor misconduct in school is interpreted and handled as a juvenile offense (e.g., persistently talking loudly during a school assembly treated as a misdemeanor offense of disorderly conduct) instead of being addressed by the school's disciplinary system.[31] Similarly, many juvenile justice officials question the value of involving youth who have committed a status offense (such as truancy or running away) in the juvenile justice system at all.[32] Such low-level cases strain existing dockets and processes, which impairs the juvenile justice system by consuming resources that would be better allocated to more serious cases.[33] Furthermore, research suggests that processing truancy and other low-level (first-time, nonviolent) cases through the juvenile justice system, rather than using other accountability programs and restorative approaches, does more harm than good for youth by generating criminal records that follow youth for years and increase both their risk of being involved with the criminal justice system in the future and dropping out of school.[34]

As mentioned earlier, a major barrier to addressing the juvenile justice community's concerns about the volume of school-based arrests is the lack of strong data to substantiate the existence of the problem. To assess the scope and implications of school-based referrals, juvenile court representatives must work with school and police leaders to develop, expand, and systematize data collection efforts. In addition to other important information, data collection must include whether each referral is an offense that occurs on a school campus or at a school-sponsored event (e.g., athletic event or field trip). Although the address of the arrest is often logged by law enforcement, addresses are not always matched to school locations or events. Courts need this information to determine the total number of cases coming from a particular school.

Some states do collect and report data on referral sources to juvenile courts.[35] Although referral source data is meant to identify where and by whom referrals are initiated, in practice this data does not reveal the full extent to which referrals at school are driven by school administrators' calls to police and direct referrals to courts, law enforcement officer discretion, victims' charges, or a combination of factors. The U.S. Department of Education Office of Civil Rights Data Collection (CRDC) requires that this data be submitted by schools sampled for its biennial national Data Collection effort,[36] but even schools that collect information on school referrals to law enforcement (in compliance with CRDC) often cannot report how many of the cases result in arrest or a summons to appear before the juvenile court. Given the complexities in identifying the entities responsible for making the referral, it may be more practical to focus on collecting, categorizing, and reporting data based simply on whether an offense took place at the school campus or a school-sponsored event and then how the case was resolved.

The collection of data that could be designated as "school-based offenses" will allow juvenile courts to identify high-referring schools and track cases from these schools through the system to see how many cases involving minor offenses are dismissed and how many youth are diverted. If a large number of cases from a particular school are dismissed, further investigation is warranted to determine the cause of the dismissals, as well as the reason these cases are ending up in the juvenile justice system in the first place. In addition to dismissing a case over a procedural issue or due to lack of evidence, judges may dismiss cases that they feel schools are better able to address. Juvenile courts should alert school administrators with high referral/high case dismissal rates and initiate a collaborative examination of diversion resources and school and police policies and practices. Similarly, if a large number of youth are diverted by juvenile courts to community-based services, a school-justice partnership should determine if the juvenile justice system is the best arbiter and overseer of services for youth, or if the students can be better served by school interventions without the collateral consequences associated with juvenile justice involvement.[37]

DATA ON SCHOOL-RELATED OFFENSES

Texas

Texas's local probation departments report school-based data on student case referrals to the state juvenile justice agency through an Electronic Data Interchange (EDI) system. All referral records include two important variable codes: 1) the education status of a referred youth and 2) the school-related location of the offense. The *School Status* variable reveals if a youth is enrolled at the time of referral in a traditional public school, charter school, private school, is home-schooled, or is in an alternative education placement. It also indicates if the youth has dropped out, been suspended or expelled, or graduated at the time of the referral. The *School-Related Location* variable indicates whether an offense occurred on a school campus or during a school-related activity on or off campus. If an offense occurs on a school campus, an accompanying school campus identifier is also reported.[38]

Florida

Since FY2004–05, Florida has monitored and reported the number of juvenile arrests for offenses that occur on school grounds, on a school bus/at a bus stop, or at a school-sponsored event. Data on school-based arrests is typically provided to the Department of Juvenile Justice by law enforcement and recorded in the state's Juvenile Justice Information System. Each year the Florida Department of Juvenile Justice releases a *Delinquency in Florida's Schools* report that provides annual counts of school-related arrests for the state and by county. Arrests are broken down by offense and student demographics, and changes in arrest rates over time are reported (beginning in FY2004–05).[39]

Using school-based offense referral data, state and/or local officials can better monitor the volume of cases for minor offenses referred by schools. Some jurisdictions have developed policies that restrict schools' ability to refer minor offenses to the court while enhancing school-based alternative interventions. Reaching consensus about how and in what situations to limit referrals to the juvenile justice system can be difficult. Teachers and school administrators are understandably uneasy about relinquishing options to respond to a student who is particularly disruptive, especially if they do not feel they have effective alternatives. Similarly, parents and students may feel learning is stymied by the diversion of instructional resources to deal with chronic misbehavior in the classroom. Police officers may well be concerned about enforcing crimes that are in statutes, but that will likely not be prosecuted, or policies that limit their role in bringing cases before the courts based on their discretionary authority. Still, there is general agreement that most courts do not have the remedies, consequences, and resources to effectively address the volume of minor school-based misconduct cases that many are experiencing. In these instances, many of the minor offenses may be more appropriately addressed by schools provided with adequate supports and resources.

The recommendations that follow offer strategies for juvenile courts to improve their monitoring of school-based referrals, to target supports for schools that generate a high number of minor offense referrals, and ultimately to develop guidelines to reduce referrals for minor offenses. Although the focus is on minor offenses, identifying schools that refer large numbers of serious offense cases can also stimulate discussions and plans to provide interventions and supports that research has shown are effective with youth who are at higher risk of reoffending, and for students reentering schools after confinement in juvenile justice correctional facilities.

RECOMMENDATION 1: **Track school-based cases that come to the juvenile court, determine the types of offenses with which students are most often charged, and examine how cases are handled (dismissed, diverted, adjudicated, or disposed).**

Equipped with access to reliable data, every policymaker, school leader, and juvenile justice official should be able to answer the following questions about youth who come into contact with the juvenile justice system:

1. Of those youth referred to the juvenile justice system for school-based offenses, what are the most common offenses with which they have been charged?
   - **a.** How many are status offenses?
   - **b.** How many are misdemeanor offenses?
   - **c.** How many are felony offenses?
   - **d.** How many are first-time offenses?
2. Of all the school-based cases, how many are addressed by the courts and how many are dismissed or diverted prior to filing?[40]
   - **a.** How many are dismissed?
   - **b.** How many are diverted?
   - **c.** How many are referred to probation prior to adjudication?
   - **d.** How many require youth to be held in a detention facility while awaiting adjudication?
   - **e.** How many are adjudicated?
   - **f.** How many are referred to probation post-adjudication?
   - **g.** How many result in confinement?

To answer these questions, many state and local courts and juvenile justice agencies will need to build or enhance their data systems to collect key data elements that describe the offense and location. With the understanding that there are significant challenges to expanding and improving data collection and reporting, agencies may need to phase in or prioritize the following recommended data elements over time. These data elements should not be mandated without addressing implementation concerns such as quality assurance and privacy. Many of these elements can be worked into development and upgrade plans that are already in progress.

Standardized Data Elements:

1. School-based offense (offenses occurred on campus or at a school-related event)
2. School-based location (if an offense occurred on a school campus or at a school-sponsored event, the campus identification code should be recorded)
3. Number of arrests/referrals (individual students may be counted multiple times)
4. Number of students referred (every student counted once even if arrested/referred multiple times)
5. Offense type (the charge/offense that prompted referral)
6. Disposition (dismissed, diverted, referred to pre-adjudication probation, adjudicated, confinement, post-adjudication probation)

Data Elements to Be Disaggregated by Student Characteristics:

1. Race/ethnicity
2. Gender
3. Socioeconomic status (eligibility for free or reduced-price lunch)
4. English Language Learner (ELL) status
5. Identified disability
6. Age of student when referred
7. Category of offense (status/violent/property/other)

LGBT YOUTH

LGBT youth are a particularly difficult group to study due to a general lack of data, but it is a vulnerable population that must be considered in discussions on addressing disproportionately affected youth in the juvenile justice system. Sexual orientation and gender identity are not part of individual student records for disaggregation and police officers or other referring agents should not ask students to reveal their orientation. Self-reported information may be collected on victimization through surveys and may be recorded for particular incidents where the motivation of the perpetrator appears to be related to bias based on the perceived sexual identity or gender identity of the victim.

Recognizing that it will take significant time and resources for many agencies to expand their data systems, education and juvenile justice officials should work together to explore interim strategies to estimate the volume and type of school-based referrals to juvenile court. A school-justice partnership team consisting of key representatives from police, juvenile courts, other juvenile justice system agencies, and schools should examine local referral practices to estimate the number of youth coming into the courts from schools, as well as the types of offenses for which they are being referred. Schools and districts that require additional assistance to determine the causes for high referral/arrest rates can be identified using anecdotal information from intake officers, school administrators, and police officers (or their reports/arrest data, in compliance with all applicable privacy laws that protect the personal information of minors).

THE IMPACT OF DELAYS IN CASE PROCESSING

In addition to understanding the number and type of referrals schools make to the courts, state and local officials should determine how long it takes, on average, to resolve such cases. Courts should track the length of time it takes to process youths' information and take formal action. This information may reveal areas for improving intake and detention processes that could minimize the amount of time youth wait before their cases move forward on a docket. It may also ignite policy discussions related to developing or revising limits on the amount of time a youth may remain under court supervision while awaiting adjudication.

Research suggests that delays in case processing can be particularly harmful for students and costly for the courts and/or juvenile justice system when youth are detained.[41] Delays are disruptive to academic progress because when students are placed in pre-adjudication detention facilities they may not have access to quality education programming or specialized education services. Additionally, detained youth may be exposed to and learn antisocial behaviors in detention settings, which may actually increase the students' risk of reoffending.[42] For youth who await adjudication at home, longer periods of waiting may also disrupt behavioral intervention and treatment services and increase the risk of failure to appear in court. Further, the longer a student awaits adjudication and services, the less meaningful the connection becomes between misbehavior and consequence.

RECOMMENDATION 2: **Use data to identify schools with disproportionately high rates of court referrals for minor offenses and develop plans of action to help reduce these referrals.**

As courts improve and expand their collection of school-based referral data by working in collaboration with schools and law enforcement, they should try to disaggregate data by district and campus. This disaggregation can help identify the rate of referrals for minor offenses by location over time. Total numbers and rates of referrals from each school and district, however, should only be a starting point—these statistics cannot provide the whole picture of what is happening on a school campus. If a school has much higher referral rates than another school, it may be due in part to differences in serious crime spikes or other factors that drive these numbers.

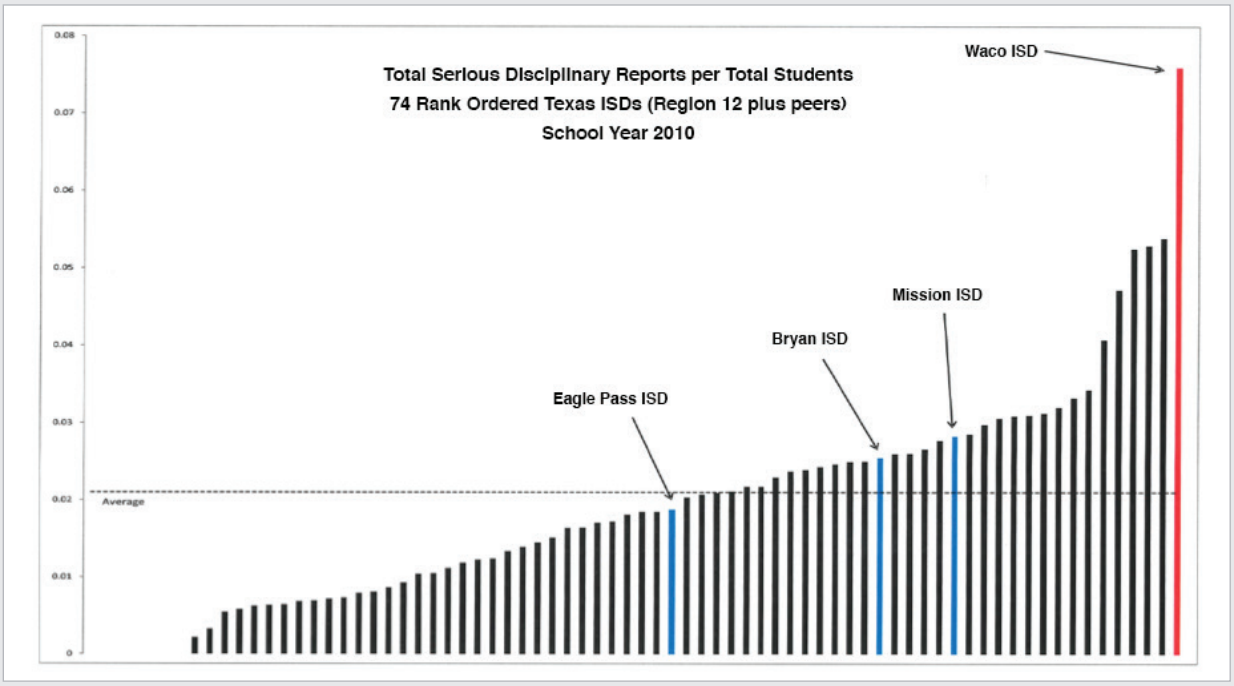
Courts must determine what should be considered a "high" or "low" referral rate. To make that judgment, meaningful comparison groups and benchmarks must be established. A comparison group may consist of school districts or campuses of a similar size serving youth with similar demographic characteristics, or comparisons may include cohorts from previous years to show change over time. Evaluating district and campus referral rates in relation to a comparison group will highlight campuses with relatively high or low referral rates. Although this information is insufficient to draw conclusions about school and police policies and practices, the data should prompt discussions and further examination to determine the causes.

THE TEXAS PROPENSITY MEASURE

Although comparative referral rate measures are not currently used in court systems, Texas has a school discipline-based framework that is instructive for court administrators and can potentially be adapted for referral data tracking.

In addition to raw counts of disciplinary actions from all Texas schools and districts, the state's Legislative Budget Board recommends an additional disciplinary indicator to allow for more meaningful comparisons across campuses and districts. The indicator is an "overall disciplinary propensity" (a discipline rate that is calculated by dividing all discipline reports in a school year by the total student enrollment). This measures the tendency of a campus or district to impose disciplinary actions on its students. The table below ranks districts by disciplinary propensity (for serious offenses only).[43]

FIGURE 2. THE TEXAS DISCIPLINARY PROPENSITY MEASURE



Given reliable referral data, court administrators could easily adopt a similar referral propensity measure, such as total court referrals from school divided by the total student enrollment in a campus or district.

If a campus or district shows disproportionately high rates of school-based referrals compared to similar schools or the state average, or has shown a significant increase in referrals, courts should bring this to the attention of school-justice partnership teams. Depending on the analysis, additional supports and interventions may be required. Partnerships can support high-referring campuses and districts by

- facilitating more regular court reporting and transparency to help schools and assigned law enforcement officers become more aware of their referral patterns;
- helping to analyze which factors are driving the referrals;
- coordinating professional development for school leaders and staff on the implications of justice involvement and investing in alternative strategies for managing all students' behavior;[44]
- reviewing any guidelines for cases the courts will and will not accept from schools; and
- helping to identify alternative resources to support at-risk youth and the teachers who work with them.

If high referral rates for minor offenses persist despite these efforts, these partnerships may want to explore further the policy reforms described below.

RECOMMENDATION 3: **Develop guidelines and policies to minimize referrals to juvenile court for minor offenses.**

Written Agreements

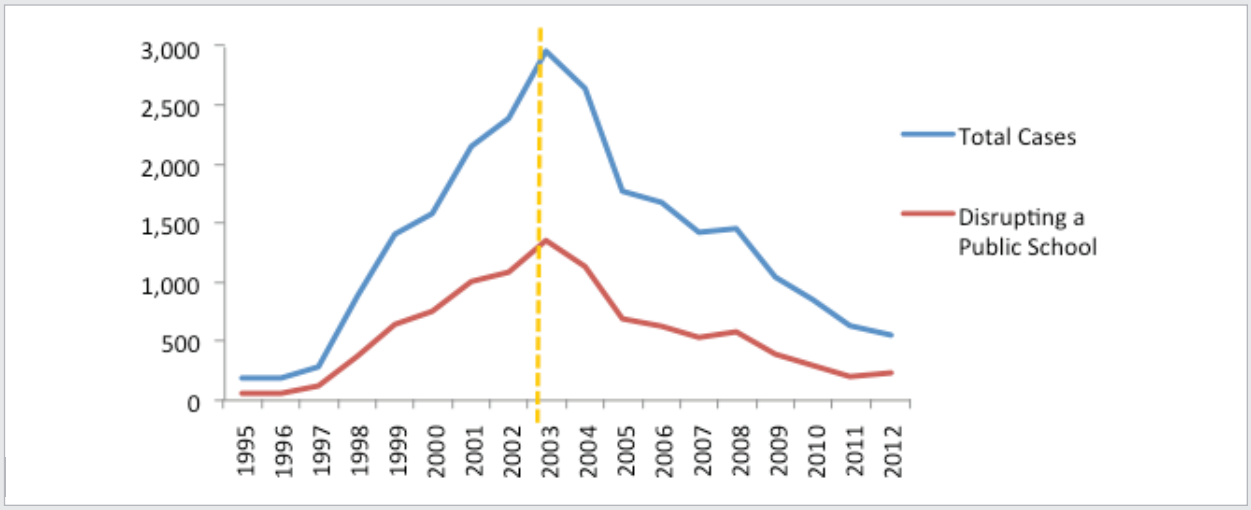
Some state legislatures and local governments across the country have established guidelines to help distinguish between offenses that do and do not merit a referral to juvenile court. Working with local schools, law enforcement, and community leaders and members, some court officials have gone further and developed written agreements describing the steps that must precede a school-based referral of any kind to juvenile court.

THE CLAYTON COUNTY JUVENILE JUSTICE COLLABORATIVE'S COOPERATIVE AGREEMENT CLAYTON COUNTY, GA

Led by Juvenile Court Chief Judge Steven Teske, the Clayton County Juvenile Justice Collaborative established an agreement between the local juvenile court, public schools, and law enforcement agencies, stipulating when and how school-based offenses may be referred to the juvenile justice system. Under the agreement a student's first offense receives a warning notice, a second offense receives a referral to a conflict diversion program, and the third offense results in a court referral. The stakeholders also established a system of care that includes the Clayton County Collaborative Child Study Team (Quad C-ST), which serves as the single point of entry to assess chronically disruptive and truant students for treatment.

Figure 3 shows all school cases referred to juvenile court, and the high-volume subset of "disrupting school" cases, for the period prior to and after the 2003 adoption of the Collaborative Child Study Team. School referrals to juvenile court decreased by more than 73 percent between 2003 and 2011.[45]

FIGURE 3. SCHOOL-RELATED OFFENSES, CLAYTON COUNTY, GEORGIA (1995–2012)



The advantage to local agreements (such as Clayton County's) is that partners can tailor them to the particular attributes of a jurisdiction. Although some police interviewed for this report have expressed concerns about whether officers' discretion and duty to act is being curtailed by prohibiting the prosecution of certain categories of misdemeanor offenses, the Clayton Collaborative reports the development of a collective responsibility approach among the courts, prosecutors, and law enforcement to work at intake to determine whether the referral will go forward or be diverted, particularly if there are serious or underlying problems associated with the school-based misdemeanor offense.[46]

Developing Thresholds of Seriousness

Procedures should be established within the school setting to assess whether each potentially referable offense reaches a certain threshold of seriousness and/or presents a safety risk to the school community. This is especially important for offense categories that include a wide range of behaviors from very minor to very serious (e.g., theft or weapons possession), and discretion must be used to determine which cases would be better served by the juvenile justice system. Although in theory a student who brings in a small kitchen knife to cut his sandwich at lunch and a student who carries a switchblade to school for a planned fight could both be charged with possessing a weapon, there should be a process to distinguish incidents that pose a safety risk from those that do not.

Using Threat Assessments

In cases in which school administrators must determine whether a student poses a serious safety threat to others, they may consider carrying out threat assessments. A threat assessment may be conducted when a student makes an oral or written threat to commit a violent act, or when a student engages in behaviors that threaten to harm others. An example of a threat assessment designed specifically for school settings is the Virginia Model for Student Threat Assessment (MSTA). The MSTA was developed by Dr. Dewey Cornell and colleagues at the University of Virginia and provides a decision-making protocol to help administrators distinguish between transient and substantive threats made by students. Once a determination is made regarding the nature of a threat, the model provides guidelines for connecting students with appropriate services and supports, and developing individualized safety plans, while minimizing the need for law enforcement or juvenile justice involvement.[47]

Establishing Eligibility Criteria

In states that see a pattern of frequent court referrals from schools, policymakers may want to engage police and juvenile justice professionals along with students and their families, teachers, school officials, and other stakeholders to examine the problem and help develop solutions to reduce school-based referrals for minor offenses. In some cases, policymakers have changed state statutes. One legislative strategy has been to restrict school-based referrals by limiting youth's eligibility criteria, (e.g., raising the age limit for youth who may be subject to court jurisdiction for particular conduct). During the 2013 legislative session in Texas, a bill was passed to prohibit the issuance of Class-C misdemeanor tickets on school campuses to youth under the age of 17.[48] Another approach has been to create more stringent statutory thresholds for invoking juvenile justice action for first-offenders. For instance, some states' codes dictate that to refer a youth to juvenile court for a truancy offense, it must be the student's third charge of misconduct, and there must be evidence that each prior instance was met with a graduated school disciplinary response.[49] To be effective, such a statute requires a court to dismiss a complaint or referral made by a school district that does not conform to statutory referral and filing requirements.

Improving school-based referral data collection, analysis, and reporting is crucial, but it is only a starting point. The value of collaborative problem solving is to come up with responses to student misconduct that will have the greatest long-term benefit for the student, his or her classmates, and the school community. In most cases of minor offenses, such responses will involve student accountability measures coupled with supports and interventions. What is "minor" may be subjective, but the combination of threat assessments, full consideration of the circumstances, and a process for determining what is appropriate juvenile justice involvement can help ensure better outcomes for youth.

POLICY STATEMENT II

Students who are arrested and/or charged with a minor school-based offense are diverted, whenever appropriate, from further involvement with the juvenile justice system.

The recommendations and discussion related to the previous policy statement focus on strategies to reduce instances in which students are referred to juvenile court as the result of minor misconduct at school. Even as these strategies are adopted, however, there will continue to be cases that do advance to the juvenile justice system. This policy statement examines those cases and the chances for students' diversion or avoidance of confinement when appropriate.

Through the establishment of local policies and partnerships, juvenile court and justice agencies should create alternative pathways and programs for students referred to the courts that offer rehabilitative supports and interventions without formal court involvement or confinement when possible. There will always be cases involving serious offenses that have caused significant harm or present a threat to the safety of others that require formal action by the juvenile court. This section, however, focuses on cases involving minor school-based offenses for which diversion may be more appropriate than formal court processing.

There are multiple points at which a student may be diverted from formal case processing.* Even before intake, diversion can happen at the point of referral—when police or a school administrator have initial contact with the student and the discretion to arrest or refer. At this point, some schools and juvenile courts may offer alternatives to arrest whereby a student may be diverted to an alternative court (e.g., youth court), or a school-, court-, or community-based treatment program.[50]

* See Case Flow Diagram (figure 1) earlier in this chapter to see possible points for diversion throughout the case flow process.

POINT-OF-CONTACT DIVERSION PROGRAMS

A number of states and jurisdictions have developed new ways of dealing with youth who come into contact with their courts for minor offenses—whether as a result of school-based referrals or arrests made in the community—that seek to divert these youth from juvenile justice processing.

The Florida Civil Citation Alternative

The Florida Legislature "encourage[s] schools to use alternatives to expulsion or referral to law enforcement agencies by addressing disruptive behavior through restitution, civil citation, teen court, neighborhood restorative justice, or similar programs" and has instructed school districts "that zero-tolerance policies are not intended to be rigorously applied to petty acts of misconduct and misdemeanors, including, but not limited to, minor fights or disturbances."[51]

A civil citation is an alternative to arrest that allows first-time misdemeanants in the state of Florida to participate in intervention services in lieu of formal processing through the juvenile justice system. Florida Statute 985.12 requires the establishment of civil citation opportunities for all non-serious, first-time misdemeanors.[52] The local chief circuit judge, state attorney, public defender, and head of each law enforcement agency determine how civil citation will operate in the community, including which offenses are eligible for civil citation. The Florida Department of Juvenile Justice considers sex-related offenses, non-hunting firearm offenses, and gang-related offenses as ineligible for civil citation. Most counties use the same guidelines, but some also exclude other misdemeanor offenses.

Under civil citation policies, law enforcement officers retain the discretion to arrest or issue a civil citation. When a youth receives a civil citation he or she undergoes a needs assessment to inform the development of an intervention plan. Typically youth participate in community service and may receive some sort of intervention programming. Both the youth and parent(s) or guardian(s) must commit to the program. Youth who successfully complete mandated programming will not have a criminal history record. Those who do not complete the programming are referred to the state attorney for processing on the original charge.[53]

As of December 2013, civil citation processes have been in place in 51 of Florida's 67 counties. Of all youth served by civil citation in FY 2011–12, 96 percent of those who successfully completed intervention programming did not have a subsequent adjudication or conviction within a year.[54]

School House Adjustment Program Enterprise (S.H.A.P.E.) Shelby County, TN

First implemented in 2007 across the highest-referring schools in the Shelby County School (SCS) district, the S.H.A.P.E. program is a multi-system approach to reducing the number of youth sent to the juvenile justice system for school-based minor offenses. As of the 2011–12

school year, 21 of the district's 200 schools have participated in S.H.A.P.E., which offers eligible youth up to 90 days of mentoring, tutoring, counseling, community service, victim restitution support, and other individualized services. For students to be eligible for the program, they must have committed one of the following offenses on schools grounds: simple assault with no injuries, disorderly conduct, criminal trespassing, or gambling. They also must have had no previous contact with the juvenile justice system in the preceding 12 months, no previous felonies, no current charges that include bodily harm, no gang-related incidents, and must be under the age of 18 at the time of the incident. Since its implementation, SCS has seen a dramatic reduction in the number of school-based referrals to the juvenile justice system from nearly 1,000 in 2007–08 to 281 in 2012–13.[55]

To facilitate the sharing of data and services across participating agencies, a memorandum of understanding (MOU) was established between Shelby County Schools, the City of Memphis, the Memphis Police Department (MPD), the District Attorney's Office, the Shelby County Public Defender's Office, and the Juvenile Court of Memphis and Shelby County (JCMSC) to define eligible offenses, procedures for a site coordinator, and the processes for data collection, sharing, and reporting among SCS, MPD, and JCMSC.[56]

Teen Court
Montgomery County, MD

The Teen Court in Montgomery County, MD, is a diversion program for first-time juvenile offenders. Eligible participants must admit their participation in the offense and agree to have their case heard by a jury of their peers. Both school- and community-based offenses are eligible for Teen Court. The jury is typically made up of high school student volunteers. Judges also volunteer their time to help answer questions, facilitate the session, and set the tone for the court. Volunteer judges include Circuit, District, and Special Appeals judges.

The Teen Court in Montgomery County began in 1997, and as of 2014 had served 4,561 students, with 91 percent completing the terms of their disposition (i.e., sentence). In the Teen Court system, after a case is heard, the student jury decides the appropriate disposition, which may include community service, education services, essays, notes of apology, or even serving on the Teen Court jury. Students' charges are dropped and erased from their records if they complete the terms of their disposition within 60 days.[57]

In most jurisdictions there are opportunities for diversion at each of the following points:

- ***Intake:*** Under most state laws, juvenile court personnel have discretion to decline or divert cases. The personnel responsible for that decision will vary by jurisdiction. In many counties, after a student is arrested he or she is taken to a police station or to a juvenile detention center for intake processing. At this point, either a prosecutor or an intake or court probation officer determines whether judicial action is in the best interest of the youth, addresses the needs of any victims and safety issues, and makes an initial recommendation for whether the youth should be released and charges dropped, released to await adjudication, or detained to await adjudication. Intake is also a critical point for identifying a youth's need for mental health, substance use, or other types of treatment services.[58] A recommendation may be made at this stage to divert the youth to a school- or community-based program rather than refer the case to the court. Officials may also decide that sending a youth to a program is unnecessary and drop the charges.
- ***Prosecution:*** Once a case is processed through intake and recommended for adjudication, a prosecutor must then decide whether to formally file the case or divert the youth to an appropriate program or treatment. The National District Attorneys Association's National Prosecution Standards recommend considering the following factors in determining whether to pursue diversion:[59]

  a. The seriousness of the offense, including whether the conduct involved violence or bodily injury to others;

  b. The role of the juvenile in that offense;

  c. The nature and number of previous cases presented by law enforcement or others against the juvenile, and the disposition of those cases;

  d. The juvenile's age, maturity, and mental status;

  e. The existence of appropriate treatment or services available through juvenile court or through diversion;

  f. Whether the juvenile admits guilt or involvement in the offense charged, and whether he or she accepts responsibility for the conduct;

  g. The danger or threat posed by the juvenile to the person or property of others;

  h. Decisions made with respect to juveniles in similar situations;

  i. The provision of financial restitution to victims; and

  j. Recommendations of the referring agency, victim(s), law enforcement, and advocates for the juvenile.

- ***Pre-adjudication interview:*** As part of formal processing, a youth and his or her family will undergo pre-adjudication interviews, at which time the pre-adjudication (probation) officer may decide to recommend that the court divert the student to a community-based or court-supported program or treatment.
- ***Petition:*** A petition is filed when the district attorney or probation officer (depending on the jurisdiction) decides to proceed with the prosecution of the student. Even after a petition is filed, the prosecutor and defense attorney may negotiate a diversion alternative, which must be approved by the court. Judges may also decide on their own to divert the youth from their court and into a school-based or community program.

Courts should initiate diversion at the earliest point of contact with the student, whenever possible. This can help to avoid unnecessary processing and harmful periods of detention.[60]

Diversion programs may be operated through a number of agencies including schools, law enforcement, courts, county juvenile justice agencies, prosecutor's offices, or community-based service agencies. Programs will have distinct purposes and their own sets of eligibility criteria and requirements. Regardless of who operates a diversion program, all parties should work in partnership to ensure that the right students are benefiting from these programs to reduce the unnecessary use of the juvenile justice system for low-level and status offenses. There must also be protocols in place to protect the due process and privacy rights of the student.

TRUANCY DIVERSION

As discussed earlier, a large portion of school-based cases that come to juvenile courts involve truancy. Although juvenile courts currently handle many truancy cases, research suggests that the most effective interventions for student truancy include multi-agency responses that target the underlying unmet student and family needs (such as academic difficulty, family stress, and substance abuse) that result in chronic absenteeism* and truancy.[61]

In many jurisdictions across the country responses to truancy remain sanction and/or citation based. Responses focus on locating truant youth and getting them back into school through involvement with law enforcement, formal court processing, or school disciplinary measures—none of which has been proven effective.[62] More research-driven interventions address the sources of truant behavior and include the following characteristics: (a) parent/guardian involvement; (b) a continuum of supports and services; (c) collaboration with community resources, including law enforcement, mental health services, mentoring, and social services; (d) school administrative support and a commitment to keeping youth in the mainstream classroom; and (e) ongoing evaluation.[63]

TRUANCY DIVERSION PROGRAMS

Stark County (OH) Truancy Mediation Program

The Truancy Mediation Program (TMP) was developed as a collaborative effort among the juvenile court, local school districts, and the Community Mediation Center of Stark County. The program allows a school guidance counselor or administrator to refer a chronically absent youth to the TMP before a formal citation or complaint is issued. Upon receiving a referral, an intake officer reviews the student's records and conducts an investigation into the student's behavior. The court then provides trained mediators to conduct sessions with school administrators, the student, parents or guardians, and court officials. The program is available to elementary, middle, and high school students who have been identified as truant or who are at risk of truancy.[64]

Jefferson County (KY) Truancy Diversion Program

The Jefferson County Truancy Diversion Program was created through partnerships with schools, the family court, and community-based programs. Judges volunteer to hold informal truancy courts on school campuses, working with students and families in need of attendance interventions to connect them with supports and services in the community. MOUs are established to facilitate the sharing of relevant student information among involved agencies in accordance with all legal mandates.[65]

* Chronic absenteeism is typically defined as a student missing 10 percent or more of the school year or missing a month or more of school. Absences may be excused or unexcused.

ADDITIONAL RESOURCES

For guidance on developing community-based responses to truancy, see The Vera Institute's *From Courts to Communities:* The Right Response to Truancy, Running Away, and Other Status Offenses and the Status Offense Reform Center web resource.

For additional information related to the effective handling of status offenses through the minimization of juvenile court involvement and expansion of community-based diversion and intervention programs, see the Coalition for Juvenile Justice's *National Standards for the Care of Youth Charged with Status Offenses* .

RECOMMENDATION 1: **Use information maintained by schools, when appropriate, to guide court diversion and disposition decisions so that they are responsive to youths' and victims' needs**.

To better understand referred students' behavior and make informed pre-adjudication decisions about how best to meet their needs, courts and juvenile justice decision makers should seek information from schools related to youths' attendance, behavior, and academic performance. As with all information sharing that involves students, privacy mandates must be strictly adhered to and the use of the information should be limited to what is necessary to help students access diversion programs and receive necessary services, supports, and placements.

Access to information regarding students' disability status is also important. If a student has intense special education needs, juvenile justice decision makers should be aware of these needs so they can better plan for and recommend diversion, interventions, or particular placements. It may be unnecessary for schools or parents/guardians to share full Individualized Education Programs (IEPs) for students with disabilities, as they are technical documents that, in most cases, will not offer much additional insight to a probation or intake officer's decision processes. Basic information on whether a student has been identified as having a disability, however, is valuable to avoid juvenile justice officials' placing students in programs that do not have the capacity to comply with students' IEPs. Similarly, if a student has serious mental health issues, he or she may not be able to conform behaviors to a list of dos and don'ts that are routinely ordered by courts when they place youth on time-limited, informal probation instead of going to trial.

A student's Behavioral Intervention Plan (BIP) may also be relevant to juvenile justice decision makers. BIPs are formal documents most often developed by an IEP team for youth identified as needing special education services; they explicitly outline students' behavioral issues and offer specific strategies and interventions to replace, reduce, or redirect problem behaviors. Not all students with special needs or disabilities have or need BIPs.* BIPs can be developed by student support teams or counselors for any students who require behavioral interventions.[66]

When a student identified as having a disability is disciplined, the IEP team must determine whether a) the behavior was a manifestation of a disability, and/or b) the behavior was the result of a failure on the part of the school to implement a student's IEP. If it is determined that either criterion is met under the federal Individuals with Disabilities Education Act (IDEA) regulations, it is the obligation of the school to drop any charges, return the student to the classroom, and take corrective action to revise or modify the IEP as needed.[67] If a student has a BIP within the IEP, probation or intake may follow up with the referring school regarding manifestation determinations when necessary. If it is determined that neither criterion is met, then the student may progress through disciplinary processes like any other student. If the conduct involved drugs, weapons, or serious bodily injury, IDEA does not prevent an agency from reporting a crime to appropriate authorities nor does it prohibit law enforcement from making an arrest.[68] IDEA does, however, require the agency that reports a crime to share the youth's special education and disciplinary records—to the extent permitted under the Family Educational Rights and Privacy Act (FERPA)—with authorities to whom the crime is reported.[69]

Under FERPA, schools may disclose student record information without consent from a parent/guardian to local or state juvenile justice officials if

1. state statute provides for disclosures and disclosure is meant to improve the juvenile justice system's ability to serve a student prior to adjudication; and
2. local or state officials certify in writing that no personally identifiable information contained in students' records will be disclosed to a third party.[70]

* See the Targeted Behavioral Interventions chapter for definitions and use of the terms "special needs" and "disabilities" in this report.

If state statute does not enable information sharing between schools and juvenile justice systems, school-justice partnerships should develop processes to request waivers from parents/guardians to share relevant attendance, behavioral, and academic information in students' records in ways that comply with federal and state privacy laws.[71]

No matter how information sharing is established (through state law or parental waivers), school and juvenile justice officials should develop processes that include using electronic data systems to ensure a swift transfer of information in keeping with all privacy requirements. These processes should include provisions to share all relevant information within a specified number of days following a student's referral to the juvenile justice system, so as not to prolong decision making or impede students' access to services while awaiting diversion or adjudication decisions. If the youth is adjudicated, the judge or magistrate should not use the student's file as evidence against the youth for the delinquency offense. The youth's attorney should also have access to the school file.

INTERAGENCY INFORMATION SHARING

Loudoun County (VA) Juvenile Justice Group

The Juvenile Justice Group in Loudoun County was formed as a result of the state's Comprehensive Services Act (CSA) and has been convening since 1998. The CSA has a pool of statewide funds that supports a collaborative system of services for at-risk youth and their families. The state funds, combined with local resources, are managed and overseen by a local interagency team.[72] The Loudoun County Juvenile Justice Group convenes a monthly interdisciplinary meeting with juvenile court judges, representatives from the key agencies serving children—including the public schools, the Department of Family Services, the Community Services Board, and the Juvenile Court Services Unit—to discuss juvenile justice issues and services. No lawyers or parents are present during the meetings. The primary objective of the meetings is to collectively support agencies that serve youth and their families. Relevant data is reviewed, trends and needs are identified, and agencies report on programs to serve at-risk youth.[73] As a result of this work, an Evening Reporting Center for youth was developed. The center provides food, tutoring, and recreational activities weekdays from 4:00 to 8:00 p.m. Each youth has a 90-day service plan and the parent/guardian and child must meet with the probation officer as part of this alternative to detention.[74]

INTERAGENCY INFORMATION SHARING *(continued)*

The Juvenile Justice Group's ad hoc subcommittees have also formed an Interdisciplinary Team (IDT) to meet for cases in which the pre-adjudicated youth has been identified as a Child in Need of Services or Supervision.* The IDT team is composed of representatives from each of the county agencies that serve youth, the referred youth, and his or her parent(s)/guardian(s). IDT team meetings are conducted monthly, as needed, or determined by the court docket. The team provides interagency adjudication recommendations and service plans for students to help inform diversion and disposition decisions. Schools share attendance, academic, behavioral, and services information with the team through an MOU. Special education status may be discussed when relevant, although full IEPs are not shared. Release forms for student information signed by a parent or guardian are used to share information with other participating agencies.

San Francisco (CA) Information-Sharing Procedures

In San Francisco there is a front-end process for information sharing among juvenile justice officials, school representatives, and service providers. When a petition is filed with the court after a referral or arrest, a collaborative meeting is held that includes a probation officer, school district liaison, and mental health professional. The probation officer presents the case and other attendees share information about the youth and the family, including attendance records, current transcripts, and IEP issues, if available. The information is used to help inform the case plan for the youth, including education placements while in juvenile correctional facilities and in the community. Information may also be used to help identify youth who may need further assessments or an IEP.

Los Angeles (CA) School Attendance Task Force

In Los Angeles, the School Attendance Task Force adopted a resolution to create and establish an information-sharing system for relevant county agencies and school districts involved in the education of youth who are wards of the delinquency or dependency courts. The system will help to ensure that information is used to facilitate continuity in education services for these children. The system will contain demographic information, contact information for child welfare workers, current residence and type of placement, the holder of educational rights (i.e., a parent, guardian, or other court-appointed adult responsible for authorizing education and development-services decisions on behalf of a youth), grades and grade point average, attendance, discipline record, academic credits/unofficial transcripts, state testing scores, placement history, mental and physical health information, names of the assigned attorney and social worker, and any alerts related to the student's education.[75]

* A Child in Need of Services and A Child in Need of Supervision (CHINS) are defined in the Code of Virginia, Section 16.1-228. These include responses to youth who are truant and runaways.

RECOMMENDATION 2: **Use risk/needs assessment tools, when appropriate, to help inform decision making throughout the court process (petition, pretrial detention, and disposition).**

The strategic and responsible use of risk screening and needs assessment instruments can help juvenile justice decision makers develop better informed choices about whether or to what extent students should proceed through the court process. Validated risk assessment instruments (RAIs) have been shown to better predict risk of reoffending than personnel's subjective perceptions alone.[76] Screening and assessments should guide decisions but are not meant to take the place of professional judgment; rather, they are additional pieces of information to be considered. As with all assessments, staff should receive proper training and supervision in administering and interpreting these assessments.[77]

Petition, detention, and disposition decisions should be based on a set of holistic, systematic assessments that identify and measure students' individual needs and risk levels. There are a variety of RAIs that are designed to measure different types of risk. For example, at the detention stage, jurisdictions can use one assessment instrument to address risk of flight for trial and another to assess risk of reoffending. RAIs may be used at multiple points and in various ways throughout a student's involvement with the juvenile justice system. The RAIs used, and the methods for doing so effectively, will differ depending on the point in the process.

At the petition decision point (determining whether a student's case should be formally processed through the court), a brief RAI screening tool that focuses on static risk factors and predicts risk of reoffending may be more practical than a comprehensive long-form assessment that would inform a diversion decision.[78] Static risk factors are those that do not change over time (such as age when offense was committed, offense type, previous infractions, and history of violence). Although there is little research on using RAIs at this decision point, the practical benefit of using a shorter, less complex assessment instrument during intake is that it can be administered quickly and offers few opportunities for youth to provide self-incriminating information that could lead to further entanglement with the system. The tradeoff with using this type of RAI is that it is not capable of giving a complete picture of the youth's risk and needs. A brief RAI that focuses on static risk factors will not help to identify the supports and interventions a youth may need to change her or his behavior and reduce the risk of reoffending.

It is particularly important that intake RAIs be supplemented with additional information from the school, family, and arresting officer regarding the context of the offense and observed behavior of the youth, to guide decisions on whether to dismiss, divert, or confine a youth. Due process considerations, however, mitigate the ability of the court system to require a youth to participate in a comprehensive assessment until there has been an adjudication of delinquency.[79] This problem does not arise when static factors are used. More comprehensive assessments will generally require the consent and input of the youth's parent/guardian and his or her attorney.

In determining whether a youth should enter into pretrial detention, a brief RAI screening tool may be supplemented with an additional assessment tool that is used to determine a youth's risk of failure to appear (FTA). A single tool cannot be used to determine both FTA and risk of reoffending, as different risk factors are associated with each.[80] After a youth's case is adjudicated and disposition decisions must be made, more comprehensive needs assessments used to evaluate dynamic factors associated with risk (e.g., substance use, problem-solving skills, antisocial attitudes or peer associations) should inform case management, treatment interventions, supervision levels, and placement.[81] At each stage, a youth's risk of harming others or him- or herself must also be considered and factored into placement and service decisions.

USING NEEDS ASSESSMENTS TOOLS TO INFORM TREATMENT PLANS

Florida

In Florida, every youth committed to the Department of Juvenile Justice (DJJ) following adjudication is administered a standard screening tool, the Positive Achievement Change Tool (PACT). The PACT is used to determine a youth's supervision level (community-based, residential, or secure confinement) based on his or her risk of reoffending. Youth who are assessed as being at moderate or high risk of reoffending will receive a more intensive assessment that will address 12 factors associated with their risk: the youth's current and past record of referrals, school history, use of free time, employment, relationships, family history, current living arrangements, substance use history, mental health history, attitudes/behaviors, and skills. Together with the youth and his or her family, DJJ probation officers will then develop goals and conditions for the youth's time under supervision. Goals are matched with the youth's needs as identified using the PACT and are intended to reduce the behavior associated with the offense. Required programs may include cognitive behavioral therapy, anger management, or life skills, in addition to standard educational requirements and any substance use or mental health treatment. Once youth have completed programs, they are administered another PACT. These subsequent assessments serve as indicators of progress and improvement and help DJJ staff determine whether youth are ready to be released from supervision or need additional programming to meet their needs and improve behavior.[82]

RECOMMENDATION 3: **Identify and expand community-based treatment and service options that meet youths' needs without relying on continuing judicial supervision.**

Even when the court and schools agree that diverting students is the best option, the courts may have a hard time finding space for youth in effective, appropriate diversion programs. This can result in placing students on a waiting list and prolonging the time before they receive the services and programming they need to be successful at school and in the community. At the extreme, without appropriate precautions, this may mean that the youth will spend more time in a detention facility while awaiting a spot in a court-recommended program than the time they would have served under a non-diversionary sentence. By understanding the needs of students referred to their court, school-justice partnership leaders can better identify the gaps in program services and develop strategies for expanding and tailoring diversion programs.

A number of considerations should be taken into account when planning or expanding a diversion program. Collecting and analyzing data on the needs of students who are eligible for diversion programs will help partners decide whether they must increase particular programming to meet these needs. For example, if a large number of students are being referred to the court for truancy, a program that focuses on the behaviors and causes for absences is needed. On the other hand, if students are being referred for destructive behaviors such as graffiti, a community service program may be more appropriate than other interventions. Innovative diversion programs take into account the underlying causes of the behaviors—including substance use or mental health issues, family stresses, and other risk factors—to treat the whole student, not just the symptom.

MODELS FOR CHANGE JUVENILE DIVERSION RESOURCE

The Models for Change Juvenile Diversion Guidebook provides a 16-step model for developing and improving juvenile diversion programs. It includes tips ranging from deciding what type of diversion program is needed to determining eligibility requirements and ensuring that the program meets legal mandates and is implemented effectively to have the greatest impact.[83]

Some jurisdictions have found creative funding strategies to develop these programs. In Jefferson County, KY, support for the Truancy Diversion Project comes from a combination of public, private and in-kind resources, including volunteer hours from family court judges. Partners reallocated existing funds and combined existing services to serve students in this program and leveraged resources such as Medicaid to help pay for mental health services, counseling, and drug treatment for eligible youth.[84]

DIVERSION PROGRAMS THAT DEPEND ON STRONG COMMUNITY PARTNERSHIPS

A number of efforts at both the local and state levels strive to minimize students' involvement in the juvenile justice system through family and community participation.[85]

Connecticut Family Support Centers

Family Support Centers (FSCs) were implemented in Connecticut in 2007 in response to state legislation in 2005 that prohibited the placement of youth charged with status offenses in detention or adjudicating them as delinquent.[86]

FSCs were developed as a one-stop, multiservice community resource to support status offenders and their families. FSCs are voluntary programs aimed at diverting status offenders from court involvement and connecting youth and families with appropriate services and interventions. Eligible youth and families must be referred to an FSC through a juvenile probation department. The statewide network of FSCs provides referred youth and families with case management, crisis intervention, family mediation, academic assessments, advocacy at school, and mental health treatment. If a youth's behavior continues to escalate during FSC interventions or if the youth experiences repeated crises, a formal status offender petition may be filed in juvenile court, where the juvenile court judge retains the authority to order the youth to be placed in secure detention.

Prior to the establishment of FSCs, courts in Connecticut processed approximately 4,000 status offense cases each year and averaged 300 status offenders in secure detention annually. As of 2010, 423 status offense cases were referred to probation departments; less than 25 percent went before the court, and no status offenders were placed in secure detention.[87]

New York City Adjustment Program

The New York City Department of Probation developed the Adjustment Program to divert low-risk juvenile offenders. Probation officers select youth for the program based on the youth's charges; talks with the school, victims, and family; and scores on a risk assessment. Selected youth are diverted to one of 30 community-based partner programs, which typically support youth at a supervised service project. The terms of an adjustment (diversion) may include restitution for victims, specialized treatment (e.g., drug or alcohol), and the completion of a community-based program. If a youth successfully meets the terms of her or his adjustment, the case is closed and there is no further involvement with the juvenile justice system for that particular case.[88]

POLICY STATEMENT III

Schools within juvenile correctional facilities are integrated into the state's education system, and provide a safe, engaging learning environment; a seamless flow of information between education providers; a curriculum aligned with state standards; and student access to the supports and services needed for academic success.

More than 60,000 students nationwide receive education services in juvenile justice confinement each year, including short-term detention centers, secure group homes, correctional camps (i.e., boot camps or wilderness camps), and long-term secure correctional facilities.[89] Youth admitted to juvenile correctional facilities are disproportionately poor, male, and of color.[90] Many youth enter correctional facilities with acute emotional problems, a history of trauma, and education needs.[91] These students are more likely than their peers to have an identified disability, most commonly emotional behavioral disabilities, and to lag behind their peers academically.[92]

Once youth are admitted, the length of time they spend in pre-adjudication detention or sentenced to a correctional facility can range from one school day to well over a year. Length of stay can have a tremendous impact on which strategies will improve education outcomes for youth in confinement. Some strategies require planning and individualized implementation over longer periods, and so may not be applicable to short-term stays. Although some of the ideas offered in this report are relevant regardless of the duration of a youth's placement, the strategies described below generally focus on youth who have longer lengths of stay in juvenile correctional facilities.

EDUCATION CHALLENGES IN SHORT-TERM PRE-ADJUDICATION DETENTION FACILITIES

The average length of stay for youth placed in pre-adjudication secure detention varies from state to state (e.g., Texas is 13.4 days,[93] Florida is 15 days,[94] and Connecticut is 11 days[95]), but is typically fewer than 30 days. When a student is placed in secure detention even for short periods, education services must be provided. Juvenile justice agencies and schools have an obligation to jointly ensure that education services (especially for students with IEPs) are provided as seamlessly as possible while the student awaits an adjudication hearing.[96]

There are considerable barriers to providing quality education in short-term detention facilities. For instance, if there are any delays in the transfer of student records between a youth's home school and a detention facility, the youth is at risk of not receiving appropriate coursework and support services. Additionally, it is difficult to assess where the students need help in each subject to catch up on missed work and to provide individualized or group instruction as youth are moved in and out of facilities within a matter of days.

Despite the large number of students they serve and the complexity of student needs, education programs within juvenile justice facilities are often not viewed as part of the state's education system. Like the alternative education programs discussed in the Targeted Behavioral Interventions chapter, schools within juvenile justice settings tend to lack the level of monitoring, transparency, and resources found in traditional school settings.[97]

Corrections' education officials frequently report that recruiting and retaining high-quality teachers—a challenge for any education system—is particularly difficult in the juvenile justice system.[98] The extent to which juvenile justice facilities or other settings have a classroom-like environment that resembles a traditional school varies. It is not unusual for students in juvenile facilities to be without dedicated classroom space or to lack access to desks, books, or a library.

Elected officials who have scrutinized education programs provided in juvenile correctional facilities are often surprised and concerned about the variability and sometimes low level of regulation and oversight for the delivery of education services to this population. Some education programs in juvenile justice settings are overseen by state education agencies, while others are held accountable by a state juvenile correctional authority. Similarly, the teaching staff in juvenile justice settings may be employed by the local school district or may work for private contractors. Although recommendations provided here propose that certain standards must be met when educating youth who are incarcerated, this report does not take a position on which particular administrative structure best achieves this goal. Whatever oversight structure is employed, if the juvenile justice academic curriculum is incompatible with those in the classrooms to which the student will return, it can create additional challenges for transferring records and academic credits across school and juvenile justice systems and cause disruption in services for students.

The recommendations that follow explore ways to improve the recruitment of qualified teachers to work in juvenile correctional facilities; the environment in which youth receive instruction while in custody; and the quality, consistency, and transparency of education programming inside facilities.

RECOMMENDATION 1: **Provide incentives to hire qualified educators and specialized training to support the juvenile justice teaching workforce.**

Teachers looking for work are often less likely to pursue a job in a juvenile correctional facility than a traditional school district because correctional institutions may be situated in remote locations and/or are seen as undesirable places to work. Low pay, the acute behavioral needs of youth involved in the juvenile justice system, and stigma associated with teaching youth in such facilities can also make teaching in the juvenile justice system a tough sell when these systems attempt to recruit new teachers.[99]

Policymakers and administrators responsible for education programs in juvenile correctional facilities should appeal to educators willing to take on a significant challenge by pursuing the following strategies:

- ***Begin recruiting teachers at the pre-service level:*** To expand the pool of highly qualified teachers who will have the tools to be successful in juvenile correctional facilities, pre-service outreach should include promoting information about the rewards and challenges of teaching in correctional settings. In collaboration with teacher training programs, juvenile justice departments should establish recruitment and mentoring programs for pre-service teachers who express an interest in working in alternative settings, with an emphasis on recruiting teachers who share the cultural background of the population they serve.*
- ***Support ongoing professional development for teachers in juvenile correctional settings:*** For teachers already in juvenile correctional classrooms, it is important to provide ongoing professional development and support opportunities through local and state education agencies. Professional development programs should focus on skill building for the correctional setting (e.g., differentiated instruction, trauma-informed care, or teaching in revolving classrooms).
- ***Create networks to connect juvenile justice administrators with high-quality teachers:*** To better connect juvenile justice administrators with teachers specifically interested in working in correctional facilities, professional networks or forums (online or otherwise) should be developed. These forums should help educators to collaborate and share resources. They can also be used by juvenile facility administrators to post jobs.†
- ***Compensate qualified teachers in juvenile justice facilities at levels equivalent to those of teachers in public schools:*** In states where local school districts run schools in juvenile correctional facilities, there is usually parity in pay between facility and non-facility teachers; all teachers employed by a district are typically on the same pay scale. In counties where educational services are overseen by a juvenile justice agency or contracted out to a private provider, teachers are more likely to receive lower compensation than their peers in the traditional K–12 public school system. Teachers should be compensated at least at the same rates as their peers in public school settings.[100] In Texas, for example, changes were made in 2013 through an appropriations rider to the state's Juvenile Justice Department budget that allows teacher salaries in correctional facilities to increase above minimum state teacher salaries to improve teacher recruitment and retention.[101]

* See, e.g., Clemson's Call Me MISTER scholarship program aimed at bringing male teachers of color into K–12 classrooms as a potential model, clemson.edu/hehd/departments/education/research/callmemister/ .
† See, e.g., Center for Educational Excellence in Alternative Settings (CEEAS) at ceeas.org/jobs-inquiry/ .

RECOMMENDATION 2: **Provide engaging learning environments in correctional facilities that are similar to those in high-quality traditional schools and that meet the distinct education needs of students in custody.**

It is crucial for juvenile correctional administrators to take steps to convey to youth that school inside a commitment setting matters. From the moment they walk into the school, students need to know that they will be supported and encouraged to achieve academically. Youth must also understand that the school staff has high expectations for them and is committed to preparing students to be successful in high school and post-secondary endeavors upon release.

A four-pronged approach is recommended to create a high-engagement, high-expectation school that meets the needs of students in custody:[102]

1. Establish a positive learning environment that emphasizes academic achievement and offers opportunities for students to be recognized for their efforts;
2. Design courses that are relevant, engaging, and offer students the chance to earn academic credits in short periods of time;
3. Utilize the Internet to offer a wide range of high school, career and technology education (CTE), and post-secondary courses for students; and
4. Ensure that school and custodial staff (juvenile justice personnel responsible for supervising youth in facilities) work together to make certain that students with special needs are afforded the academic and related supports to which they are legally entitled and that they need to succeed.

Strategies to achieve these criteria are explained below:

1. ***Establish a positive learning environment that emphasizes academic achievement and offers opportunities for students to be recognized for their academic efforts.***

   - Create clearly demarcated learning environments within the correctional facility that display evidence of teaching, learning, and student engagement. Making small changes such as hanging student work and educational posters on the walls and installing bookshelves signals to students that during school hours they are in a space dedicated to learning.
   - Provide regular opportunities for recognition of student academic and behavioral improvement.[103] Schools within juvenile facilities may improve student engagement and school climate by regularly highlighting and celebrating academic accomplishments through awards ceremonies, acknowledging student-of-the-month, honor roll, and other site-specific accomplishments. Because of the high mobility of this population, it is also important to provide daily encouragement and support in visible ways.[104]

2. ***Design courses that are relevant, engaging, and offer students the chance to earn academic credits in short periods of time.***

   - Offer concentrated academic units or assessment periods to accommodate the highly mobile nature of these students.[105] Youth in juvenile confinement may enroll in the education program at any time during the school year and stay from a few days to a few years. To facilitate academic growth and maximize credit accrual opportunities, facilities should offer concentrated, one- or two-month long courses rather than full semester-long courses. Concentrated courses must cover all of the topics and standards of a full-length course, but may be shortened by increasing the number of classroom hours per day spent on the course material.[106] By coupling these short assessment periods with theme- and project-based learning, schools have the opportunity to develop a relevant, engaging curriculum that also is aligned with the credit-accrual needs of students.[107]

3. ***Utilize the Internet to offer a wide range of high school, CTE, and post-secondary courses for students.***

   - Establish secure portals for Internet access and provide appropriate technology for education programs and college or career training. Outdated legacy policies often prohibit Internet access and limit the availability of technological devices within secure facilities. These sorts of restrictions limit students' opportunities for credit recovery, teachers' ability to provide differentiated instruction, and schools' ability to develop relevant curricula aligned with post-secondary and workforce opportunities. Internet access should be permitted with structures put in place to control site usage and ensure that technology is being used for educational purposes.
   - Provide regulated access to technology and Internet resources to supplement teacher instruction and expand the range of course options available for students, particularly in small settings. For example, schools may consider accessing Open Educational Resources (OERs) to enhance individualized instruction for youth.[108] OERs are teaching and learning resources and materials that are available to the public without license and may be used to enhance or support lesson planning and instruction.

TECHNOLOGY TO ENHANCE THE EDUCATIONAL EXPERIENCE OF YOUTH IN JUVENILE JUSTICE SCHOOLS

The Oregon Youth Authority

The Oregon Youth Authority (OYA) works in conjunction with local school districts and regional educational service districts that are contracted by the Oregon Department of Education to run the high schools inside of OYA secure custody facilities and provide Internet-based, self-paced instruction for youth in its care. Youth who have completed high school can take online college and technical/career courses, while advanced high school students can take supplemental courses, including massive open online courses and dual-credit classes. Students with severe skill deficits are supported with adaptive tutorial programming. Access is widely available to students, but security is well-managed through the use of smart management tools that restrict access as needed and enable supervisors to monitor student use.[109]

- Offer CTE certificate programs aligned with industry employment and training standards and local economic needs. It is important to ensure that the skills youth gain through CTE programming in correctional facilities are marketable, relevant, and recognized in the industry or post-secondary setting that a student wishes to join. If a student starts a CTE program in a facility and wants to continue upon reentry, there should be strategies and programs in place to do that in the school or community to which the student returns. For example, the Pennsylvania Academic Career/Technical Training (PACTT) Alliance, which provides technical assistance to juvenile justice-based CTE programs to ensure compliance with state and industry standards, helps integrate CTE training into students' broader academic programs, and works with home schools to ensure the recognition and transfer of credits earned from CTE programs that are completed in facilities.[110]

4. Ensure that school and custodial staff work together to make certain that students with special needs are afforded the academic and related supports to which they are legally entitled and that they need to succeed.

- Meet the educational and behavioral needs of confined youth with disabilities.[111] Youth with identified disabilities are entitled to continuation of services in juvenile justice facilities under IDEA. Implementation of students' IEPs in juvenile justice settings may be challenging, but IDEA makes it clear that schools and secure care agencies are responsible for meeting the needs of special education students, and are not exempt from the mandates of IDEA due to security or safety concerns. It is incumbent upon facilities to have appropriately trained teaching and residential staff, as well as access to the specific supports and services a particular student's

IEP may require. It is critical that site-based leaders—both custodial and school—understand their obligations under IDEA and the Americans with Disabilities Act (ADA).

- To improve compliance, juvenile justice education programs should recruit and retain special education-certified teachers; develop ongoing systems of communication and collaboration with students' home schools and community-based service providers to coordinate services; inform youth in facilities and parents/guardians of their continued due process protections under IDEA; hold frequent trainings for custodial and school staff on the legal obligations imposed by IDEA and ADA; and require accreditation of all educational programs.

RECOMMENDATION 3: **Require independent accreditation of education programs provided to youth in custody and monitor and evaluate such programs routinely to ensure quality.**

Every student within a state juvenile correctional facility should have access to high-quality education programming and academic support services. To ensure consistency and quality of programming, juvenile justice facilities should be required to acquire specialized education accreditation beyond correctional system accreditation. Additionally, statewide accountability measures should be refined to fit the juvenile justice setting and evaluated regularly.

Accreditation

Many juvenile justice facilities are accredited through corrections-based organizations such as the American Correctional Association (ACA).[112] One of the largest correctional accrediting bodies, the ACA has developed hundreds of juvenile justice standards to ensure safety and quality of care in correctional settings. The standards are used to evaluate facilities' administration and management, physical plant, institutional operations, facility services, and juvenile services. Although there are corrections standards that apply to education programs, they account for only one portion of a single category in the overall system evaluation, and are not as comprehensive as accreditation standards for traditional public schools.

To ensure that all schools in a state's juvenile correctional facilities meet a consistently high quality standard that is equivalent to the standard for traditional schools, it is recommended that such schools also gain an educational accreditation through one of the six nationally recognized regional accrediting commissions: Middle States, New England, North Central, Northwest, Southern, or Western.[113] Each of the regional accrediting commissions has a comprehensive set of standards by which it evaluates a school's mission, governance, student programs, and resources; experience of the students, faculty, and administration; the health and safety of the school; internal and external communications; and infrastructure.[114]

Accountability

The federal Elementary and Secondary Education Act (ESEA, also known as No Child Left Behind) requires states to establish educational accountability systems that evaluate and report on annual progress through a state-defined measure called Adequate Yearly Progress (AYP). Typically, AYP is a composite measure that assesses state, district, and campus progress on standardized state exams, graduation rates, and attendance. Due to the highly transient nature of students served in juvenile correctional facilities, traditional AYP measures that are based on annual state standardized exams do not work for youth going in and out of confinement. In many states, schools in juvenile justice facilities are exempt from meeting state-mandated AYP targets and associated sanctions for under-performance. Often, there are no alternative measures of accountability, which leaves schools in juvenile justice settings without evaluation for extended periods of time.

For guidance on developing appropriate, meaningful alternatives to AYP accountability frameworks, states may look to the ESEA Title I, Part D, which establishes alternative accountability guidelines for educational programming for "neglected, delinquent, or at-risk youth."[115] Under ESEA Section 1431, the provider of a Title I Part D program must evaluate the program every three years, disaggregating participation data by race/ethnicity, gender, and age, to determine program impact on the participants' ability to

1. maintain and improve educational achievement;
2. accrue school credits that meet state requirements for grade promotion and secondary school graduation;
3. make the transition to a regular program or other education program operated by a local educational agency;
4. complete secondary school (or secondary school equivalency requirements) and obtain employment after leaving the correctional facility or institution for neglected or delinquent children and youth; and
5. as appropriate, to participate in post-secondary education and job training programs.[116]

Whether or not a juvenile correctional facility receives federal ESEA Title I Part D funds, it is recommended that these disaggregated measures be incorporated into evaluation processes for educational programs. Instead of measuring programs' educational achievement using traditional public school measures, it may be more appropriate in juvenile correctional facilities to use shorter-term entrance and exit exams that evaluate students' progress while in a facility. Regardless of which agency oversees education in juvenile correctional facilities (State Education Agency or State Juvenile Justice Department), an accountability team must work to set academic targets, the evaluation and reporting of accountability measures, and the provision of supports for struggling programs.

ACCOUNTABILITY FOR SCHOOLS IN JUVENILE JUSTICE FACILITIES

Texas

The Texas Juvenile Justice Department (TJJD) oversees and hires its own educators to administer educational programming in state-run secure institutions. Education provided in halfway houses and in contract care facilities is typically provided by local school districts.

The majority of external evaluations in TJJD schools focuses on students with disabilities, and the agency works closely with the Texas Education Agency (TEA) to ensure compliance with state and federal law (IDEA) in that area.[117] TJJD employs two education liaisons who are funded through IDEA and are limited to IDEA compliance functions. TJJD's education division has a state-funded special education monitor and a split-funded intervention specialist who assists in monitoring Response to Intervention activities. Other TJJD education division staff travel to schools regularly throughout the year to offer technical assistance and conduct informal monitoring activities. In addition, TJJD's Monitoring and Inspections division conducts an annual on-site review of each school's operations. TJJD's Internal Audit division also oversees on TJJD operations, including schools.

Further, TJJD is required to report state performance measures, including educational measures, to the Legislative Budget Board (LBB) annually. Education performance measures include the following:

- Percent of Students who Complete a GED or High School Diploma within 90 Days of Release
- Percent of Youth Reading at Grade Level at Release
- Percent of Students Showing a Month's Gain in Reading per Month of Instruction
- Percent of Students Showing a Month's Gain in Math per Month of Instruction
- Average Daily Attendance

The LBB uses these accountability measures to inform state-level funding recommendations.[118]

TJJD does not receive federal ESEA Title I, Part A funds as public schools do.[119] The agency does receive Title I, Part D funds; Title II, Part A funds;[120] IDEA-B funds;[121] and Carl Perkins (vocational) funds.[122] The agency is accountable for regulations associated with these grants and participates in the same compliance reviews from TEA as public schools.

Because public schools are required under state law to recognize TJJD school credits and diplomas, TJJD is subject to provisions of state law related to curriculum requirements for minimum, recommended, and advanced high school programs, as well as end-of-course exams.[123] Accordingly, TJJD establishes policies that structure the juvenile justice schools in a manner similar to traditional public schools. For example, teachers must be highly qualified in the content areas they teach, and students have an instructional day commensurate with public schools. Additionally, TJJD students are able to earn dual and college credit through community college, technical college, and university partnerships. Students can also earn industry-recognized certifications to enhance vocational opportunities.

POLICY STATEMENT IV

Juvenile justice officials, school district leaders, and school staff ensure that youth released from correctional facilities are promptly reenrolled in community school settings and that transition planning facilitates academic success and reengagement.

Nearly every youth who is committed to a state juvenile correctional facility, local detention center, or some other out-of-home placement returns to the community. Ensuring that a youth's reentry process is safe and successful requires a range of strategies and collaboration among a number of entities. These strategies include comprehensive pre-release planning that focuses on the risks and needs of the reentering youth and any relevant victims' issues. Planning includes coordination of behavioral health, academic, and family support services in the community, and collaboration among youth and their families, school officials, health professionals, and juvenile justice staff. Comprehensive reentry collaborations focus on ensuring that supports, living arrangements, educational plans, treatment services, and supervision conditions are appropriate.[124] The discussion below focuses primarily on one aspect of reentry: a youth's return to school.

Youth who have been confined and do not immediately reconnect to school upon their release are more likely to drop out and reoffend.[125] It is therefore in the best interest of public safety—and essential to any effort to improve high school graduation rates and long-term outcomes for youth—to minimize the amount of time that elapses between a youth's release from a correctional facility and his or her reconnection with school.

Achieving a seamless return to school following confinement can be difficult. First, there is the matter of reenrolling these students in school. The enrollment process typically requires signed paperwork collected during an in-person registration for the student, who is accompanied by a parent or guardian. If the youth does not have the appropriate paperwork, is not accompanied by a parent or guardian, experiences transportation barriers getting to school, or if the juvenile justice facility fails to promptly transfer the youth's records, the student may be left without access to educational services for an extended period of time and placed at a higher risk of dropping out and/or recidivating.[126]

Once a student is reenrolled, schools must determine appropriate grade level and course placement. Reentering youth often lag behind their peers academically, and the inconsistency in quality of some educational services provided in juvenile correctional facilities can exacerbate this gap. When a student comes back into the school system, the receiving school must assess the coursework completed at the correctional facility, determine the extent to which credits may be applied toward graduation requirements, and develop a plan to support the academic, behavioral, and other needs of the reentering youth without undermining progress toward a high school diploma.

The schools in which youth reenroll must also be prepared to handle the sometimes divergent interests and concerns of the reentering youth, their families, and others in the school community. Depending on a student's behavioral history in a school and the nature of the offense committed, school leaders may be under public pressure to keep the youth from returning. School administrators must often contend with protecting a reentering student's confidentiality and minimizing the stigma associated with juvenile justice involvement while being responsive to any victims of the youth's previous offenses and fears about the student's return. Safety concerns will be less of an issue with students who have committed minor, nonviolent offenses, but school administrators will still need to have transition plans that include placements and supports to help returning students feel welcome and prepared to succeed. Some students leaving confinement may opt to enroll in another school (if permitted and transportation is available) if they feel they need a clean slate to be successful. Additionally, schools must coordinate with juvenile courts and probation to understand a returning youth's conditions of release and continuation of services that are relevant to the school.

Given the challenges described above, one can appreciate how difficult the transition from a juvenile correctional facility back to school can be, and why so many youth become discouraged and disconnected in the process. For a youth's return to school to be smooth, safe, and successful, there must be an extraordinary joint effort among the youth, his or her family, educators working in the juvenile correctional institution where the student was confined, the judge and probation or parole officer supervising the youth, and officials in the school district and school to which the student is returning. Because an effective transition requires collaboration among so many parties, school district and juvenile justice system administrators seeking to improve outcomes for youth released from a correctional facility should require the designation of transition coordinators. The primary functions of transition coordinators, whether school- or juvenile justice-based, are to facilitate communication among families, youth, and agencies; guide decision making with respect to school, grade-level, and course placements; and ensure that appropriate support services are provided to youth throughout the transition period.

The recommendations that follow provide practical strategies to help ameliorate reentry challenges, increase inter-agency coordination, and ultimately improve academic and behavioral outcomes for reentering youth.

RECOMMENDATION 1: **Designate a transition coordinator in the school to which the student is returning to collaborate with school staff, service providers, juvenile courts and probation, and families to facilitate appropriate placements, swift reenrollment, the provision of necessary academic and behavioral support services, and compliance with a youth's terms of supervision.**

Students' feelings of being connected to school are a strong protective factor (a condition that decreases a youth's risk of reoffending).[127] Students tend to feel connected to school and are much more likely to succeed when they perceive that adults and peers in the school care about the quality of their educational experience and overall wellbeing. Because many reentering youth have experienced past academic or social difficulties that have emotionally distanced them from teachers and peers, it is especially important to build opportunities for these youth to reengage in school in productive ways that increase resilience and overall chances for successful transitions.

If a student is to have a real chance at long-term reengagement in school, transition processes must take into consideration the needs of the student and family, the school community to which the youth is returning, the supervising judge or probation officer, and any victims. Having a point person to manage the interests, logistics, and services involved in transitioning a youth back to school is crucial. As discussed in the Targeted Behavioral Interventions chapter, the same individual in a school or district who helps with transitions for mobile students (e.g., children of migrant workers), those returning from long illnesses, or transfers to/from alternative schools may also take on these duties. Because there may be stigma associated with reentry from a juvenile correctional facility, grouping these youth with other students who are also in need of transition services can help juvenile offenders better reintegrate into the school community.

The strategies that follow assume that there is a designated staff person in the school acting as a transition coordinator (this person may be a counselor, student support team member, or other staff who help transition other students), but juvenile facilities or courts may also employ transition staff to facilitate communications and services across agencies and advocate for the youth.

NEW YORK CITY COURT LIAISONS

The New York City Court Liaisons program operates in six courthouses in the city, including four of the city's five Family Courts. In Family Court, interaction with a liaison is voluntary, often at the suggestion of a probation officer. Court liaisons work with schools, students, and families to ensure that youth return to school the day after release from juvenile justice confinement with no interruption to their education. Liaisons also connect students with academic counselors in the schools to which they are returning to help them navigate the requirements needed to earn a high school diploma or a High School Equivalency (HSE) diploma and to provide information and access to post-secondary education opportunities. They work with parents/guardians as well to familiarize them with their child's rights to educational services and support them in advocating for their child in the public school system.[128]

The work of a transition coordinator, which should begin as soon as a student enters the juvenile justice system, must inform the type of education the youth receives while in a facility. At minimum, reentry plans should be set into motion 60 to 90 days before a youth's release, with an emphasis on quality planning and coordination.

Transition coordinators' duties will vary according to students' distinct needs and the commitment of coordinators/contact personnel in both the school and juvenile facility. At a minimum, the transition coordinator's responsibilities include

- convening teaching and specialized instructional support staff from the correctional facility, a member of the student's family, a probation officer or court representative, and a member of a student support team from the school to which the youth is most likely to return to develop an education plan;
- facilitating the transfer of records from the school to the juvenile correctional facility where a student is enrolled and back again when the student is released;
- meeting with the school's student support team (if not a member) at least once per semester to monitor the youth's behavioral and academic progress while in the correctional facility and to begin developing a reentry transition plan for the youth;
- identifying support services that will be needed upon a youth's reentry into school;
- helping determine educational placements for the youth upon release, taking into consideration safety risks, victims' concerns, and the ability of the school to meet the academic and behavioral needs of the reentering youth;
- assessing information-sharing barriers across agencies and completing necessary MOUs or waivers to address these barriers, while complying with all privacy mandates and being sensitive to students' need for confidentiality;
- guiding decision making on credit transfers for coursework completed within the juvenile correctional facility;
- facilitating reenrollment by working with families/guardians to ensure that they know the process and their rights to educational services; and
- collaborating with juvenile court judges and/or a supervising probation or parole officer to establish protocols for how to handle a violation of supervision that occurs on the school campus. The student support team and transition coordinator should ensure that the terms of a youth's supervision include graduated sanctions and will not re-involve students in the juvenile justice system for minor attendance or behavioral missteps.

The role of transition coordinators should be developed at the local level with or without state-level authorization. Some states have systematized the establishment of transition teams in statute. Legislation that establishes transition teams reflects a state-level commitment to ensuring that students fully reintegrate into school following a juvenile justice placement through cross-system support for the reentry process.

TRANSITION TEAMS IN STATE LAW

Florida: Florida Education Code §1003.52 (13) requires that school districts in collaboration with juvenile justice departments develop a transition plan for youth in facilities and establish timelines for the transfer of student records and academic credits for reentering youth.[129]

Maine: Title 20-A §1055 (12) requires the formation of a reintegration team for each reentering student. The reintegration team must include a school administrator, classroom teacher, parent/guardian, and guidance counselor, and is tasked with developing a reintegration plan prior to each returning student's reenrollment.[130]

RECOMMENDATION 2: **Develop criteria to guide decisions regarding where a student leaving a juvenile correctional facility will enroll or reenroll.**

Ideally, every youth leaving a juvenile correctional facility would resume coursework at the home campus with a clean slate and supports in place to facilitate a successful transition. In reality, however, transition coordinators—in collaboration with student support teams, other school staff, and families—must consider a number of factors in determining the most appropriate placement for reentering youth. The goal of any placement decision should be to place students in the educational environment in which they are most likely to succeed. Although the home school is typically the place in which students will reenroll, there are times when the student's parent(s)/guardian(s) or transition coordinator will propose enrollment in another education program or school.

Transition coordinators and school leaders should make every effort to understand and address any fears that create barriers for the returning youth. Measures should be carried out whenever possible to ensure a supportive transition, instead of preemptively redirecting a student to a different school. That said, anticipating the environment that the returning student will be stepping into is clearly considered in plans that are in the best interests of the student and others in the school community. Other factors that are considered include the following:

- ***Availability of supports and services.*** Through the transition planning process, a student support team, counselor, or other staff who coordinates programming must determine the supports and services a student will need when reentering school—from IEP-mandated supports to additional behavioral and academic interventions. If the student's needs can be better met at another school with special services, the youth's family may want to explore with the transition coordinator placements and programs that can better suit their student's needs.

- ***Victim and safety concerns.*** In cases in which a victim or others in the school community feel threatened by a returning student, those concerns need to be addressed in a safety plan or other measure. In some cases that will involve reassuring students, taking precautionary steps to separate or supervise students, or using a restorative approach to resolve the issue. In rare cases, it may lead to an exploration of other school setting choices, particularly if there is also concern for the reentering youth's wellbeing.
- ***Transportation barriers***. If it is determined that a campus other than a student's home school is the best placement for a returning youth, a transition coordinator must assess and address any transportation barriers to getting to the new campus every school day. If, for example, a youth experienced success in a career and technology education program while in the juvenile correctional facility and wants to continue these types of courses, it may be in the interest of the student to reenter a school that has such course options. If the location of an alternative placement is not accessible through district or public transportation systems, the placement should not be on the table as a viable option unless the parent/guardian determines they can meet these transportation needs.
- ***Family or student concerns about wanting a "clean slate."*** Even after youth complete rehabilitation programming in juvenile correctional facilities, their behavioral histories at school may compromise their opportunities to make fresh starts and fully reintegrate into the school community. In certain cases a student may prefer to reenter at a new school where she or he can build new relationships, free from the stigma of justice involvement and past behavioral issues. If that is not possible, the student support team, counselor, or transition coordinator should work with teachers and students to minimize and respond to negative interactions.
- ***Quality of alternative education programs.*** In certain cases a school official or team may propose that an alternative education program is appropriate for a returning youth. Such placements can offer smaller class sizes and more individualized academic instruction (see the Targeted Behavioral Interventions chapter for a discussion on alternative education placements that are not under juvenile justice authority). Alternative education placements tend to be under-regulated, however, and often do not deliver the same caliber or scope of programming available in the traditional school setting.[131] Furthermore, an automatic placement into an alternative education program may signal to the reentering student and the larger school community that the student is not welcome back. Alternative education programs should not be the default placement for reentering youth. In situations where such placement may be appropriate, however, student support teams or transition coordinators should assess the quality of educational programming and services that the returning student will need and determine if an alternative placement is in the best interest of the student.

RECOMMENDATION 3: **Ensure that students resume school as soon as possible after release from a juvenile facility.**

Once an appropriate school placement is determined, it is important to reenroll the youth in school as soon as possible following release. Promptly reconnecting a student with school may help to minimize disruption of educational services and may improve the youth's long-term chances of staying in school. A quick return to school and reengagement in appropriate coursework is dependent on two critical processes: 1) expedited formal reenrollment in school and 2) the efficient transfer of records from the juvenile correctional facility to the public school to facilitate academic credit transfer and aid in student placements. It is not uncommon for logistical and/or bureaucratic obstacles related to reenrollment and record transfer to delay a student's reengagement in school. With the assistance of a transition coordinator, the following strategies can minimize such delays and improve continuity of services.

Reenrollment

For a youth leaving a juvenile correctional facility, reenrollment in the home school or other educational setting typically requires signed documentation by the student's parent or guardian certifying residency in the district or other eligibility to attend the school. Although it may seem like a simple process, many youth are stalled in the gap between release from confinement and reenrollment in school. Parents and guardians may be unfamiliar with the process or there may be insufficient follow up that ensures that youth reenroll promptly after release.

Transition coordinators have an opportunity to reduce the large numbers of students who drop out of school at the point of reentry by preparing youth and families for prompt reenrollment and ensuring an appropriate school placement.[133] Prior to a student's release, a transition coordinator at the juvenile facility and/or the home school should make sure the student and his or her parent/guardian have agreed with the school placement identified, and provide information about the enrollment or reenrollment process and all necessary forms.

Transfer of Records and Credits

To ensure that youth continue to receive services they were provided while in confinement, are given appropriate class placements, and are encouraged to continue their progress toward a diploma, educational records must follow them from the juvenile justice facility back to the receiving school without delay. Delays can be the result of inefficient information-exchange processes, or of policies that do not require a youth to promptly reenroll in a school or allow youth to be bounced around to different campuses or programs during the reenrollment process.

To facilitate the swift transfer of records, a transition coordinator should begin working with school enrollment officers as soon as a youth's release date is set and school placement is decided. It is particularly important to promptly transfer IEPs for students with disabilities to receiving schools to minimize disruption in required services. School records should be complete with academic, behavioral, and special needs information maintained in the juvenile justice facility.[134]

Another common barrier for reentering youth is that coursework completed in a correctional facility is not recognized for credit by the school receiving the youth's records. Schools' resistance to accepting juvenile justice education programs' credits slows progress towards graduation and may contribute to students dropping out. A transition coordinator can expedite credit acceptance by working with juvenile justice representatives or including them in the school's student support team efforts to monitor students' coursework and progress during confinement. Transition coordinators can promote and evaluate the extent to which students' coursework aligns with state academic standards and recommend that credits be accepted by the school at the time of reenrollment. Transition coordinators can also help find and match supports, such as tutors and after-school programs, for students to help them with remediation and missed coursework.

To support and facilitate the work that is being done by local transition coordinators, some states have legislation that mandates reenrollment within a defined period of time and requires credit transfer for coursework that is aligned with state standards. Resulting policies may facilitate the development of more efficient record-transfer processes and minimize the time students spend out of school following release from a juvenile justice placement. These actions may also encourage juvenile correctional facilities to teach state-aligned curricula, and allow students to make academic progress toward a high school diploma while in a facility.

STATE LAWS RELATED TO REENROLLMENT OF YOUTH RELEASED FROM CORRECTIONAL FACILITIES

Maine: Title 20-A §4722 (3) requires students who have experienced education disruption, including involvement in the juvenile justice system, and who have successfully demonstrated achievement of content standards and diploma requirements, to receive a Department of Education diploma.[135]

Virginia: § 22.1-343.5 requires students to be reenrolled in school within two days of release from a juvenile facility and makes districts responsible for holding transition team meetings to facilitate student reentry.[136]

California: California Education Code § 48645.5 requires schools to accept, at a minimum, partial credit for coursework completed in other public, private, and juvenile justice schools.[137]

State policies may be especially effective where a juvenile justice agency oversees schools within correctional facilities. In such locations it may be beneficial to require districts to accept credits from youth who have demonstrated progress on state-approved curricula. In places where school districts or a state education agency run schools in juvenile facilities, the recognition of credits and transferring of records should be less problematic because curriculum and instruction should be aligned with state standards and delivered by district educators.[138]

Conclusion

Juvenile crime has been decreasing nationally, but at the same time too many students are being referred to courts in jurisdictions across the country for minor offenses that would be better dealt with by school disciplinary processes or other systems of care. The juvenile justice system does not have the tools or resources to respond to the needs of many youth coming through its doors for minor school-based offenses. Court officials are increasingly seeking partnerships and agreements to keep these cases out of their jurisdiction so that they may better focus on serious offenses. They recognize that there is a significant link between juvenile incarceration and long-term consequences for youth such as increased risk of academic failure, dropping out of school, and future involvement in the juvenile and adult criminal justice systems.

For those youth who do need court supervision or confinement, more must be done to ensure that they have access to high-quality education. These students are often already lagging behind their peers academically and may move in and out of confinement that is out of sync with their home school's calendar, underscoring the need for reentry plans that provide for continuity of services and academic progress.

KEY TAKEAWAYS

- In collaboration with law enforcement and schools, juvenile justice agencies need to determine the number and characteristics of youth being referred to the juvenile justice system for minor school-based offenses by systematically collecting and reporting disaggregated data.
- Data collection and analysis can help school district officials reallocate resources to provide training and technical assistance to high-referring schools that need to provide students with alternatives to arrest for minor offenses, as well as supports for schools dealing with serious crime problems.
- Guidelines should be developed to more clearly distinguish referrable offenses from those that can be appropriately handled through school disciplinary processes and other systems of care.
- When students are referred to the juvenile justice system for minor school-based offenses they should be diverted whenever possible to community-based programs and services that focus on student accountability and strategies to change problem behaviors.
- Decisions made by juvenile justice officials regarding whether and how a youth moves through the court process should be guided in part by appropriate risk and needs assessment tools, complemented by appropriately shared information from agencies and schools that can influence services, placements, and dispositions.
- Youth in confinement, whether short or long term, should have access to high-quality educational programming that is aligned with state standards and tailored to students' academic and special needs while promoting graduation and preparation for post-secondary opportunities.
- Education programs in juvenile correctional facilities should be properly staffed and accredited through education agencies, and integrated into the state's education system. Education programs in these facilities should be held accountable for the quality of programming and the progress of youth served, recognizing that the population being served typically is more transient and has greater academic and behavioral needs.
- Transition coordinators in schools and the juvenile correctional facilities should work with youth, student support teams, service providers, juvenile courts and probation, and families to establish reentry plans prior to youths' release from juvenile justice facilities, to ensure seamless reenrollment, credit transfer, appropriate academic and behavioral supports, and compliance with any terms of supervision.

INFORMATION SHARING

SUMMARY OF POLICY STATEMENTS AND RECOMMENDATIONS

POLICY STATEMENT I

Information sharing within and among schools and external partners complies with privacy mandates while reducing the stigmatization or labeling of students, advancing the best interests of the student and school safety, and ensuring use is only for appropriate purposes.

RECOMMENDATION 1: Develop written principles of information sharing that all parties agree to uphold, and identify any obstacles to exchanges.

RECOMMENDATION 2: Provide all parties engaged in student-level information sharing with clear direction on the applicable requirements in federal and state privacy laws and local regulations, and on how to ensure compliance.

INTRODUCTION

ONE OF THE TOPICS that prompted the most discussion during the development of this report was information sharing. Stakeholders agreed that appropriate sharing of individual student-level data is critical to improving the delivery of education and health services and supports to students. There was also general accord that there are times information must be shared to maintain safety within the school, as well as to help students who have been removed from school for misconduct to successfully transition back to their classrooms. Not surprisingly, however, there was not always general agreement when discussing particular scenarios—especially those involving the sharing of student-level information with law enforcement and juvenile justice systems. Individuals who reported effective information exchanges stressed that the key to success was a trusting relationship between those releasing and those receiving the information.

Where trusting relationships are lacking, oversight and accountability become particularly important. Just because information could be shared does not mean it should be. Much of the chapter that follows focuses on what information can be shared, with whom, and for what purposes. Information sharing is a critical component of facilitating improvements to school climate, behavioral interventions, safety and crime prevention, and juvenile justice outcomes. Conversely, serious concerns were raised throughout the project about privacy mandates and how information might be misused.

At the heart of discussions about information sharing is the need to have a clear understanding of federal, state, and local privacy mandates that apply to individual student education, health, and child welfare records. This chapter helps clarify both key provisions and misconceptions about these mandates, with links to resources for additional information. It also reviews when juvenile arrest and crime reports may be shared with schools and the proper use of student records and assessments by the juvenile justice system. Although this chapter is meant to provide helpful guidance, it does not replace the need for legal advice on particular information-sharing practices

POLICY STATEMENT I

Information sharing within and among schools and external partners complies with privacy mandates while reducing the stigmatization or labeling of students, advancing the best interests of the student and school safety, and ensuring use is only for appropriate purposes.

Many students face multiple challenges that can affect their performance at school and their risk for involvement with the disciplinary or juvenile justice systems. Youth who are in crisis or who have a number of educational, social, economic, family, behavioral health or other needs are often served by numerous systems. A single child may be connected with the child welfare, mental health, education, and juvenile justice systems—all providing services that may overlap or even work at cross-purposes. Case managers try to coordinate treatment and support services, but may not always be provided with all of the relevant data.

Schools are often seen as a central hub for this information simply because of the nearly daily contact that students have with educators and other adults who can identify and help address their needs. Careful information sharing can help schools better coordinate services within the school and with external organizations, and encourage mutual accountability for student outcomes. Effective real-time information sharing among adults working within a school and external service providers can help all those working with students to form a more complete picture of each child's strengths and needs, as well as any stressors.

Quality data collection and information sharing can inform needs assessments, help determine how services should be delivered, and measure the effectiveness of interventions. For example, on-campus information sharing may be called for when student support teams are trying to gauge what stresses, trauma, or other issues may be affecting a student's ability to complete homework, engage in learning, or resolve conflicts. Information may be gathered from the student, parent or guardian, teachers, support staff, or bus driver. School counselors, psychologists, and other school-based behavioral health professionals also want to gauge whether interventions are having their desired effect. The school can gather data on attendance, progress toward behavioral intervention plan (BIP) goals, completed assignments, reductions in disciplinary actions, and other measures that can help track student successes.

Information that comes to the school from external agencies and providers can also ensure that in-school services complement any community-based or facility treatment services. For example, information sharing can help ensure continuity of care for students who receive education or behavior support services while in a juvenile detention facility and may still need those services when they return to school. The measures used to track academic and social progress can continue to be used or tailored to the school setting.

The flow of information to non-education agencies and organizations is also important. With proper permission from the students' parents/guardians (or the student, if allowed by law), schools can provide students' health information to community-based service providers to ensure that the youths' behavioral health treatment is consistent but not redundant. Parts of a student's education record can also help public agencies when they are making decisions meant to be in the best interest of the child. A child welfare caseworker serving a child in foster care, for example, might benefit from access to the child's educational history, disciplinary actions, previous BIPs, and test scores to inform decisions related to the child's placement in a new school, realistic transition goals, and services. A court official or defense attorney may also determine that school-held information would be useful in decision making, such as whether a student referred to the court system may be eligible for diversion (when the use of the information is limited to that purpose and cannot be used at adjudication). Much of the information sharing between agencies is currently conducted within guidelines set out in memorandums of understanding and/or after a parent, guardian, or agency acting as parent under the law provides consent.

RECOMMENDATION 1: **Develop written principles of information sharing that all parties agree to uphold, and identify any obstacles to exchanges.**

Whether the sharing of student information is being done for internal or external coordination, representatives from agencies and individuals providing services or supports to students should agree to guiding principles. The following examples of key principles are meant to ensure that individual-level data and other information from student records are used appropriately:

1. Make certain that students and families are provided with information annually on student-level data privacy and consent requirements.
2. Limit sharing of student records to people who need to know the information to better tailor and provide services to individual students, and to ensure school safety.
3. Clearly articulate how the information can be used, by whom, and for what purpose.
4. Indicate how the information will be stored and safeguarded, and for how long the information will be available to the individual or party using it.[1]
5. Train all parties to make sure information is being used appropriately, and not to stigmatize, label, or isolate youth.

6. Create oversight mechanisms to prevent information from being used to remove students perceived as "problems" from the classroom or school (disciplinary decisions should be made based on actual behavior).
7. Make certain that individuals or parties granted access to information understand mandates that prohibit re-disclosure of information to others, unless permitted by law or through signed consent.
8. Monitor information-sharing activities for compliance with appropriate federal and state laws, and local regulations, where applicable.

Countless scenarios in which information could be shared involve access to individual student records maintained by a school or another entity. A transparent and careful process for determining when information should be shared is needed. It is important to identify which data systems provide information on individual students (e.g., education, child welfare, courts, law enforcement, mental health and substance abuse services, probation, and juvenile detention), and the likely situations in which information sharing is being or will be sought. Each scenario needs to take into consideration the guiding principles for appropriate information sharing and to encompass full knowledge of and compliance with federal, state, and local privacy laws and regulations.

Obstacles to Information Sharing from State- and Local-Level Data Systems

In recent years, states have made significant progress in developing statewide longitudinal data systems that are able to match individual student education data from one year to the next.[2] These data warehouses store student-level data that can be aggregated and analyzed to help state officials, district leaders, school administrators, and educators make data-driven policy and practice decisions that can improve student outcomes and the quality of instruction. These and other data systems can also be used for information exchanges at the local level to facilitate service-matching for students. Although these systems are meant to promote the linking of information across databases and across the educational continuum from preschool to post-secondary education to career,[3] a number of barriers still exist that prevent or inhibit the sharing of student-level data among adults who work with and serve youth:

1. Technology incompatibility and inconsistent fields/coding
2. Mistrust about how the information will be used
3. Misconceptions about what information can be shared or lack of procedures for meeting the mandates of federal and state privacy laws and local regulations

This chapter focuses primarily on the third barrier.* The privacy laws discussed below provide important safeguards for youth. The safeguards must be fully understood and honored to properly share information in the best interests of the student, victims of crimes, and school safety. Safeguards should be seen not as "barriers" but rather as measures of protection.

RECOMMENDATION 2: **Provide all parties engaged in student-level information sharing with clear direction on the applicable requirements in federal and state privacy laws and local regulations, and on how to ensure compliance.**

Because state and local laws and regulations vary, school leaders should engage legal counsel to prepare a memorandum or other guidance that can be disseminated to those who will be receiving or releasing identifiable student information. State and district leaders can be helpful in providing all schools with consistent and reliable information and guidance.

A brief overview of the primary federal privacy laws that apply to the disclosure of student education and health records (including information that has been added to the student record from external sources) follows. It provides several scenarios to illustrate how various entities and systems might conduct information sharing to improve student outcomes through better school discipline, climate, and safety approaches.

Family Educational Rights and Privacy Act (FERPA)[4]

FERPA is a federal law intended to prevent the disclosure of student education records and personally identifiable data within education records to non-authorized individuals without the consent of the student's parent or guardian (or the student if he or she is age 18 or over or enrolled in a post-secondary institution). Education records are broadly defined under FERPA as records that are directly related to a student in an elementary or secondary school and that are maintained by an education agency or a person acting on behalf of that agency. Personally identifiable data includes name, address, any label or entry that identifies the student directly (personal identifiers), or other information that could be used to identify a student. Prior parental consent to disclose a student's education record must specify the records that may be shared, state the purpose or reason for the disclosure, and identify the party(ies) to whom disclosure can be made. Information based on personal observations is not subject to FERPA provisions, as long as notes of those observations are not included in a student's education record.

Directory information, however, can be shared without parental consent if the school has previously notified parents about what information is included in the directory and if parents have an opportunity to opt out of providing their student's information. Directory information includes, but is not limited to, the following:

* Technology issues are addressed, in part, in the Data Collection chapter and issues related to building trust and accountability are discussed within the other four chapters of this report.

- Name
- Address and telephone number
- Date and place of birth
- Participation in school activities and sports
- Dates of attendance
- Grade level
- Photograph

Several FERPA provisions and exceptions do permit the disclosure of personally identifiable information beyond directory data. Student education record information may be released without parental consent to specified recipients for particular purposes. Recent amendments to FERPA (2011) made it easier for schools and education agencies to share student data appropriately with other stakeholders working with students and schools when in the best interest of the student.[5] The FERPA provisions and exceptions allow personally identifiable information to be shared with "school officials with a legitimate educational interest." The definitions for school officials and legitimate educational interest must be included in a school district's or individual school's annual privacy notification to parents and students. Based on the significant research conducted for this report, it seems that the majority of schools and districts repeat verbatim the broad definitions provided by the U.S. Department of Education in its model FERPA guidance:

DEFINITIONS OF "SCHOOL OFFICIALS" AND "LEGITIMATE EDUCATIONAL INTEREST" WITHIN MODEL NOTIFICATION OF RIGHTS UNDER FERPA

The U.S. Department of Education's FERPA guidance incorporates a model notification of rights for elementary and secondary schools that districts and/or schools can modify and disseminate to parents and students. The notice includes examples of definitions for the terms "school officials" and for "legitimate educational interest."

A school official is defined as "a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health and medical staff and law enforcement unit personnel);[6] a person serving on a school board; a person or company with whom the district contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); a parent or student serving on an official committee such as disciplinary or grievance committee or assisting another school official performing his or her tasks."

The model notice defines legitimate educational interest as, "if the school official needs to review a record in order to fulfill his or her professional responsibilities."[7]

Schools and districts do not appear to be tailoring these definitions to make them more specific to their own particular staff or entities (such as defining School Resource Officers (SROs) or tutors as "school officials"). They also tend not to define activities such as student support team efforts or mentoring as having a "legitimate educational purpose." As discussed in more detail below, individual districts or schools that further define or clarify these terms in their notification of privacy rights could help reduce confusion about whether particular FERPA provisions or exceptions apply.

A person or party working in the school with students for particular activities may be considered a school official if 1) the person/party is performing a function that a school employee would not otherwise perform, 2) is under the direct auspices of the school when using the education records, and 3) is subject to FERPA regulations for re-disclosure of the education records.

Additional provisions and exceptions with which information-sharing partners should be familiar include the following:

- ***Health and Safety Emergencies:*** Personally identifiable data from education records may be disclosed in connection with an emergency, if the "information is necessary to protect the health or safety of the student or other individuals." Records may be disclosed to appropriate parties, which according to guidance provided by the U.S. Department of Education includes "law enforcement officials, public health officials, trained medical personnel, and parents (including parents of an eligible student)."[8]
- ***Judicial Actions:*** Education records may be disclosed to comply with a judicial order or lawfully issued subpoena. Before complying with a court order or subpoena, however, the school must make an effort to notify the parent or student to allow them an opportunity to seek protective action.
- ***The Uninterrupted Scholars Act (USA):*** In 2011, FERPA was amended to provide child welfare caseworkers with easier access to students' education records. The Uninterrupted Scholars Act, which went into effect in January 2013, allows schools to release these records without parental consent, including a copy of the students' Individualized Education Program (IEP) if the student receives special education services, to a representative of a state or local child welfare agency or tribal organization with legal protection rights.[9] A private child welfare provider agency also may receive education records if they were listed in a court order. The child welfare caseworker can only re-disclose education records to individuals and entities engaged in addressing the youth's education needs as long as the child welfare agency authorizes those individuals and entities to receive education records and is consistent with other state or tribal confidentiality laws.

- ***Using information to conduct evaluations and audits of federal and state-supported "education programs:"*** The 2011 amendment to FERPA more broadly defined what constitutes an "education program" that may be subject to an evaluation or audit. The regulations state that an "education program" is one that is administered by any entity, not just an educational entity. The amended rules to FERPA leave the term "authorized representative" undefined and clarify that state and local education agencies have the discretion to designate "any outside party" as their authorized representative to conduct evaluations and audits of education programs. Revised regulations also require that state or local education authorities use "reasonable methods" to ensure that authorized representatives comply with FERPA. Education authorities must enter into agreements with the authorized representatives that specify how information will be protected and what information will be disclosed.

Many states also have privacy laws that complement FERPA, and almost all states have laws that require their data, including education data, be protected with security measures. It is critical that in determining when information sharing is appropriate and allowable, stakeholders working with students in schools also review relevant state laws and regulations.[10]

TRIBAL SCHOOLS AND FERPA

As mentioned in the Introduction to this report, American Indian tribes are sovereign entities and their schools must comply with tribal laws. If a tribal school receives federal funding, however, FERPA could apply to student education records. This becomes an issue in cases where a public school wants access to a transfer student's education records from a tribal school.

There are other federal laws that also can govern the exchange of education data or other student information with non-education agencies or external organizations, such as the Health Insurance Portability and Accountability Act (HIPAA), 42 CFR Part 2 of the Public Services Act, and the Child Abuse Prevention and Treatment Act (CAPTA).

Health Insurance Portability and Accountability Act

HIPAA addresses the electronic transmission and protection of personal health information.[11] In 2000, the U.S. Department of Health and Human Services promulgated Standards for Privacy of Individually Identifiable Health Information ("the Privacy Rule"), which protects certain health information from disclosure unless otherwise noted in the law.

Protected health information covered under HIPAA includes individually identifiable data held or transmitted by a covered entity (health plans, health care clearinghouses, or health care providers who transmit electronic health information). This data includes information on demographics, the individual's mental or physical health condition, and health care services

provided. Even though most schools employ a school nurse, a school is not a covered entity under HIPAA if it does not transmit health information electronically and does not engage in certain administrative and financial transactions, such as billing for services (which most schools do not do). Health information covered under HIPAA may be disclosed without consent in furtherance of public health activities such as to report child abuse and neglect or to address a serious threat to health and safety. Health information may also be disclosed for judicial and administrative proceedings if the request is made through a court order.

For most school personnel, HIPAA will only be an issue when they communicate with a student's medical provider to receive information. Medical providers cannot disclose protected medical information without authorization except for treatment purposes, payment, and health care operation purposes. Because "treatment purposes" is one of the exceptions, a practitioner may relay or clarify orders to individuals involved in the treatment of that patient (e.g., school nurse) without obtaining authorization, but if state law is more restrictive (i.e., is more protective of privacy) than the HIPAA privacy rule and related regulations, then the state law governs.

In most cases, HIPAA does not apply to elementary and secondary schools for the purposes of releasing information, as most schools are not HIPAA-covered entities. But note that when the health information that they maintain on students is part of a student's education records, it is covered by FERPA. HIPAA and FERPA cannot apply to the same records because the information will either be part of a student's education record (FERPA applies) or a health record of a covered entity, such as a school-based medical facility (HIPAA applies).

PERSONAL REPRESENTATIVES UNDER HIPAA

Under HIPAA's Privacy Rule, "a person authorized (under State or other applicable law, e.g., tribal or military law) to act on behalf of the individual in making health care-related decisions, including disclosure of information, is the individual's 'personal representative.'"[12] For emancipated minors, a personal representative who can consent to the disclosure of protected health information is a "person with legal authority to make health care decisions on behalf of the individual," such as a court-appointed legal guardian. For unemancipated minors, a personal representative who can consent to disclosure is a parent or guardian (or other person acting legally as a parent).

There are cases, however, in which state or other applicable laws permit minors to allow the disclosure of information without parental consent. A minor may be allowed to receive a particular health care service, such as drug abuse treatment, without parental approval. If a minor can authorize his/her own treatment, he/she can also provide the consent for the release of related information through a disclosure form.

The Privacy Rule also "defers to state or other applicable laws that expressly address the ability of the parent to obtain health information about the minor child." Therefore, the Privacy Rule recognizes that statutory and case law can permit or prohibit a covered health care entity from disclosing a minor's protected health information to a parent.

Federal Drug and Alcohol Confidentiality Laws 42 CFR Part 2

The Public Services Act includes privacy rules that protect the confidentiality of drug and alcohol abuse treatment records. Any individual, program, or facility that is "federally assisted" (directed, certified, authorized, licensed, or funded by the federal government) and that provides alcohol or drug abuse diagnosis, treatment, or referral is governed by 42 CFR Part 2.[13] Programs that are not federally assisted must follow only state laws.

In most cases, parental consent is required for the disclosure of a minor's treatment. (The exception is typically when state law allows minors to authorize their own treatment and related disclosures for drug or alcohol treatment.) Disclosure is permitted to medical personnel without prior written consent to provide emergency treatment, or to report child abuse or neglect as required by state law. Under 42 CFR Part 2, treatment facilities may disclose information to parents if the minor poses a threat to the safety of self or others, if the threat can be reduced by providing relevant information to the parent, and if the minor lacks the capacity to make a rational decision regarding disclosure of information to his or her parents. State laws generally mirror the federal regulations.

Child Abuse Prevention and Treatment Act

CAPTA, most recently amended and reauthorized in 2010, requires every state to have laws in place to protect the confidentiality of child welfare records.[14] Laws must also specify when and with whom records may be shared. For a child welfare agency to share child welfare records with schools, the state law must provide that this information sharing is permitted. If the state law does not authorize releases for child welfare records, schools must establish that this information is needed to protect the child from abuse and neglect.[15]

To illustrate how all of these privacy mandates affect information sharing involving students in schools, brief analyses and scenarios are presented below. These scenarios consider situations that arise when trying to implement recommendations in each of the four topical chapters on conditions for learning, targeted behavioral interventions, school-police partnerships, and engagement with the juvenile justice system.

Conditions for Learning and School Climate: Analysis and Scenarios

- Third parties such as community-based organizations, volunteer groups (e.g., mentors or AmeriCorps workers), and others providing services to students, can be granted access to education records without consent if the third party is considered a school official and has a legitimate educational interest. As mentioned above, the definition of a school official is left to the discretion of the district or individual school.
- Student education records can be shared with individuals doing audits or evaluations of federal- or state-funded programs (including out-of-school-time programs and those offered by community-based organizations) that provide on- and off-campus

educational programming. The evaluators and auditors can qualify as "authorized representatives" under the revised 2011 FERPA guidelines. Under the new guidelines, an education program is defined more broadly as any program engaged in the provision of education, including early childhood and elementary or secondary education, job training, and career and technical education.

SCHOOL CLIMATE SCENARIOS

Case #1—School safety planning committees would like to review aggregate data from school climate surveys to assess student and teacher perceptions of safety, and use this information to create school safety plans. Because this information is aggregated, and not individual student-identifiable data, it is not governed by FERPA. School climate data can be shared with participants of the school safety planning committee.[16]

Case #2—A school contracts with a community-based organization for volunteers to tutor and mentor students in the school. The volunteers would like to know the student's academic history, as well as whether the student has had disciplinary incidents or any behavioral health issues. The community-based organization asks the school's student support team to share the education records with the tutors and mentors for the students with whom they work. The student support team may disclose these education records without parental consent if certain conditions are met. Under FERPA (§ 99.31(a)(1)(i)(B)), the community-based organization officials (including volunteers) may be considered "school officials" if the school has outsourced the function of providing tutoring and mentoring services for the school. FERPA permits schools to disclose education records to contractors, consultants, volunteers, or other third parties provided that the outside parties meet these criteria:

1. Perform an institutional service or function for which the school would otherwise not use employees

2. Are under the direct control of the agency or institution in how education records are used and maintained

3. Are subject to § 99.33(a), which provides that the personally identifiable information from education records may be used only for the purposes for which the disclosure was made (e.g., to promote positive behaviors and academic achievement), and are also governed by FERPA regarding their re-disclosure of that information

4. Are defined by the school or local education agency (LEA) in the annual notification of FERPA rights as a "school official with a legitimate educational interest." (If the school or LEA uses the same broad language in the model notification from the U.S. Department of Education that simply restates that contractors may be considered school officials with a legitimate educational interest, then the volunteer mentors/tutors would appear to meet this requirement.)

Behavioral Health Interventions: Analysis and Scenarios

- Records that a school health professional (school nurse, for example) or a school-operated student health center maintains are considered part of the student's education records and are therefore governed by FERPA and not HIPAA. This also applies to health professionals acting on behalf of a school under contract or under "direct control" of the school and who maintain health records. These health records are considered education records under FERPA, as though the school is maintaining the records directly.

  If the records are maintained by a health professional or health entity not employed by, contracted by, or acting on behalf of the school (such as a community-based mental health care provider whom students see on their own time), they are not deemed education records and are not covered under FERPA. In this case, these records may be governed by HIPAA if the entity transmits health information electronically.

- School-based health centers operated by HIPAA-covered entities other than schools, such as hospitals, clinics, or government health departments, are subject to HIPAA regulations but not FERPA.

- Public health agencies that request access to student health data for evaluating and auditing health programs may not use the "authorized representative" exemption to FERPA because the programs are not primarily focused on education.

- All student support team records are considered education records. Without prior consent, student support team records can only be shared with external health care providers if the provider is considered a school official and has a legitimate educational interest in the information as defined by the district or individual school. (In most cases, however, external health care providers are not considered school officials.) Treatment plans carried out within the school may be discussed with medical providers as long as they are kept separate from education records.

- Individualized Education Programs (IEPs) for students receiving special education services under the Individuals with Disabilities Education Act (IDEA) are classified as part of a student's education records and therefore governed by FERPA. Regular education teachers, special education teachers, and/or other service providers responsible for implementing the plans should have access to copies of students' IEPs. These service providers would be classified as school officials by districts and schools and they have a legitimate educational purpose for obtaining a copy of the student's education records.

- Child welfare caseworkers are able to access student education records in keeping with the provisions of the Uninterrupted Scholars Act. Schools are also allowed to release education records to any party listed on a court order for a child welfare case (such as a court-appointed special advocate, child welfare agency, or caseworker), but health records governed by HIPAA cannot be released to a child welfare agency or caseworker without parental consent.

BEHAVIORAL HEALTH SCENARIOS

Case #1—A teacher refers a public middle school student to the student support team. The student was identified by the school's early warning data system as being off-track academically and having disciplinary issues, as well as exhibiting aggressive behavior and having difficulty regulating his emotions in class. The support team reviews the student's education records, engages in conversations with him to learn more about why he is struggling and learns that he is also receiving behavioral health services from an external community-based mental health provider.

If the external provider has a contract or agreement with the school to provide health services to students, then the external provider's health records about the student are considered education records under FERPA as though they were maintained by the school directly. If the external treatment provider is not under contract with the school or is not acting on behalf of the school district, then the health provider's records are governed by HIPAA. The records can only be shared with the school if the external behavioral health provider is given consent from the student's legal parents/guardians or believes that the student poses a risk to health or safety.

Case #2—A public high school student is leaving an inpatient mental health facility and returning to a group home in the community and to school. The student's child welfare caseworker is seeking information about the student's treatment in the mental health facility to identify needed transitional services and to inform school placement decisions. The caseworker also wants education records to develop a reenrollment and reentry plan. The school reentry coordinator would also like to set up services and supports in the school for the student upon return using the student support team. The coordinator would like to have information on any ongoing mental health services being provided to better serve the student.

According to HIPAA, if the state in which the student resides allows minors to consent to mental health treatment, then the minor can also provide consent for release of the mental health treatment information. If the state law does not specify this, then parental consent is required for the caseworker to obtain mental health treatment records. Without consent, the child welfare caseworker can obtain a court order or a subpoena for the student's treatment records, which include information on diagnosis and treatment.[17] The caseworker can, however, access education records under the Uninterrupted Scholars Act.

Similar to the caseworker, the school reentry coordinator cannot access the student's mental health treatment records unless there is consent, either from the parent or the student depending on state law.

School-Police Partnerships: Analysis and Scenarios[18]

- There are three key factors in determining what information can be shared by and with law enforcement officials: 1) who is sharing and receiving the information, 2) what information is being shared, and 3) for what purpose is the information being shared (law enforcement purpose, education purpose, or a combination).

Information that Officers Can Receive from Schools

- As mentioned above, if officers are considered "school officials" by the district or school in its annual notification of privacy rights and have a legitimate educational interest in the student education record information, they would have access to those records. (Remember that schools or districts using the model U.S. Department of Education guidance language do include law enforcement officers in the definition of "school officials," and educational interest can also be broadly defined. Districts and schools, however, may define these terms more narrowly.) Officers may not, however, use information they have accessed for educational purposes to make an arrest or conduct other law enforcement duties. Any education record with which they have been provided in furtherance of an educational purpose also may not be re-disclosed unless the disclosure meets FERPA requirements.
- If law enforcement personnel are not considered "school officials," then they may not be granted access to education records without parental consent or unless another FERPA exemption exists (such as emergency circumstances).

Information on Students that Law Enforcement Can Share/Release

- Schools may have what FERPA classifies as "a law enforcement unit," which can include even a single school security officer and/or school resource officer. A law enforcement unit is

  > "any individual, office, department, division, or other component of an educational agency or institution, such as a unit of commissioned police officers or noncommissioned security guards, that is officially authorized or designated by that agency or institution to (1) enforce any local, State, or Federal law, or refer to appropriate authorities a matter for enforcement of any local, State, or Federal law against any individual or organization other than the agency or institution itself; or (2) maintain the physical security and safety of the agency or institution."[19]

  What is important about this designation is that a school law enforcement unit can keep its own records on students based on their own observations and information gathering (for example, on gang affiliations, drug activity, arrests, or other information). If these records are created and maintained separately by school-based officers considered to be a unit (whether assigned full-time by a municipal/county agency or from a school district police agency) for a law enforcement purpose, they are

not considered "education records" under FERPA. Because these records are created for a law enforcement purpose (or a law enforcement purpose mixed with an educational purpose), school-based officers may share these records with outside parties, including a local law enforcement agency. In the preamble to the FERPA regulations published in the Federal Register on January 17, 1995, (60 FR3467), the U.S. Department of Education provided the following response to a comment submitted on this issue:

> If an institution has a security unit or individual with a dual role or function of enforcing institutional rules of conduct related to safety and security and referring potential or alleged violations of law to governing authorities, that unit or individual would be considered a "law enforcement unit" under FERPA. Under the new amendment, records of that unit were created and maintained for a law enforcement purpose are considered records of a law enforcement unit and, therefore, excluded from the definition of "education records" under FERPA.
>
> Where a law enforcement unit also performs non-law enforcement functions, the records created and maintained by that unit are considered law enforcement unit records, even where those records were created for dual purposes (e.g., for both law enforcement and disciplinary purposes). Only records that were created and maintained by the unit *exclusively* for a non-law enforcement purpose will not be considered records of a law enforcement unit (emphasis added.)[20]

When determining when SROs can use and share information on students with other parties, it is important to recognize that FERPA applies to the particular information that is being shared. If the information is part of a student's education record and the officer is acting as a school official, he or she may only use the information for an educational purpose. That information cannot be used for law enforcement purposes or shared with another agency without prior consent or otherwise being in compliance with FERPA. If the officer is using information about a student that was created and kept in a separate law enforcement unit record, it may be used for arrest, investigation, or other law enforcement purposes and may be shared with the officer's police agency.

- Education records and information generated from education records that a school law enforcement unit copies into its own files are subject to FERPA and should not be included in any release of law enforcement unit records.
- For records covered by HIPAA (such as a private doctor's health record for a student attending the school or an emergency room record at a hospital), protected health information can be disclosed to law enforcement officers (SROs and others) when the covered entity has a good faith belief that the disclosure is necessary to prevent or reduce a serious and imminent threat to the health and safety of the patient or others, and if the entity receiving the records has the ability to prevent or lessen the threat.

LAW ENFORCEMENT SCENARIOS

Case #1—A local municipal law enforcement officer (not assigned to the school) has information about gang activity in the community and potential spillover into an area high school. In particular, the officer receives information that there may be retribution involving particular students attending the high school. The municipal officer is able to share this information with the high school administrator and the SRO because the records that law enforcement maintains outside of the school are not part of a student's education records and therefore not governed by FERPA. If the principal of the school had received information about the potential retaliation from another student, the principal could notify the school-based officer and/or a law enforcement officer and provide them with information from the education records of the students who may be involved under the health or safety emergency exemption to FERPA.[21]

Case #2—A student with behavioral health issues is receiving services through the school's student support team, as well as from a community-based mental health agency. The support team wants to share information regarding the student's behavioral health needs and BIP with the SRO because they are concerned that the student may have future contact with law enforcement and the juvenile justice system. The team wants to ensure that the SRO understands the needs of that child and can use de-escalation techniques (including contacting the student's case manager on the team) and alternatives to arrest when possible. If the SRO is designated as a school official furthering an educational purpose of keeping orderly classrooms, then the team can share the student's BIP (part of the student's education records) with the SRO. If the officer sees in the team's records that the student has assaulted someone, he cannot use that information to arrest the student or share that information with his local police agency. If the officer is not considered a "school official" then prior consent is required for sharing the information with the SRO.

The school's counselor and staff who help students reenter classes after long absences may want the behavioral health agencies' treatment information to help ensure continuity of care and adequate supports for the student. If the community-based mental health agency is a HIPAA-covered entity that transmits health information electronically, then treatment information is covered under the HIPAA privacy rule. It cannot be disclosed to school personnel without prior consent of the student's legal parent or guardian (unless a time comes when the health agency believes that disclosure of information to the school or police would prevent or lessen an imminent safety threat to a person or the public).

Courts/Juvenile Justice: Analysis and Scenarios[22]

- Under FERPA, juvenile justice personnel may receive the education records for a student without parental consent when all of the following conditions are met:[23]
  - The child is not yet an adjudicated delinquent under state law
  - A state law specifically authorizes the disclosure
  - The disclosure is to state or local juvenile justice system officials or authorities
  - The disclosure relates to the juvenile justice system's ability to provide pre-adjudication services to a student
  - State or local officials certify in writing that the officials and authorities receiving the information have agreed not to disclose it to any party outside the juvenile justice agency

  This FERPA exception authorizes the sharing of student education records to juvenile justice agencies in states that have statutes allowing this disclosure. In these states, the state law supersedes the consent requirement under FERPA if all of the listed conditions are met.
- Juvenile justice officials may share information about a student's offense with the student's school, but once information about the offense is maintained by the school, it becomes a part of the student's education records and is governed by FERPA.
- Juvenile justice officials requesting information from the school about a student (including attendance data, educational performance, or health information) are not permitted access unless the school receives consent from the student's parent. The only exception, as noted above, is if the state law authorizes such disclosure to the juvenile justice system. If the state law does not authorize access, juvenile justice officials can seek a subpoena for these records.

COURTS AND JUVENILE JUSTICE SCENARIOS

Case #1—A student is arrested in school for aggravated assault on another student. Prior to adjudication, the juvenile justice agency requests information about the student from the school, including disciplinary data, information on academic performance, behavioral health, and attendance, all of which are included in the student's education records. Under FERPA, this information can be shared with state and local juvenile justice agencies as part of an effort to serve the student whose records are being released prior to adjudication if state law allows this disclosure. The juvenile justice agency can also obtain access to the education records through a court order or a subpoena.

Case #2—A juvenile detention facility requests access to a student's education records, including any BIPs or IEPs, from the student's home school to facilitate the transition and ensure continuity in learning. FERPA allows the home school to share the student's education records with the juvenile facility. Under FERPA, education records must follow the student being transferred or placed in a new school or school system. Similarly, the juvenile detention facility can share education records with the school to which the student returns after release from confinement.

INFORMATION SHARING RESOURCES

Navigating Information Sharing Toolkit

The Navigating Information Sharing (NIS) Toolkit and website were created to help schools, school-based police officers, and all other service providers in a school-community partnership address the complexities of information sharing about young people in multiple systems. The toolkit aims to help these young people and their families by supporting school and community providers to more effectively develop and navigate information-sharing systems, policies, and procedures. It provides real-life scenarios of events or situations in which information-sharing procedures may be unclear for teachers, students, administrators, and other student service agencies, and helps the user understand the applicable federal laws and how to legally proceed. The NIS toolkit was developed by the National Center for Mental Health Promotion and Youth Violence Prevention at Education Development Center, Inc. (EDC), with funding from the Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services. For more information, visit sshs.promoteprevent.org/nis .

Data Quality Campaign, Nelson Mullins Riley & Scarborough LLP, EducationCounsel LLC

Data Quality Campaign, Nelson Mullins Riley & Scarborough LLP, and EducationCounsel LLC have produced a number of reports and policy briefs for policymakers on FERPA regulations and data privacy issues. For more information, visit dataqualitycampaign.org/action-issues/privacy-security-confidentiality . educationcounsel.com/articles .

Models for Change Information Sharing Toolkit

Supported by the John D. and Catherine T. MacArthur Foundation, the Models for Change Information Sharing Toolkit provides guidance to jurisdictions on improving information-sharing practices for juveniles. The toolkit provides juvenile justice professionals with an action guide for understanding the key laws governing information-sharing practices, the added value of sharing information with critical stakeholders, and the limitations of information sharing or potential negative consequences to avoid. For more information, visit modelsforchange.net/publications/282 .

Center for Juvenile Justice Reform Information Sharing Certificate Program

The Center for Juvenile Justice Reform at Georgetown University offers an information sharing certificate program to help leaders in education, juvenile justice, child welfare, and mental health learn more about relevant privacy laws to protect student-level data and to improve the coordination of services between agencies and improving outcomes for youth. For more information, visit cjjr.georgetown.edu/certprogs/informationsharing/certificateinformationsharing.html .

Conclusion

Appropriate information sharing among stakeholders is essential to improving the delivery of education, health, and related services to students. Information sharing is particularly critical to maintaining school safety and improving outcomes for students who are involved, or at risk of becoming involved, with the school discipline or juvenile justice system. At the same time, all stakeholders working with youth must be aware of, understand, and comply with relevant federal, state, and local privacy regulations when sharing student-level information.

KEY TAKEAWAYS

- Effective information sharing between school-based staff and external partners is critical to meet the needs of students and improve collaboration and coordination of services.
- Trust and regular communication between school-based staff and external partners is essential to share information in an appropriate way and in the best interest of the student.
- Stakeholders working with students should develop guiding principles to govern the sharing of student-level information.
- FERPA is the most relevant law, but schools and external partners must understand all of the federal and state privacy laws that govern the sharing of individual-level student information.

DATA COLLECTION

SUMMARY OF POLICY STATEMENTS AND RECOMMENDATIONS

POLICY STATEMENT I

Data that tracks student offenses, describes the frequency with which students are suspended and expelled, and explains to what extent there is disproportionality in the use of exclusionary discipline is collected and maintained at the campus, district, and state level. This data is easily accessible and annually reported to the public.

RECOMMENDATION 1: Standardize disciplinary data definitions and codes within each state and ensure consistent application of these definitions, to facilitate accurate data collection, reporting, and analysis.

RECOMMENDATION 2: Expand statewide longitudinal data systems to include or broaden disciplinary data collection and reporting.

RECOMMENDATION 3: Prepare and annually present data in a way that is meaningful, flexible, and accessible to the school community, administrators, educators, and policymakers.

POLICY STATEMENT II

School, district, and state leaders collect and analyze school discipline and other related data to diagnose existing needs; inform strategic planning; guide decision making and resource allocation; track progress; and measure the effectiveness of policies and practices.

RECOMMENDATION 1: Identify and develop a strategy for coordinating each of the data collection efforts necessary to assess the existing school climate; the behavioral health needs of the student population; the relationship between local law enforcement and the school; and the nature of school-based referrals to the juvenile justice system. Data should be collected on a continuous basis and used to develop action plans for improvement.

RECOMMENDATION 2: Identify, track, and report multiple indicators at the campus, district, and state level that enable policymakers, educators, parents, and other stakeholders to evaluate the effectiveness of efforts to improve school discipline policies and practices.

INTRODUCTION

SCHOOL LEADERS AND STAFF, and policymakers at every level of government must understand how frequently students are removed from the classroom for disciplinary reasons. This information should be reported clearly and made available regularly to students, parents, and the public. Realizing these goals, along with developing a nuanced understanding of whether changes to school discipline policy and practice are creating a better learning environment for all students, requires improvements to existing approaches to the collection and communication of school discipline data.

The collection and reporting of basic school discipline information is necessary to

- identify the trends and outcomes related to disciplinary actions;
- track the extent to which there is disproportionality based on students' race/ethnicity, gender, special education and English language learner (ELL) status;
- inform strategies by teachers and administrators to prevent suspensions;
- target appropriate interventions and supports at the student, campus, and district levels;
- increase transparency in the larger school community regarding disciplinary practices; and
- evaluate the efficacy of different approaches to discipline and safety.

The extent to which individual school districts and entire state school systems collect and report the data needed to accomplish these goals varies dramatically from one district, and one state, to the next.[1]

The U.S. Department of Education administers three sets of requirements that are particularly relevant to state and local efforts to collect school discipline and safety data:

1) The Office for Civil Rights Data Collection (CRDC) conducts a biennial data collection that provides considerable detail (see the Office for Civil Rights Data Collection box later in this chapter), but is usually reported to the public 18 months or more after the end of the academic year in which the data was collected. This data typically describes findings for only a sample of local school districts. The results do not always align with state-reported counts of disciplinary actions, due to inaccuracies in reporting or misalignment between state and CRDC data definitions and reporting formats. For example, the 2011-12 CRDC data reported that the Austin (TX) Independent School District had no referrals to law enforcement and no arrests on campus. In verifying this data with the district, the CSG Justice Center found that the number was not in fact zero, but rather the data for the district was not reportable in the format requested by OCR. OCR recorded and reported the districts' "not reportable in the format requested" response as "0" instead of "N/A."[2]

2) Title IV, Part A (Safe and Drug Free Schools and Communities) of the Elementary and Secondary Education Act (ESEA) requires recipients of Title IV funds to collect and publicly report annual information on truancy rates and the frequency and seriousness of violent and drug-related offenses resulting in suspension or expulsion.[3] Under ESEA Title IV, grantees are not required to report discipline and safety data by race/ethnicity, gender, or special education status.

3) The Individuals with Disabilities Education Act (IDEA) requires every state education agency (SEA) to examine district data on long-term suspension and expulsion among local education agencies (LEAs) to determine if there are significant racial disparities, as well as discrepancies between students with and without disabilities. Compliance with this federal mandate varies widely.[4]

These federal requirements define terms such as "in-school suspension" and "out-of-school suspension," which in theory should translate into a national, standardized definition for these terms regardless of the school district or state school system. In reality, however, states publish data in this area based on definitions that are distinct and varied, making comparisons among states difficult if not impossible. Further complicating matters is the variation among school districts within a state, making it challenging to aggregate and analyze data at the state level.

This problem could be solved if all states adopted and employed the same terms and definitions involving school discipline data. The federal definitions associated with the CRDC reporting requirements described above provide such a template. Many researchers have advocated that all states use this template systematically. Nevertheless, this report recognizes resistance and barriers in individual states to the "federalization" of disciplinary data definitions. Accordingly, recommendations here highlight the value of the definitions provided in CRDC data, but only go so far as to encourage policymakers to ensure that at an absolute minimum there must be consistency in data definitions within a state.

The recommendations that follow focus on the annual collection and reporting of basic school discipline indicators. Recommendations are offered to improve the ability of various entities to aggregate data, to make use of existing data infrastructures to expand the collection of discipline-related indicators, and to report data in ways that are meaningful and accessible to key stakeholders.

There is a cumulative burden associated with the recommendations throughout this report that propose data collection, surveys, and other information gathering. Accordingly, an inventory of all of the recommendations in this report that contemplate the collection of data is provided, along with strategies for building capacity and creating efficiencies in collecting and tracking data over time.

Approaches for measuring the effectiveness of a school's discipline system beyond just tracking suspensions are also provided. Indicators such as how changes in suspension rates relate to measures of a safe and supportive school climate, and teacher and student perceptions of security and engagement, are needed to provide a more holistic view of a school's health and success.

The statements below describing the type of data that should be collected are not put forward as mandates. As it is, school districts have significant data collection demands resulting from federal, state, and local requirements. Furthermore, costs associated with building and modifying information systems are substantial. Ideas suggested in this chapter are meant to provide guidance for existing or future data operations and plans.

POLICY STATEMENT I

Data that tracks student offenses, describes the frequency with which students are suspended and expelled, and explains to what extent there is disproportionality in the use of exclusionary discipline is collected and maintained at the campus, district, and state level. This data is easily accessible and annually reported to the public.

Every administrator and policymaker at the state, district, and campus level should be able to answer the following questions as they relate to all public schools, including charter and alternative schools:

1. How many students are suspended (in school and out of school) and expelled annually?*
2. What are the top five offenses for which students are suspended and expelled?
3. What are the demographic characteristics of the suspended and expelled population (age/grade, race/ethnicity, gender, and LGBT self-identification when possible) and their representation in the school population?
4. What proportion of the population suspended/expelled are students with disabilities and English language learners (ELLs)?
5. What proportion of suspended students received three or more suspensions in a single school year?
6. How do suspension and expulsion rates (overall and disaggregated by age/grade, race/ethnicity, gender, disability and ELL status, and LGBT self-identification) at the campus, district, and state level compare to similar campuses, similar districts, and national averages?
7. Of the total number of school days missed, what percentage was missed because students were removed from the classroom for disciplinary reasons?

In an effort to assess states' ability to address the most basic of these questions about how many students are suspended and expelled annually, the CSG Justice Center, in collaboration with the Civil Rights Project of the Center for Civil Rights Remedies at UCLA, reviewed all 50 states' SEA websites and conducted follow-up interviews to locate publicly reported disciplinary data. Results were compiled in a web-based resource containing summaries of disciplinary data for each state.[5]

The findings from the 50-state survey revealed that most states (four out of five) collect and report some school discipline data on their SEA websites. Almost no states, however, collect and

* Expulsion is typically defined as a disciplinary sanction that permanently removes a youth accused of a serious code of conduct violation or charged with a criminal offense from the school campus where the offense occurred, but states' definitions may vary.

report the data necessary to answer all of the questions above. Fewer than half the states (43 percent) report data on their SEA websites necessary to ascertain how many students are suspended annually. SEA websites in only one out of three states (33 percent) provide information that makes it possible to compare suspension and expulsion data among Black, Latino, Asian, American Indian/Alaska Native, and White students.

It is possible that some states have data on disciplinary actions but do not make it public on their SEA websites. The importance of data is based in large part, however, on how accessible it is to policymakers, practitioners, and the public. Data that exists but cannot be obtained and used by educational stakeholders loses relevance and value.

LEADERS IN DISCIPLINARY DATA COLLECTION AND REPORTING

Virginia, Wisconsin, and Maryland are among the states that stand out for the relative comprehensiveness of disciplinary data on their SEA websites, although researchers based in those states caution that there are significant limitations to these datasets.

Virginia: The website for the SEA posts three sets of school discipline reports:

1. The Discipline, Crime, and Violence (DCV) Report provides counts of incidents by offense type; outcome (suspension, expulsion, other); and grade level. The report specifies data included on the state, division, and campus report cards (Virginia's accreditation standards require school report cards to include information about school safety.)

2. The Safe Schools Information Resource (SSIR) creates the potential for customizing discipline reports by year; region; division; school; offense category; offense type; discipline type; number of students who repeat offenses; and students' race/ethnicity, gender, grade, and disability status.*

3. Student Truancy Reports provide truancy counts by district. Truancy counts include all students with whom a conference was held after the student had accumulated six unexcused absences.

For more information, visit doe.virginia.gov/statistics_reports/school_climate/index.shtml .

Wisconsin: WISEdash, a data portal that provides an interactive way to select and filter Wisconsin public school data from the 2005–06 school year forward, is housed on the state's SEA website. WISEdash allows users to view and download state, district, and campus-level disciplinary data on habitual truancy; suspension/expulsions; weapon- or drug-related incidents; other infractions; days lost due to suspension/expulsion; and post-expulsion services and returns to school. The data may be viewed for all students or disaggregated by gender, race/ethnicity, grade, or disability status. WISEdash disciplinary data reports are available at wisedash.dpi.wi.gov/Dashboard/portalHome.jsp .

Maryland: Annual reports on truancy, in-school suspension, out-of-school suspension, and expulsion are disaggregated by race and offense. The reports are not customizable, but they are publicly available under "student publications" on the SEA website at marylandpublicschools.org/MSDE/divisions/planningresultstest/prim_pubs.htm .

* Less than signs (<) in SSIR output indicate cell sizes too small to report under FERDA.

The quality of state-level school discipline data depends on systematic, coordinated data collection efforts by individual schools and districts. Although most schools have strategies for keeping track of disciplined youth at a campus level, there are not always coordinated electronic data systems in place to capture, store, and share information in a uniform way across campuses. When disciplinary data definitions and collection efforts are not consistent across campuses, data becomes difficult to aggregate and the integrity of district and state systems is compromised. For example, campuses may have different definitions of what constitutes and is coded as a "suspension." One school may say moving a student out of one classroom and putting him/her into a different classroom meets the definition of an in-school suspension, whereas another school might not record such an action at all. In some schools a suspension could be as short as removal from the classroom for just one class period, while other schools define a suspension as a removal from the classroom for one or more days.

The recommendations that follow include strategies to improve and expand disciplinary data collection at the campus, district, and state level through state-level standardization of data definitions. The recommendations also recognize the need to leverage the infrastructure of existing and evolving state electronic data systems. Implemented diligently, these recommendations can help ensure that school discipline data is regularly reported, accessible, and easily understood.

RECOMMENDATION 1: **Standardize disciplinary data definitions and codes within each state and ensure consistent application of these definitions, to facilitate accurate data collection, reporting, and analysis.**

The standardization of disciplinary data definitions and reporting codes at the state level should cover each disciplinary incident that occurs during a given school year. The following data points must be systematically collected and recorded:

1. Unique state student identifiers (SIDs) linked to basic demographic information, grade level, ELL status, and special education status[6]
2. Location of disciplinary incident (e.g., on campus or off campus at a school-related event)[7]
3. Date/time of disciplinary incident
4. Offense codes (describing a student disciplinary incident, such as a fight, dress code violation, disruption of class, or possession of weapon), standardized at the state level[8]
5. Disposition codes (e.g., in-school suspension, expulsion, removal to alternative placement, or referral to law enforcement)
6. Date of student removal and return

It is crucial that common definitions and data codes are used for each infraction and disposition statewide. For example, there should be a statewide standard for coding a student who receives a partial-day, in-school suspension for disrupting class. As discussed above, basic definitions and coding guidelines should be set at the state level and, to the greatest extent possible, be consistent with federal U.S. Department of Education's Office for Civil Rights Data Collection definitions.[9]

OFFICE FOR CIVIL RIGHTS DATA COLLECTION

Every other year the U.S. Department of Education Office for Civil Rights (OCR) engages in a comprehensive school discipline data-collection effort.[10] Data is collected either from all public school districts or a nationally representative sample of public school districts.[11] The collected data is disaggregated by race, gender, disability status, and ELL status, and includes counts for the following indicators:

- Number of students who received in-school suspensions
- Number of students who received out-of-school suspensions
- Number of school days missed by students who received out-of-school suspensions (*optional in 2013–14; mandatory in 2015–16*)
- Number of students subjected to corporal punishment
- Number of instances in which corporal punishment was used (*optional in 2013–14; mandatory in 2015–16*)
- Total number of expulsions (with and without educational services)
- Number of zero-tolerance expulsions (e.g., for a gun or other serious mandatory disciplinary action)
- Number of referrals to law enforcement (an action by which a student is reported to any law enforcement agency or official, including a school police unit, for an incident that occurs on school grounds, during school-related events, or while taking school transportation, regardless of whether official action is taken)
- Number of school-related arrests (arrest of a student for any activity conducted on school grounds, during off-campus school activities including while taking school transportation, or due to a referral by any school official)

Because districts must already be able to access and report this school discipline data if they are selected for OCR collection, states should at minimum use OCR indicators and definitions as a baseline for data collection. States may also consider adding measures or adjusting indicators to reflect distinct state and local concerns. Additional indicators may include the total number of disciplinary actions (in addition to number of students suspended/expelled) and offense types.

RECOMMENDATION 2: **Expand statewide longitudinal data systems to include or broaden disciplinary data collection and reporting.**

Most campuses and districts have strategies in place to keep track of school discipline information—both informally through notes and record keeping, and formally through office records and campus data systems. It is less common to find data from all school districts successfully aggregated at the state level. Initiating or expanding uniform data collection statewide is often costly, labor-intensive, and logistically complicated. It is, however, also necessary to understand disciplinary disproportionality and other trends at both the district and state levels that can inform state-level school discipline policy decisions.

Incorporating disciplinary data indicators into existing or emerging state longitudinal data systems (i.e., state data systems that collect and maintain detailed student-level data over time and across campuses/districts, providing a complete academic and performance history for each student[12]) is critical, but it is complicated by the reality that states are at very different stages of disciplinary data integration.[13] Texas, for example, has an established statewide electronic data system with fully integrated disciplinary data indicators. Based on the data each campus and district reports through the state's electronic data system, the SEA is able to publish several annual school discipline reports.[14] In recent years, California has also expanded state-level data collection and reporting requirements. The California Longitudinal Pupil Achievement Data System (CALPADS) established standardized data definitions and guidance for collecting and reporting accurate data at the local level.[15] Other states have electronic data systems but have not yet fully integrated disciplinary indicators.

DATA COLLECTION RESOURCES

For resources on expanding data collection and access, see

- The National Forum for Education Statistics at NCES at nces.ed.gov/forum/publications.asp ,
- Data Quality Campaign at dataqualitycampaign.org/ ,
- The school discipline data web tool of the Civil Rights Project at UCLA's Center for Civil Rights Remedies at schooldisciplinedata.org .

For information specific to discipline data, see the *Forum Guide to Crime, Violence, and Discipline Incident Data* (2011) at nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2011806 .

RECOMMENDATION 3: **Prepare and annually present data in a way that is meaningful, flexible, and accessible to the school community, administrators, educators, and policymakers.**

No matter how much disciplinary data a state may collect, if the data is not readily available, or if it is not presented clearly and in a way that helps people reviewing it understand key takeaways, the data delivers relatively little value. States should collect and aggregate data from all districts (including all public, charter, and alternative schools within the district) and then make the information available on SEA websites. To maximize the usefulness of data, SEAs should ensure the following:

1. ***Data is easy to locate.*** The 50-state survey revealed that many states' disciplinary data was buried deep within an SEA website. The states with the most easily accessible data tend to have a "Data and Reports" tab on their SEA homepage that leads users to a page where they can choose the type of data they need for further investigation (See, e.g., Minnesota SEA website at education.state.mn.us/MDE/Data/index.html).
2. ***Data is easy to understand.*** Data should be presented in a way that helps users quickly understand the general trends in school discipline practices and disproportionality. Summary tables, pie charts, and comparative graphs help users make sense of the large amount of disciplinary data compiled at the state level. Definition of each term should be provided. To the extent possible, the findings should be communicated in Spanish and other languages spoken by a large number of students and parents in the school community.
3. ***Data reports are somewhat customizable.*** There should be options that allow users to get more detailed data on a particular campus or district, or to compare several campuses or districts. It is also helpful to allow users to choose disaggregating categories (See, e.g., Virginia's Safe Schools Information resource website at p1pe.doe.virginia.gov/pti/).
4. ***Data reports focus on key metrics and avoid overwhelming users with information***. Data should highlight counts of suspensions and expulsions by race, gender, disability and ELL status, and other key factors discussed in Policy Statement II, below. SEA websites should provide users with the information they need to answer the basic disciplinary data questions posed at the beginning of this section.

POLICY STATEMENT II

School, district, and state leaders collect and analyze school discipline and other related data to diagnose existing needs; inform strategic planning; guide decision making and resource allocation; track progress; and measure the effectiveness of policies and practices.

It is critically important for states, districts, and schools to consider how suspension and expulsion data, along with other critical information, is used to assess, plan, and evaluate efforts to improve approaches to school discipline.

Each chapter in this report directs users to collect different types of data to assess existing policy and practice, diagnose problems, develop goals and action plans, and to establish a benchmark against which progress can be tracked. The Conditions for Learning chapter recommends the collection of data to assess school climate, safety, and student engagement, and to develop plans for improvement. The Targeted Behavioral Interventions chapter explains how to collect and review data to identify student behavioral health needs, assess the availability and quality of supports that meet those needs, and address gaps in services. The School-Police Partnerships chapter provides a tool for local jurisdictions to review a variety of data sources to determine school safety goals and how partnerships with law enforcement can help them achieve these goals. The Courts and Juvenile Justice chapter provides strategies to systematize the collection, reporting, and analysis of school-based referral data to help district officials better identify and provide support to schools that refer a high number of cases to the juvenile justice system.

Few if any jurisdictions have thought comprehensively about how they integrate all of these data indicators to assess school discipline, climate, and safety; to develop action plans for improvement; and to monitor progress. The first recommendation that follows discusses the importance of using multiple data sources and includes a summary of the different types of data that are proposed in the preceding chapters of this report. It also provides a few broad strategies for how school-based staff, in coordination with others, can make the processes involved in developing this data more efficient and less burdensome.

Just as leaders at the local, state, and federal level need to think comprehensively about how they use distinct data collection efforts to assess conditions and plan their efforts, they also need to consider using a more holistic approach to evaluating whether changes to school discipline policy and practice are having their intended impact. The successful application of the recommendations in this report is not reflected solely in a reduced number of suspensions and expulsions. A school, for example, can lower its rates of out-of-school suspensions and expulsions, yet still have a disproportionate impact of these actions on students of color or students with disabilities. In addition, if perceptions and feelings of safety decline as disciplinary actions decrease, schools are simply trading one problem for another.

The second recommendation, therefore, provides guidance for how schools, districts, and states can track certain data over time and use this information to paint a more complete picture for stakeholders. Stakeholders want to know that their efforts to improve a school discipline system have made all students and teachers feel safer and more supported, reduced the number of offenses committed on campus, and lowered the frequency with which youth are referred to the juvenile justice system. This recommendation proposes that schools, districts, and states can track multiple indicators to get a true assessment of the effectiveness of the overall school discipline system.

RECOMMENDATION 1: **Identify and develop a strategy for coordinating each of the data collection efforts necessary to assess the existing school climate; the behavioral health needs of the student population; the relationship between local law enforcement and the school; and the nature of school-based referrals to the juvenile justice system. Data should be collected on a continuous basis and used to develop action plans for improvement.**

Recognizing that each of the chapters in this report describes efforts to consistently assess existing practice to inform leaders in a school, district, or a state about where to focus their efforts going forward, this recommendation presents a list of data indicators that should be collected continuously and reported annually for planning purposes. (As much as possible, the data recommended should be collected and disaggregated by race, gender, ethnicity, and disability status, and additional categories typically required for other reporting mandates such as ELL, migrant, student mobility, or free and reduced lunch.)

TABLE 1. SCHOOL DISCIPLINE, CLIMATE, AND SAFETY DATA INDICATORS

Chapter	Objective	Data Collection for Assessment and Planning	Sources
Conditions for Learning	To assess school climate, conditions for learning, and student engagement, and to inform the development of school improvement plans.	■ Standardized test scores ■ Course grades/course completion ■ Reading/literacy assessments ■ Graduation/dropout rates ■ Office referrals ■ Out-of-school suspensions ■ In-school suspensions/referrals to student planning centers or redirection rooms ■ Expulsions ■ Detentions ■ Attendance/truancy ■ Referrals to alternative placements ■ Referrals to law enforcement ■ Transfers to other schools that are not due to a change in the location of the students' primary residence ■ Perceptions of safety, engagement, and positive climate	■ Campus-level electronic student data system ■ School climate surveys
Targeted Behavioral Interventions	To determine the range and severity of student behavioral health needs and availability of services, and to develop a comprehensive system that provides targeted behavioral interventions.	■ Referrals to student support team ■ Referrals to external health providers or agencies ■ Child welfare placement ■ Student mobility status (homeless, migrant, etc.) ■ Special education referrals ■ Data from IEPs/504 Plans ■ Access/availability of behavioral health services ■ Behavioral health needs of student population	■ Campus-level electronic student data system ■ Behavioral health surveys ■ Student IEPs and 504 plans

Chapter	Objective	Data Collection for Assessment and Planning	Sources
School-Police Partnerships	To assess school safety needs, develop safety goals, and determine the best and most appropriate school-police partnership.	■ Arrests on campus (including information on location and type of offense) ■ Calls for service and/or arrests at school-sponsored events, off campus, and/or at bus stops ■ Calls for service placed by the school to local/county law enforcement agency (off-campus officers) through 911 vs. non-emergency assistance (if available) ■ Calls to school district police agency (if applicable) ■ Tickets on campus (from local police or school-based police, where applicable) ■ Weapons confiscated ■ Drugs confiscated ■ Perceptions of safety and law enforcement	■ Law enforcement incident data (law enforcement unit records, police agency records) ■ School climate surveys
Courts and Juvenile Justice	To learn more about youth being referred to the juvenile justice system and assist school district officials in reallocating resources and providing support to high-referring schools.	■ School-related court referrals ■ Offense type (the charge/offense that prompted referral) ■ School-related case outcomes (dismissed, diverted, referred to pre-adjudication probation, and adjudicated)	■ Juvenile justice data systems

Understandably, schools and districts may feel overwhelmed at the notion of collecting all of this data and developing systems and processes that can support such an expansive effort. This list of indicators provides a comprehensive vision that states, districts, and schools can build toward as they are developing or refining their education data systems and integrating other data systems from agencies serving youth. Although all of this data is important, the process will take time to develop, and states and local jurisdictions are at different stages in building a robust and comprehensive data system that includes many if not all of the indicators listed above.

While working toward this goal, there are some strategies that schools and districts can consider and perhaps adopt to make the assessment and planning process more efficient and less burdensome for school staff.

- ***Identify a central point(s) of contact:*** Various staff in a school collect and use the data listed in the above table for a range of purposes. Multiple stakeholders are involved in conducting assessments of a school's climate, discipline, and safety to inform the development of an improvement plan. Often, however, these stakeholders only focus on assessment results over which they have direct authority (e.g., school psychologists focus on behavioral health results or SROs focus on the number of crime incidents). To ensure that these assessments are not conducted in isolation, schools should identify a central point of contact to help coordinate and lead data-collection efforts related to these initiatives. A staff member on the school leadership team (or school improvement team), for example, can be responsible for managing the collection of data related to multiple indicators to assess and monitor these data points, and track progress as new policies and practices are implemented. Having a central point of contact can ensure that all the stakeholders involved are aware of assessment results in each thematic area (e.g., school climate, academic performance, school discipline, school safety, or behavioral health) and how these results relate to one another.
- ***Use an existing team in the school to examine assessment results and develop measurable goals:*** Just as having a central point of contact leading strategic planning and data collection efforts is essential, so is a team approach to developing shared goals and objectives. The school improvement team or the school leadership team (or a school's research department, if one exists) should be responsible for analyzing the data collected during the assessment process and compiling it into concise and meaningful reports. The team can then use these reports to determine priority areas and inform the development of measurable goals related to school discipline, behavioral health, climate, and safety. In developing measurable goals and an action plan, the team should also delegate responsibilities to particular staff, define timelines, and determine what monitoring and evaluation of progress toward identified goals will look like.

- ***Coordinate survey dissemination:*** The use of school climate, safety, and health surveys for students, staff, and parents is discussed extensively throughout the report as a key mechanism for gathering data to assess current conditions and inform planning. Ideally, schools are using survey tools that are validated and reliable. These tools should not be combined or consolidated, as doing so would undermine their value and utility. Schools should try to make the process of collecting survey data as efficient as possible, however, to avoid overburdening students, staff, and families in responding, as well as staff responsible for dissemination and data collection. Timing for survey administration, for example, can be critical to getting the most responses possible, as can the survey method used (paper or electronic). Schools should review their calendars and examine when surveys or information to students, staff, and parents are disseminated and try to coordinate accordingly. The Conditions for Learning and Targeted Behavioral Interventions chapters provide some guidance on how to select survey tools, what questions should be asked, and examples of existing instruments that can be modified to reflect distinct local needs.
- ***Improve communication between youth-serving agencies that may keep and track data on individual students:*** As mentioned throughout the report, there are many organizations and agencies that interact with particular students, and each of the entities may collect and monitor data about these youth to target services and improve outcomes. It is important for all of these entities to understand relevant federal and state privacy laws and local regulations regarding the sharing of student-level data. Operating in compliance with these mandates, entities should work together to eliminate barriers to effective information sharing so that services can be tailored and coordinated.* As states and jurisdictions work to improve data systems and collection practices, they should also consider how education data systems can be integrated and aligned with social services/child welfare, juvenile justice, and mental health data systems. States should help facilitate this work by creating a governance structure to oversee it and implementing agreements between agencies to ensure that data can be shared in a manner that is transparent and efficient, abides by privacy requirements, and takes into account the need for interoperability across systems.†

* For more information about state and federal privacy laws related to student-level data see the Information Sharing chapter of the report.
† For more information on alignment between public agency data systems and recommendations for how policymakers and other actors can help make these linkages, visit the Data Quality Campaign's website at dataqualitycampaign.org .

AUSTIN INDEPENDENT SCHOOL DISTRICT ELECTRONIC CHILD STUDY TEAM AUSTIN, TX

The electronic Child Study Team (eCST) is a web-based application developed by the Austin Independent School District (AISD) that was designed to aid teachers, support staff, and administrators who provide a range of academic, behavior, attendance, and speech/language interventions to students. At the core is a dashboard that provides a summary of key student data, a series of tabs that allow the user to view more detailed information about specific data areas (e.g., attendance, assessments, or discipline), and a report-generator for staff to create lists of students based on customizable sets of descriptive and risk-based search criteria.

This teacher-inspired integrated data management system compiles on-campus academic, behavior, attendance, and speech/language interventions; tracks how the district serves students and their families; and monitors student, campus, and district progress on particular outcomes. The tool assists with advanced case management of individual student and group intervention plans. Qualitative and quantitative data and a step-by-step meeting record template are used to select and monitor whole child learning supports.

The data management components of eCST assist staff in designing, implementing, and monitoring interventions. The system also provides interactive tools for identifying appropriate interventions as well as individualized monitoring. Staff members are able to enter individualized student notes that provide contextual information on students that is then available to other staff.

Key strengths of eCST are the linking of micro and macro student data and the ability to preserve detailed student-specific intervention information over time. Administrators have the ability to identify particular student populations and to get more specific information about individual students of interest, and to access available intervention and support information typically held at the teacher or campus level.

RECOMMENDATION 2: **Identify, track, and report multiple indicators at the campus, district, and state level that enable policymakers, educators, parents, and other stakeholders to evaluate the effectiveness of efforts to improve school discipline policies and practices.**

Over the past several years, school administrators and policymakers have become increasingly focused on the following related, but distinct, goals: eliminating incidents of violence and other crimes on school campuses; reducing referrals to the juvenile justice system for minor school-related offenses; improving school climate; lowering suspension and expulsion rates; and addressing disparities in those suspension rates. Too often, funding needs, political pressure, litigation, and other factors that focus on one of these objectives push school officials and others to track a particular metric, without considering the relationships among these goals.

Education, health, law enforcement, and juvenile justice system officials, along with youth, parents, and advocates, must develop a shared vision for how they will comprehensively measure whether a school is providing a structured, safe, and supportive environment for teaching and learning. Doing so will help them understand how, for example, improvement in suspension rates corresponds to changes in attendance rates. Such an approach binds stakeholders to a common set of goals, promoting the integration of efforts that otherwise might be fragmented or potentially work at cross-purposes.

One example of an effort to think comprehensively about the relationship between school discipline and other distinct but related goals comes from Virginia, where a team of experts from the University of Virginia, led by Dr. Dewey Cornell, has designed and validated a concise school climate survey called the Authoritative School Climate Survey (ASCS). The ASCS assesses student perceptions of school climate across four dimensions—structure, support, engagement, and prevalence of bullying. The survey instrument consists of a set of 5–8 simple statements related to each of the four dimensions and students are asked the extent to which they agree or disagree with each statement.[16]

Although many school districts administer school climate surveys that evaluate student perceptions of safety, fairness, support. and engagement, the ASCS is distinctive in three important ways. First, unlike other school climate instruments, the survey items on the ASCS have been tested for effectiveness at both the student and school level. Many school climate surveys, if validated at all, are done so at the student level only, but are misused for school-level comparisons. Validation at the school level allows for more meaningful, accurate comparisons across school campuses over time. Second, the ASCS is brief and simple; through multi-level statistical methodologies, survey items have been pared down to the most salient set of questions corresponding to structure, support, engagement, and victimization.[17] Finally, Cornell and colleagues have tested the relationships among the four dimensions of the ASCS and looked at school climate survey results alongside other school indicators. They have found that high levels of structure and support were associated with increased levels of student engagement, decreased instances of student bullying, lower levels of student aggression towards teachers and peers, and increased rates of academic achievement.[18]

The work in Virginia is important because it has begun to identify relationships among school climate factors and certain disciplinary and academic indicators. There is, however, a continued need to assess relationships between school climate and other important school indicators including graduation rates, attendance, and safety data. There is also a need to develop strategies for schools and districts to analyze and report this data and the relationships to the public. Currently, no state or school district appears to be thoroughly tracking and communicating school discipline data as envisioned in the first policy statement in this chapter. Even realizing that goal would be insufficient, however. To invest all stakeholders in

the education, health, law enforcement, health and juvenile justice systems, along with other community-based partners, in an effort to reduce the use of exclusionary discipline, state and local leaders must not simply scrutinize the number of suspensions and expulsions. They must measure outcomes that integrate a number of priorities that are too often viewed as stand-alone efforts, but which collectively contribute to a school environment where all students feel safe, supported, and encouraged to learn.

Conclusion

In many school districts across the country, school officials, policymakers, and parents are unable to easily determine how many youth are removed from the classroom for disciplinary reasons each year and how schools' disciplinary practices relate to school safety, the learning environment, or academic outcomes. Understanding the scope of exclusionary discipline use in schools, its impact on vulnerable populations, and how it relates to other important measures of success requires annual coordinated, systematic data collection and reporting efforts across campuses, districts, and agencies that interact with or provide services to disciplined youth. Standardizing data definitions at the state level, expanding electronic data systems to include key disciplinary indicators, streamlining the collection of important data items throughout the school year, and reporting discipline measures alongside those for safety, climate, and academic achievement will help make school discipline data more meaningful and accessible to key stakeholders.

KEY TAKEAWAYS

- States must standardize disciplinary data definitions to be able to aggregate and compare data across districts and campuses and between states. States should use the U.S. Department of Education's Office of Civil Rights Data Collection data definitions as a baseline.
- At a minimum, states should collect and annually report information to the public on student offenses, frequency of suspensions, expulsions, arrests, and referrals to the juvenile justice system. All reported data should be disaggregated by race/ethnicity, age, offense type, gender, and disability and ELL status.
- States, districts, and schools should create efficiencies in collecting data and conducting needs assessments/surveys to make these processes less burdensome for staff, families, and students.
- In addition to reporting school discipline data, districts should track and report school safety, climate, and academic measures in a single report to allow key stakeholders to identify relationships and track progress across multiple indicators.

CONCLUSION

IN RECENT YEARS, students and parents across the United States have been calling on educators and leaders at every level of government to take a hard look at the large numbers of youth suspended or expelled from school, particularly for minor offenses. Mounting research corroborates just how common it has become for students to be removed from the classroom for misbehavior, and the disproportionate impact of these actions on students of color, youth with disabilities, and students who self-identify as LGBT.

One of those landmark studies was released in 2011 when state leaders in Texas unveiled *Breaking Schools' Rules,* a report on a study of nearly one million secondary school students, which showed, among other findings, that students who are suspended are more likely to drop out of school and become involved in the juvenile justice system. These alarming results produced a clarion call to policymakers everywhere that high rates of suspension and expulsion are undermining important education, safety, and child welfare goals.

In response, education, law enforcement, health, court, and other juvenile justice officials have increasingly engaged with members of school communities to improve discipline policies and implement approaches to better prevent and respond to student misconduct. Many of these approaches are designed to ensure students take responsibility for their actions, are responsive to the needs of victims, and use calibrated and developmentally appropriate responses to misbehavior. National organizations and federal agencies have urged the field forward by sharing these promising practices and supporting innovation. Journalists across the country have monitored these developments closely, keeping issues related to disciplinary actions and school-based arrests in the spotlight.

Despite all this attention and progress, there has been no comprehensive roadmap reflecting a consensus across the multiple fields of individuals and organizations serving youth about how to reduce the number of students suspended, expelled, and arrested, while also providing the conditions for learning that make all students feel safe, welcome, and supported. This report helps fill that gap.

The challenge for readers of this report is determining which problems to tackle first. Because there is no one-size-fits-all action plan that will work in every school, district, or state, it is important to prioritize a manageable number of issues that address the school community's greatest needs. Much as it took the perspectives of students, parents and individuals spanning the education, law enforcement, health, and juvenile justice systems to shape this report, so will it take a similarly diverse working group (although smaller in number)—at the school, district, or state level—to review and prioritize its recommendations.

These working groups will be able to identify the greatest needs and opportunities for improving students' academic, social, and emotional growth while reducing youths' involvement in the juvenile justice system. That focus will lead each working group to particular sections of the report that discuss how to implement related recommendations for change.

Wherever they land, working groups must be committed to collecting and using data to inform their efforts. At a minimum, they will need to know how many students are suspended, expelled, and arrested. With that information, they can develop a strategic plan and determine how to expand their foundation of data.

Data on school disciplinary actions alone are insufficient, however, to help a working group understand and track how disciplinary practices are related to school safety, the learning environment, and other school conditions. The group will need to know, for example, what data is available that positions them to measure the current school climate, assess students' behavioral health needs, track school-based arrests and reported crimes, and monitor other student referrals to the juvenile justice system. In examining these issues, the working group will likely find that the data it needs to collect spans multiple independent organizations and agencies, and that harnessing this information may require the navigation of federal, state, and local policies regulating the privacy of this data.

There is a final—and critical—data-related consideration for the group: determining how to define and measure success. Whichever issues the working group prioritizes, it must agree on how to measure goals that effectively integrate the distinct objectives of each perspective represented in the group. This report envisions a future where leaders at the school, district, and state levels routinely produce data demonstrating not just reductions in suspension rates but also correlations between fewer disciplinary actions and improved learning conditions, academic achievement, attendance, and other desired outcomes for all students.

With the right cross-section of leaders and stakeholders committed to a data-driven process, this report's guidance and tools can be used to design approaches, tailored to any jurisdiction, to help more students stay in safe and engaging classrooms and out of the juvenile justice system. The pace and potential for reforms in the years ahead depends largely on leaders' support for the dedicated people on the front lines of education, law enforcement, juvenile justice, and health services working in collaboration with students, parents, and others in the school community.

The recommended policies and approaches covered in this report—to which 700 individuals contributed—are far-reaching and cross many areas of public policy that affect diverse constituencies. There is no shortage of nationwide interest in improving schools, making communities safer, and enhancing the life prospects of young people. It seems clear, then, that individuals committed to those goals will be eager to implement this report's recommendations and that our schools, neighborhoods, and youth will be better for their efforts.

APPENDIX A: SCHOOL DISCIPLINE CONSENSUS PROJECT ADVISORY GROUP MEMBERS

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* In February 2014, former Representative Holder-Winfield was elected to the Connecticut State Senate in the 10th district.
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Senator John Whitmire, Chair, Senate Criminal Justice Committee, Texas State Senate, TX

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Patricia Wright, Senior Professional Associate, National Education Association, DC

Lisa Walker, Senior Researcher, Chapin Hall, University of Chicago, IL

In addition, a number of organizations provided extensive support to help the CSG Justice Center organize listening sessions around the country with educators, youth, parents, family members, and community leaders. Without the assistance of these organizations, these listening sessions would not have been possible.

Casey Family Programs, DC
Center for Native American Youth, The Aspen Institute, DC
CONSEJO Counseling & Referral Service, WA
Friends and Families of Louisiana's Incarcerated Children, LA
Latino Community Fund Washington State, WA
National Association of Elementary School Principals, VA
National Association of School Nurses, MD
National Association of School Psychologists, MD
National Association of Secondary School Principals, VA
National Education Association, DC
National Indian Education Association, DC
Oakland Unified School District, CA
Princeton Center for Leadership Training, NJ
School Social Workers Association of America, WA
The School Superintendents Association, VA
Teach for America, DC Chapter
Teachers Unite, NY

* Frank Straub is currently Chief of Police in Spokane, WA.
† Emma Tai left Voices of Youth in Chicago Education in August 2013.

APPENDIX B: CLEVELAND METROPOLITAN SCHOOL DISTRICT STUDENT SUPPORT TEAM PROTOCOLS

CLEVELAND METROPOLITAN SCHOOL DISTRICT
Vision to Victory

Student Support Team Referral Form

Student's Name (print): _____ D.O.B_____ Student I.D. _____

Address: _____ Phone: _____

Parent/Guardian: _____ Mobile: _____

School: _____

Referent (print): _____Title: _____ Date: _____

Problem(s) for which child is being referred:

Academic, Learning and Behavioral Difficulties **(check all that apply)**

☐ Listening Comprehension ☐ Oral Expression ☐ Basic Reading ☐ Comprehension Skills
☐ Written Expression Skills ☐ Basic Math ☐ Math Concepts ☐ Learning Skills
☐ Social/Emotional Skills ☐ Behavioral Concern(s) ☐ Attendance/Tardiness

Description of Academic/Learning Concerns: _____

_____

_____

Description of Behavioral Concerns: _____

_____

_____

Other Reason(s) for Referral: **(Check all that apply)**

☐ Involved in Crisis Situation ☐ Homeless ☐ Court Involvement
☐ Health Concerns ☐ Other _____
Additional information in regard to referral: _____

_____

Have these concerns been discussed with parent/guardian? ☐ Yes ☐ No
What was the outcome of the discussion? _____

_____

_____

Mode of Communication: (Check all that apply) Date(s): _____
☐ Phone ☐ Email ☐ Face to Face ☐ Home Visit ☐ Note Home with Student ☐ Other

What are the student's academic/behavioral strengths? (see most recent grades/reports)

_____

_____

Academic Concerns

Target Problem(s), Please list the top three concerns in order of priority and be very specific:
1)_____
_____
2)_____
_____
3)_____
_____

Please indicate teacher initiated interventions that you have implemented or are currently implementing to address the problem. A SST Intervention Tracking Form must be completed for each identified intervention and attached to this referral form, including those attempted prior to the SST referral. Please note that what you did before SST is important and commended!

Teacher Initiated Academic Interventions and Modifications
Include duration in weeks/months
Choose one of the following for success level

[1] Successful (Problem Corrected)	**[2] Unsuccessful (No Improvement)**	**[3] Progress (Improvement seen, continue)**	**[4] In Process (Needs more time)**

Interventions

☐ Direct instruction methods
Duration: _____ **Success Rate**: ☐

☐ Small group instruction
Duration: _____ **Success Rate**: ☐

☐ Peer Tutoring
Duration: _____ **Success Rate**: ☐

☐ Other _____
Duration: _____ **Success Rate** ☐

Modifications

☐ Shortened/adjusted assignments
Duration: _____ **Success Rate**: ☐

☐ Changes in testing procedures
Duration: _____ **Success Rate**: ☐

☐ Allow corrections
Duration: _____ **Success Rate**: ☐

☐ Seating Change
Duration: _____ **Success Rate**: ☐

***Refer to SST Intervention Tracking Form for details.**

Behavior Concerns

Target Problem(s), Please list the top three concerns in order of priority and be very specific (what inappropriate behaviors do you see):
1)_____
_____
2)_____
_____
3)_____
_____

How often does the problematic behavior occur? (e.g., 10 times per 20 minute instruction period, etc.):
_____

SST Meeting and Summary Disposition Form

School Name: _____ Date of meeting: _____

SST core members present: _____

Optional participants present: _____

Building Review: Number of cases discussed: _____

Student(s) name with updated information regarding the designated intervention strategies (information found on completed Intervention Tracking Form)

Student Name	Target problem(s)		Recommended interventions	Implementer/Title	Success Level*	Review date
	1.					
	2.					
	3.					
	1.					
	2.					
	3.					
	1.					
	2.					
	3.					
	1.					
	2.					
	3.					

***Success Level Answer Key: S = Successful; I = In progress; U = Unsuccessfu**

Next Steps/Recommendations: If new interventions are determined for above cases, please list below.

Student Name		Target problem(s)	Recommended interventions	Implementer/Title	Success Level*	Review date
	1.					
	2.					
	1.					
	2.					
	1.					
	2.					

*Success Level Answer Key: S = Successful; I = In progress; U = Unsuccessful

New Cases: Number of cases discussed: _____

Student Name		Target problem(s)	Recommended interventions	Implementer/Title	Success Level*	Review date
	1.					
	2.					
	3.					
	1.					
	2.					
	3.					
	1.					
	2.					
	3.					

*Success Level Answer Key: S = Successful; I = In progress; U = Unsuccessfu

If there are any additional comments or notes, please include on a separate sheet and attach.

When is the behavior most likely to occur? (e.g., after given a directive, during transitions, math, lunch, etc.):

_____

_____

When is the behavior least likely to occur? _____

_____

Please indicate teacher initiated interventions that you have implemented or are currently implementing to address the problem. A SST Intervention Tracking Form must be completed for each identified intervention and attached to this referral form, including those attempted prior to the SST referral. Please note that what you did before SST is important and commended!

Teacher Initiated Behavior Interventions
Include duration in weeks/months
Choose one of the following for success rate

[1] Successful (Problem Corrected)	**[2} Unsuccessful (No Improvement)**	**[3] Progress (Improvement seen, continue)**	**[4] In Process (Needs more time)**
☐ Changed Seat **Duration**: _____	**Success Rate**: ☐	☐ Reward expected behavior **Duration**: _____	**Success Rate**: ☐
☐ Parent contact **Duration**: _____	**Success Rate**: ☐	☐ Cueing/prompt for concerned area **Duration**: _____	**Success Rate**: ☐
☐ Consequences/loss of privileges **Duration**: _____	**Success Rate**: ☐	☐ Teacher modeling positive behavior **Duration**: _____	**Success Rate**: ☐
☐ Individual meeting with student **Duration**: _____	**Success Rate**: ☐	☐ Attendance Intervention **Duration:** _____	**Success Rate:** ☐
☐ Behavior contract/Level System **Duration**: _____	**Success Rate**: ☐	☐ Referral to external sources (i.e. therapist) **Date**: _____	**Success Rate**: [ ]
☐ Other: _____ **Duration**: _____	**Success Rate**: ☐		

***Refer to SST Intervention Tracking Form for details.**

Please submit form to Student Support Team mailbox/basket in office. Additional information should be added on the back page or attached to this referral.

Disposition: Student Support Team to complete this portion

☐ **Opened Case** ☐ **Case Not Opened**

Explanation: _____

_____

Name: _____ **Title:** _____

Signature: _____ **Date:** _____

Important Terms

Data:
- is simply an item or a piece of information - as part of the SST process is expressed as a number and must be measurable - can be represented as a plain number, a fraction or a percent - is needed in schools to assess outcomes
Probe:
- a brief, skill specific assessment to determine a student's progress - is sensitive to small changes and can be repeatedly administered
Baseline:
- a specific value that serves as a comparison or control; the measure of student's skill demonstrated at the onset of instruction against which progress is measured and compared over time
Academic Example: Pre intervention = identified 12 upper case and 6 lower case letters, 9/1/12; Post intervention = identified 20 upper case and 15 lower case letters, 10/14/12 (successful)
Behavioral Example (observable): Pre intervention = out of seat 25 times in a 30 minute block of time, 9/1/12; Post intervention = out of seat 10 times during the same block of time, 10/14/12 (successful)
Progress Monitoring:
- a scientifically based practice used to assess students' academic performance and evaluate the effectiveness of instruction - can be used with individual students or an entire class - *is the process used to monitor the implementation of specific interventions*
Intervention:
- generally describes what is being done to address concerns - positively stated, noting the actual procedure and materials needed; specifically *academic intervention* – additional instruction that supplements regular classroom instruction to assist students in meeting the learning standards (must be implemented at least 3 times a week for several weeks to be effective); Additional instruction can include additional time for focused instruction and/or increased student, teacher contact time
Implementation/Duration:
- precisely describe how each intervention has been implemented including: (when?) start and stop dates, (where?) location of intervention, (who?) person(s) implementing the intervention, (how many?) number of student participants, (how long?) number of days and number of minutes each day for the intervention
SST Review Meeting:
- is scheduled to review the baseline data for the intervention and the next steps will be determined - intervention was successful and continue - intervention was not successful and will need more time or a more intense intervention must to be implemented

APPENDIX C: "REASONABLE SUSPICION" OR "PROBABLE CAUSE"—HOW COURTS HAVE DECIDED

The U.S. Supreme Court first applied the lower threshold for searches in a school setting in *New Jersey v. T.L.O.,* holding that "school officials" must only have a "reasonable suspicion" that an illegal act or school rule has been violated, 469 U.S. 325 (1985). Since then, courts across the country have puzzled over the question of when a law enforcement officer, operating on school grounds, is a "school official," subject only to the "reasonable suspicion" threshold, and when an officer is a law enforcement official, and therefore required to establish "probable cause" to justify a search. This question comes before the court in two primary contexts: (1) during a criminal (or juvenile justice) prosecution when the defendant seeks to suppress the evidence as unlawfully obtained, and (2) in the civil context when a student (and his/her parents) claims his/her constitutional rights were violated by an unlawful search. In both contexts, the court must first decide which standard applies.

Courts have addressed this inquiry in a variety of ways. Some courts consider the key factor for determining the requisite legal standard to be whether the officer is acting as an agent for the school or law enforcement agency. The courts consider who pays the officer and who directs the officer's actions. This includes taking into account whether the officer works for the school district police agency or a municipal/county law enforcement agency, among myriad other factors. These other factors include, but are not limited to, the following:

- The purpose of the search (e.g., to ensure school safety, classroom order, or further other educational purposes versus furthering a criminal investigation)
- Who initiated or requested the search (e.g., a teacher or administrator, or an outside law enforcement agency)
- Who was present during the search
- The extent to which the officer was embedded in the school community
- Guidance from the school's code of conduct or other handbooks or state law delineating the roles and duties of the officer

Provided below is a non-exhaustive list of case law on the topic, divided by the standard the court ultimately found to apply given the specific facts presented. For an in-depth overview on the topic, see *R.D.S. v. State,* 245 S.W.3d 356 (Tenn. 2008), a Tennessee State Supreme Court case that gave a detailed background on the issue and provided trial courts with guidance on how to decide the issue going forward. The subsequent appellate court case, decided after the state supreme court remanded the case, referenced in the chart below, provides an excellent illustration of a fact-specific inquiry on the issue.*

* This analysis was not provided as legal advice, but rather as background for understanding the complexity of the case law.

REASONABLE SUSPICION	PROBABLE CAUSE
California ■ *In re William V.,* 4 Cal.Rptr. 3d 695, 699 (Cal. Ct. App. 2003) (resource officer) ■ *In re Alexander B.,* 270 Cal. Rptr. 342 (Cal. Ct. App. 1990) (police officer who searched student at the request of the dean of students)	
Federal ■ *Wofford v. Evans,* 390 F.3d 318 (4th Cir. 2004) (search conducted by officer from local police department at request of school officials; this case was brought as a civil suit under 42 U.S.C. § 1983, alleging an unlawful search)	
Florida ■ *State v. N.G.B.,* 806 So. 2d 567, 567-568 (Fla. Dist. Ct. App. 2002) (school resource officer) ■ *J.A.R. v. State,* 689 So. 2d 1242, 1244 (Fla. Dist. Ct. App. 1997) (a school official who has reasonable suspicion to believe a student is carrying a weapon may request any police officer to perform the search, including a deputy sheriff acting as an SRO)	**Florida** ■ *F.P. v. State,* 528 So. 2d 1253, 1254 (Fla. Dist. Ct. App. 1988) (even though the officer's salary was reimbursed by the school board, the search was done at the behest of the police department, and therefore subject to probable cause)
	Georgia Georgia state courts have held that law enforcement officers assigned to schools, regardless of SRO classification or if they were acting at behest of school official, should be treated as law enforcement (not school officials) and therefore held to the "probable cause" standard. See *State v. K.L.M.,* 628 S.E.2d 651 (Ga. Ct. App. 2006); *State v. Scott,* 630 S.E.2d 563 (Ga. Ct. App. 2006); *Patman v. State,* 537 S.E.2d 118 (Ga. Ct. App. 2000)
Illinois ■ *People v. Williams,* 791 N.E.2d 608, 610 (Ill. App. Ct. 2003) (an officer with local police department searching car on school premises when the search was related to a burglary investigation; the court emphasized that the SRO was assigned to the school, and not an "outside officer") ■ *People v. Dilworth,* 661 N.E.2d 310, 315-18 (Ill. 1995) (SRO hired and paid by school could conduct searches of students for contraband in furtherance of school safety)	
Indiana ■ *T.S. v. State,* 863 N.E.2d 362, 368 (Ind. Ct. App. 2007) (officer employed by Indiana Public School Police acted in his capacity as a security officer, akin to an SRO; although he acted alone, he intended to involve the school dean, thereby demonstrating concern regarding violation of school rules, not just criminal violation) ■ *S.A. v. State,* 654 N.E.2d 791, 795 (Ind. Ct. App. 1995) (officer was employed by the Indianapolis Public Schools Police Department)	

REASONABLE SUSPICION	PROBABLE CAUSE
New Mexico ■ *In the Matter of Josue T.,* 989 P.2d 431, 433 (N.M. Ct. App. 1999) (SRO conducting search at behest of school officials)	**New Mexico** ■ *State v. Tywayne H.,* 933 P.2d 251, 255 (N.M. Ct. App. 1997) (held that searches performed solely by police officers require probable cause, even when done at the direction of school officials)
New York ■ *In re Ana E.,* No. D-10378/01, 2002 N.Y. Misc. LEXIS 53, at *4 (N.Y. Fam. Ct. Jan. 14, 2002) (held that although the officer performed her duties under the supervision of the New York City Police Department, reasonable suspicion was the appropriate standard where the search was initiated at the principal's request and "the school safety officers work at the school and are part of the school community")	
North Carolina ■ *In re D.L.D.,* 694 S.E.2d 395, 398 (N.C. Ct. App. 2010) (sheriff department employee assigned to school) ■ *In re S.W.,* 614 S.E.2d 424, 427 (N.C. Ct. App. 2005) (deputy who acted exclusively as a school resource officer) ■ *In re J.F.M.,* 607 S.E.2d 304, 308 (N.C. Ct. App. 2005) (SRO, a deputy sheriff, was acting under the authority of the school officials because he intended to bring the student to the administration office at the school)	
Pennsylvania ■ *Commonwealth v. J.B.,* 719 A.2d 1058, 1065 (Pa. Super. Ct. 1998) ("When school officials, including... school police officers and local police school liaison officers, conduct a search acting on their own authority," a reasonable suspicion standard applies) ■ *In the Interest of S.F.,* 607 A.2d 793, 796 (Pa. Super. Ct. 1992) (plainclothes police officer employed by the School District of Philadelphia)	
	South Carolina ■ *In re Thomas B.D.,* 486 S.E.2d 498 (S.C. Ct. App. 1997) (police officer on school property, who was not acting on behalf of or as agent of the school, and was not connected to the school)
	Tennessee ■ *State v. R.D.S.,* 2009 LEXIS 440 (Tenn. App. June 16, 2009) (although the law enforcement officer was assigned to an SRO position at a public school, she acted more in a law enforcement capacity than as a school official)
Texas ■ *Wilcher v. Texas,* 876 S.W.2d 466, 468-69 (Tex. Ct. App. 1994) (officer was employed by Houston Independent School District)	
Wisconsin ■ *State v. Angelia D.B.* (*In the Interest of Angelia D.B.*), 564 N.W.2d 682, 690 (Wis. 1997) (school liaison police officer)	

ENDNOTES

EXECUTIVE SUMMARY

1. U.S. Department of Education data revealed that the national number of suspensions rose from about 1.7 million (3.7 percent of all students) in 1974 to more than 3.3 million (6.8 percent of all students) in 2006. (These numbers do not include in-school suspensions. The data represents 61 percent of public schools and 43 percent of districts.) Researchers from the UCLA Civil Rights Project estimate that well over two million middle and high school students were suspended during the 2009–10 academic year, according to their analysis of U.S. Department of Education data for districts. Suspensions increase in middle school and high school years. Skiba, R.J. and Losen, D., *Suspended Education: Urban Middle Schools in Crisis* (Los Angeles: Civil Rights Project at UCLA, 2010); Skiba, R.J. and Rausch, M.K., "Zero Tolerance, Suspension and Expulsion: Questions of Equity and Effectiveness," in *Handbook of Classroom Management: Research, Practice, and Contemporary Issues*, eds. C.M. Everston and C.S. Weinstein (Mahwah, NJ: Routledge, 2006); Losen, D. and Martinez, T., *Out of School & Off Track: The Overuse of Suspensions in American Middle and High Schools* (Los Angeles: Civil Rights Project at UCLA, 2013). An analysis of 2011–12 data is forthcoming at this writing.

2. Fabelo, T. et al., *Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement* (New York: Council of State Governments Justice Center, 2011); Mosehauer, K. et al, *Reclaiming Students: The Educational and Economic Costs of Exclusionary Discipline in Washington State* (Seattle: Washington Appleseed and TeamChild, 2012); Lee, T. et al., "High Suspension Schools and Dropout Rates for Black and White Students," *Education and Treatment of Children* 34, no. 2 (2011): 167–192; Suh, S., Suh, J., and Houston, I., "Predictors of Categorical At-Risk High School Dropouts," *Journal of Counseling and Development* 85, no. 2 (2007): 196–203. See also Stearns, E. and Glennie, E.J., "When and Why Dropouts Leave High School," *Youth Society* 38, no. 1 (2006): 29–57; Kang-Brown, J. et al., *A Generation Later: What We've Learned About Zero Tolerance in Schools* (New York: Vera Institute of Justice, 2013); Aizer, A. and Doyle Jr., J.J., *Juvenile Incarceration, Human Capital and Future Crime: Evidence from Randomly-Assigned Judges* (NBER Working Paper No. 19102) (Cambridge, MA: National Bureau of Economic Research, 2013); Carmichael, D., Whitten, G., and Voloudakis, M., *Study of Minority Over-Representation in the Texas Juvenile Justice System: Final Report* (College Station, TX: Public Policy Research Institute, Texas A&M University, 2005).

3. Losen and Martinez, *Out of School & Off Track*; U.S. Department of Education Office for Civil Rights, *Civil Rights Data Collection Data Snapshot: School Discipline* (Washington, DC: U.S. Department of Education Office for Civil Rights, 2014); American Psychological Association Zero Tolerance Task Force, "Are Zero Tolerance Policies Effective in the Schools?: An Evidentiary Review and Recommendations," *American Psychologist* 63, no. 9 (2008): 854; N. Shah, "Discipline Policies Shift With Views on What Works," *Education Week*, January 4, 2013, edweek.org/ew/articles/2013/01/10/16policies.h32.html?intc=EW-QC13-LFTNAV; Rausch, M.K. and Skiba, R., *Disproportionality in School Discipline Among Minority Students in Indiana: Description and Analysis* (Children Left Behind Policy Briefs, Supplementary Analysis 2-A) (Bloomington, IN: Center for Evaluation and Education Policy, 2004); Skiba, R.J. et al., "Race Is Not Neutral: A National Investigation of African American and Latino Disproportionality in School Discipline," *School Psychology Review* 40, no. 1 (2011): 85–107; Raffaele-Mendez, L.M. and Knoff, H.M., "Who Gets Suspended from School and Why: A Demographic Analysis of Schools and Disciplinary Infractions in a Large School District," *Education and Treatment of Children* 26, no. 1 (2003): 30–51; Skiba, R.J. et al., "The Color of Discipline: Sources of Racial and Gender Disproportionality in School Punishment," *The Urban Review* 34, no. 4 (2002): 317–342; Arcia, E., "Variability in Schools' Suspension Rates of Black Students," *The Journal of Negro Education* 76, no. 4 (2007): 597–608; Advancement Project and Civil Rights Project, Harvard University, *Opportunities Suspended: The Devastating Consequences of Zero Tolerance and School Discipline* (Washington, DC: Advancement Project, 2000); Sprague, J.R. et al., "Preventing Disciplinary Exclusions of Students from American Indian/Alaska Native Backgrounds" (paper presented at the National Leadership Summit on School-Justice Partnerships: Keeping Kids In School and Out of Court, New York, NY, March 11–13, 2012).

4. Losen and Martinez, *Out of School & Off Track*; Poteat, V.P. and Russell, S.T., "Understanding Homophobic Behavior and Its Implications for Policy and Practice," *Theory Into Practice* 52, no. 4 (2013): 264–271; U.S. Department of Education Office for Civil Rights, *The Transformed Civil Rights Data Collection (CRDC)* (Washington, DC: U.S. Department of Education Office for Civil Rights, 2012), ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf. An analysis of 2011–12 data is forthcoming at this writing.

5. Himmelstein, K.E.W. and Brückner, H., "Criminal-Justice and School Sanctions Against Nonheterosexual Youth: A National Longitudinal Study," *Pediatrics* 127, no. 1 (2010): 49–57; Poteat and Russell, "Understanding Homophobic Behavior and Its Implications for Policy and Practice," 264–271.

6. Mayer, M.J. and Furlong, M.J., "How Safe Are Our Schools?" *Educational Researcher* 39, no. 1 (2010): 16–26; Robers, S. et al., *Indicators of School Crime and Safety: 2011* (Washington, DC: National Center for Education Statistics, 2012); Canady, M., James, B., and Nease, J., *To Protect and Educate: The School Resource Officer and the Prevention of Violence in Schools* (Hoover, AL: National Association of School Resource Officers, 2012), 24–26.

7. *Supra* note 3.

8. U.S. Department of Education Office for Civil Rights, *The Transformed Civil Rights Data Collection*. An analysis of 2011–12 data is forthcoming at this writing.

9. Himmelstein and Brückner, "Criminal-Justice and School Sanctions Against Nonheterosexual Youth."

10. Padres & Jóvenes Unidos, *The Colorado School Discipline Report Card: The State of 179 Districts* (Denver: Padres & Jóvenes Unidos, 2014).

11. Thapa, A. et al., *School Climate Research Summary: August 2012* (New York: National School Climate Center, 2012); MacNiel, A.J., Prater, D.L., and Busch, S., "The Effects of School Culture and Climate on Student Achievement," *International Journal of Leadership in Education* 12, no. 1 (2009): 73–84; Niehaus, K., Rudasill, K.M., and Rakes, C.R., "A Longitudinal Study of School Connectedness and Academic

Outcomes Across Sixth Grade," *Journal of School Psychology* 50, no. 4 (2012): 443–460; Goodenow, C. and Grady, K.E., "The Relationship of School Belonging and Friends' Values to Academic Motivation Among Urban Adolescent Students," *Journal of Experimental Education* 62, no. 1 (1993): 60–71; Shirley, E.L.M. and Cornell, D.G., "The Contribution of Student Perceptions of School Climate to Understanding the Disproportionate Punishment of African American Students in a Middle School," *School Psychology International* 33, no. 2 (2012): 115–134; Wang, M.T. et al., "A Tobit Regression Analysis of the Covariation between Middle School Students' Perceived School Climate and Behavioral Problems," *Journal of Research on Adolescence* 20, no. 2 (2010): 274–286.

12. New Freedom Commission on Mental Health, *Achieving the Promise: Transforming Mental Health Care in America* (Rockville, MD: Substance Abuse and Mental Health Services Administration, 2003).

13. Wagner, M. et al., *Changes Over Time in the Early Postschool Outcomes of Youth with Disabilities: A Report of Findings from the National Longitudinal Transition Study (NTLS) and the National Longitudinal Transition Study-2 (NTLS2)* (Menlo Park, CA: SRI International, 2005), 2.1–2.6; Fabelo et al., *Breaking Schools' Rules*; Osher, D. and Hanley, T. V., "Implications of the National Agenda to Improve Results for Children and Youth with or At Risk of Serious Emotional Disturbance," *Special Services in the Schools* 10, no. 2 (1996): 7–36.

14. Weiler, S.C. and Cray, M., "Police at School: A Brief History and Current Status of School Resource Officers," *Clearing House: A Journal of Education Strategies, Issues and Ideas* 84, no. 4 (2011): 160–163.

15. See, e.g., 42 U.S.C. § 3796dd-8 (2013); 20 U.S.C. § 7161; Canady, James, and Nease, *To Protect and Educate*; Travis, L.F. and Coon, J.K., *The Role of Law Enforcement in Public School Safety: A National Survey* (Washington, DC: National Institute of Justice, 2005).

16. See, e.g., Browne, J.A., *Derailed: The Schoolhouse to Jailhouse Track* (Washington, DC: Advancement Project, 2003); Advancement Project, *Test, Punish, and Push Out: How "Zero Tolerance" and High-Stakes Testing Funnel Youth Into the School-to-Prison Pipeline* (Washington, DC: Advancement Project, 2010); Advancement Project, Alliance for Educational Justice, and Gay-Straight Alliance Network, *Two Wrongs Don't Make A Right: Why Zero Tolerance is Not the Solution to Bullying* (Washington, DC: Advancement Project, 2012); Fowler, D. et al., *Texas' School to Prison Pipeline: Ticketing, Arrest, & Use of Force at Schools: How the Myth of the "Blackboard Jungle" Reshaped School Disciplinary Policy* (Austin: Texas Appleseed, 2010); Dahlberg, R.L., *Arrested Futures: The Criminalization of School Discipline in Massachusetts' Three Largest School Districts* (New York: American Civil Liberties Union, 2012); Brown, B., "Understanding and Assessing School Police Officers: A Conceptual and Methodological Comment," *Journal of Criminal Justice* 34, no. 6 (2006): 591–604; Theriot, M.T., "School Resource Officers and the Criminalization of Student Behavior," *Journal of Criminal Justice* 37, no. 3 (2009): 280–287.

17. Aizer and Doyle Jr., *Juvenile Incarceration, Human Capital and Future Crime*; Hirschfield, P., "Impact of Juvenile Justice Involvement on Educational Outcomes" (Ph.D. dissertation, Northwestern University, 2004), available at ncjrs.gov/App/Publications/abstract.aspx?ID=206047; Sweeten, G., "Who Will Graduate? Disruption of High School Education by Arrest and Court Involvement," *Justice Quarterly* 23, no. 4 (2006): 462–480.

18. Between 1997 and 2011, the total number of youth detained or committed nationally dropped by 41 percent. See "Easy Access to the Census of Juveniles in Residential Placements (EZACJRP)," ojjdp.gov/ojstatbb/ezacjrp.

19. See the National Council of Juvenile and Family Court Judges' (NCJFCJ's) project to engage juvenile court judges on issues related to school discipline and juvenile justice involvement at ncjfcj.org/ncjfcj-launch-new-project-keep-kids-school-and-out-court. The project, Judicially Led Responses to Eliminate Pathways to the Juvenile Justice System (School Pathways Project), is a three-year effort (October 2012–September 2015) and is supported by OJJDP, The Atlantic Philanthropies, Open Society Foundations, and Public Welfare Foundation.

20. Domenici, D. and Forman, Jr., J., "What It Takes to Transform a School Inside a Juvenile Facility: The Story of the Maya Angelou Academy," in *Justice for Kids: Keeping Kids Out of the Juvenile Justice System*, ed. N. Dowd (New York: NYU Press, 2011).

21. The Sentencing Project, *Youth Reentry* (Washington, DC: Sentencing Project, 2012), available at sentencingproject.org/doc/publications/jj_youthreentryfactsheet.pdf; Richardson, T., DiPaola, T., and Gable, R.K., "Former Juvenile Offenders Re-Enrolling Into Mainstream Public Schools," *NERA Conference Proceedings* (2012); Sweeten, G., Bushway, S.D., and Paternoster, R., "Does Dropping Out of School Mean Dropping Into Delinquency?" *Criminology* 47, no. 1 (2009): 47–91.

22. See, e.g., "One-Page Research Summaries" of key findings from *Virginia Secondary School Climate Study* at curry.virginia.edu/research/projects/virginia-secondary-school-climate-study. The findings examine how schools with high levels of structure and support, as measured by Virginia's *Authoritative School Climate Survey,* have reduced bullying, student aggression toward teachers, and disciplinary infractions, and increased achievement on standardized tests.

INTRODUCTION

1. U.S. Department of Education data revealed that the national number of suspensions rose from about 1.7 million (3.7 percent of all students) in 1974 to more than 3.3 million (6.8 percent of all students) in 2006. (These numbers do not include in-school suspensions. The data represents 61 percent of public schools and 43 percent of districts.) Researchers from the UCLA Civil Rights Project estimate that well over two million middle and high school students were suspended during the 2009–10 academic year, according to their analysis of U.S. Department of Education data for districts. Suspensions increase in middle school and high school years. Skiba, R. and Losen, D., *Suspended Education: Urban Middle Schools in Crisis* (Los Angeles: The Civil Rights Project at UCLA, 2010); Skiba, R., and Rausch, K., "Zero Tolerance, Suspension and Expulsion: Questions of Equity and Effectiveness," in eds. Evertson, C. and Weinstein, C., *Handbook of Classroom Management: Research, Practice, and Contemporary Issues,* (Mahwah, NJ: Lawrence Erlbaum Associates; Losen, D. and Martinez, T., *Out of School & Off Track: The Overuse of Suspensions in American Middle and High Schools,* (Los Angeles: The Civil Rights Project at UCLA, 2013). An analysis of 2011–12 data is forthcoming at this writing.

2. See the Targeted Behavioral Interventions chapter for more information on students with disabilities and behavioral health issues.

3. The term LGBT is used throughout this report to represent the diversity of sexual orientation and gender identity-based cultures, and the wide range of individuals who identify as non-heterosexual.

4. Fabelo, T. et al., *Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement* (New York: Council of State Governments Justice Center, 2011); Raffaele Mendez, L. M., "Predictors of Suspension and Negative School Outcomes: A Longitudinal Investigation," New Directions for Youth Development no. 99 (2003): 17–33; Skiba, R. et al., "Consistent Removal: Contributions of School Discipline to the School-to-Prison Pipeline" (paper presented at the Harvard Civil Rights Project's School-To-Prison Pipeline Conference, Cambridge, MA, 2002); Skiba, R. and Rausch, M. K., *The Relationship Between Achievement, Discipline, and Race: An Analysis of Factors Predicting ISTEP Scores* (Children Left Behind Policy Briefs, Supplementary Analysis 2-D) (Bloomington, IN: Center for Evaluation and Education Policy, July 9, 2004)

5. Consolidated Data Report on School Discipline, (North Carolina Department of Education, 2012), available at ncpublicschools.org/docs/research/discipline/reports/consolidated/2010–11/consolidated-report.pdf; Fabelo et al. Breaking Schools' Rules.

6. See the Office of Juvenile Justice and Delinquency Prevention (OJJDP), Statistical Briefing Book Glossar, available at gjdp.gov/ojstatbb/glossary.html.

7. There were certainly other principles expressed by the advisory group members, but these 10 emerged as the most frequently articulated in working groups.

8. Losen and Martinez, *Out of School & Off Track.* An analysis of 2011–12 data is forthcoming at this writing.

9. Fifty-State Survey of State Education Agencies' Online School Disciplinary Data is available at csgjusticecenter.org/youth/school-discipline-consensus-project/online-school-disciplinary-data/.
Additional information and resources can be accessed at The Civil Rights Project, UCLA http://civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/online-data-resources.

10. Fabelo et al., *Breaking Schools' Rules.*

11. American Psychological Association Zero Tolerance Task Force, "Are Zero Tolerance Policies Effective in the Schools? An Evidentiary Review and Recommendations," *American Psychologist* 63, no. 9 (2008): 854.

12. Losen and Martinez, *Out of School & Off Track;* U.S. Department of Education, Office for Civil Rights, *Civil Rights Data Collection, Data Snapshot: School Discipline* (Washington, DC: U.S. Department of Education, Office of Civil Rights, 2014), available at ocrdata.ed.gov/Downloads/CRDC-School-Discipline-Snapshot.pdf. Shah, N.,"Discipline Policies Shift With Views on What Works," *Education Week* 32, no. 16 (2013); Rausch, M. K. and Skiba, R., *Disproportionality in School Discipline Among Minority Students in Indiana: Description and Analysis* (Children Left Behind Policy Briefs, Supplementary Analysis 2-A) (Bloomington, IN; Center for Evaluation and Education Policy, July 18, 2004); Skiba, R. et al.,"Race Is Not Neutral: A National Investigation of African American and Latino Disproportionality in School Discipline," *School Psychology Review* 40, no.1 (2011): 85–107; Raffaela-Mendez, L.M. and Knoff, H.M., "Who Gets Suspended from School and Why: A Demographic Analysis of Schools and Disciplinary Infractions in a Large School District," *Education and Treatment of Children* 26 no. 1 (2003): 30–51; Skiba, R. et al., "The Color of Discipline: Sources of Racial and Gender Disproportionality in School Punishment," *The Urban Review* 34, no. 4,(2002): 317–342; Arcia, E., "Variability in Schools' Suspension Rates of Black Students," *The Journal of Negro Education* 76, no. 4 (2007): 597–608; The Civil Rights Project, "Opportunities Suspended: The Devastating Consequences of Zero Tolerance and School Discipline" (Cambridge: The Civil Rights Project at Harvard University, 2000); Sprague, J. et al., "Preventing Disciplinary Exclusions of Students from American Indian/Alaska Native Backgrounds" (paper presented at the National Leadership Summit on School-Justice Partnerships: Keeping Kids In School and Out of Court, New York, NY, March 11–13, 2012)

13. Losen and Martinez, *Out of School & Off Track.*

14. Welch, K., and Payne, A. A., "Racial Threat and Punitive School Discipline," *Social Problems* 57, no. 1 (2010) 25–48.

15. Losen and Martinez, *Out of School & Off Track.*

16. *Civil Rights Data Collection, Data Snapshot: School Discipline,* ocrdata.ed.gov/Downloads/CRDC-School-Discipline-Snapshot.pdf.

17. Himmelstein, K.and Brückner, H., "Criminal-Justice and School Sanctions Against Nonheterosexual Youth: A National Longitudinal Study," *Pediatrics* 127, no.1 (2010): 49–57.

18. Poteat, P. and Russell, S., "Understanding Homophobic Behavior and Its Implications for Policy and Practice," *Theory Into Practice* 52, no. 4 (2013): 264–271.

19. Mitchum, P. and Moodie-Mills, A., *Beyond Bullying: How Hostile School Climate Perpetuates the School-to-Prison Pipeline for LGBT Youth* (Washington, DC: Center for American Progress, 2014).

20. See, e.g., Mosehauer, K. et al, *Reclaiming Students: The Educational and Economic Costs of Exclusionary Discipline in Washington State* (Seattle: Washington Appleseed and TeamChild, 2012); Lee, T. et al., "High Suspension Schools and Dropout Rates for Black and White Students," *Education and Treatment of Children* 34, no. 2 (2011): 167–192; Suh, S., Suh, J., and Houston, I., "Predictors of Categorical At-Risk High School Dropouts," *Journal of Counseling and Development* 85, no. 3 (2007): 196–203. See also Stearns, E. and Glennie, E., "When and Why Dropouts Leave High School," *Youth Society* 38, no. 1 (2006): 29.

21. Fabelo et al., *Breaking Schools' Rules,* 58.

22. The report analyses show that out-of-school suspensions in the 9th grade year are significantly and negatively correlated to later high school graduation as well as post-secondary enrollment and persistence. Balfanz, R., Byrnes, V., and Fox, J., "Sent Home and Put Off-Track: The Antecedents, Disproportionalities, and Consequences of Being Suspended in the Ninth Grade" (paper presented at the Center for Civil Rights Remedies and the Research-to-Practice Collaborative National Conference on Race and Gender Disparities in Discipline, Washington, DC, January 10, 2013); Balfanz, R., Herzog, L., and Mac Iver, D., "Preventing Student Disengagement and Keeping Students on the Graduation Path in Urban Middle-Grades Schools: Early Identification and Effective Interventions," *Educational Psychologist* 42, no. 4 (2007): 223–235. Suspension in earlier grades has shown to be predictive of dropping out.

23. Although definitions vary, the general criteria for chronic absenteeism is missing 10 percent or more of the school year (18 days out of the 180-day school year), or missing a month or more of school (20 days)—which includes both excused and unexcused absences.

24. Sundius, J. and Farneth, M., *Missing School: The Epidemic of School Absence* (Baltimore: Open Society Institute-Baltimore, 2008).

25. Balfanz, R. and Byrnes, V., "The Importance of Being in School: A Report on Absenteeism in the Nation's Public Schools," *Education Digest* 78, no. 2 (2012): 4–9.

26. Kang-Brown, J. et al., *A Generation Later: What We've Learned About Zero Tolerance in Schools* (New York: Vera Institute of Justice, 2013); The Advancement Project, the Alliance for Educational Justice, and the GSA Network, *Two Wrongs Don't Make a Right: Why Zero Tolerance is Not the Solution to Bullying* (New York: The Advancement Project, the Alliance for Educational Justice, and the GSA Network, 2012).

27. Fabelo et al., *Breaking Schools' Rules.*

28. Nord, C. et al., *The Nation's Report Card: America's High School Graduates: Results of the 2009 NAEP High School Transcript Study* (Washington, DC: U.S. Department of Education, National Center for Education Statistics, 2011). Additional measures are also used to demonstrate the achievement gap between students of color and their White peers.

29. See, e.g., Belfield, C. and Levin, H., *The Economic Losses from High School Dropouts in California* (Santa Barbara: University of California at Santa Barbara, 2007); Miner P. et al., "The Economic Effects of Exclusionary Discipline on Grade Retention and High School Dropout Date" (paper presented at the Center for Civil Rights Remedies and the Research-to-Practice Collaborative National Conference on Race and Gender Disparities in Discipline, Washington, DC, January 10, 2013); Alliance for Excellent Education, *Education and the Economy: Boosting the Nation's Economy by Improving the Nation's High School Graduation Rates* (Washington, DC: Alliance for Excellent Education, 2011); Center for Benefit-Cost Studies of Education, available at cbcse.org/publications/. Some commentators have posited that the costs associated with exclusionary discipline should be redirected to positive behavioral interventions. Lamont, J., "Out-of-School Suspension and Expulsion," *Pediatrics* 131, no. 3 (2013): e1000–e1007.

30. Freeman, K. et al., *Breaking Rules, Breaking Budgets: Cost of Exclusionary Discipline in 11 Texas School Districts* (Austin: Texas Appleseed, 2012).

31. Children Now, *Restorative Justice Practices: How Fresno Unified School District Can Boost Student Attendance, Improve Graduation Rates, and Increase Funding* (Oakland: Children Now, 2013). These losses (and costs associated with security measures and juvenile justice alternative education programs) have been calculated in other states as well. Freeman et al., Breaking Rules.

32. Mayer, M. and Furlong, M., "How Safe Are Our Schools?" *Educational Researcher* 39 no.1 (2010): 16–26; Robers, S., Zhang, J., and Truman, J., *Indicators of School Crime and Safety: 2011* (Washington, DC: National Center for Education Statistics, U.S. Department of Education, and Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice, 2012); Canady, M., James, B., and Nease, J., *To Protect and Educate: The School Resource Office and the Prevention of Violence in Schools* (Hoover, AL: National Association of School Resource Officers, 2012), 24–26.

33. OJJDP *Statistical Briefing Book,* accessed February 25, 2014 at ojjdp.gov/ojstatbb/crime/JAR_Display.asp?ID=qa05201.

34. Robers, S., Kemp, J., and Truman, J., *Indicators of School Crime and Safety: 2012* (Washington, DC: National Center for Education Statistics, U.S. Department of Education, and Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice, 2013).

35. See, e.g., National Association of School Psychologists et al., *A Framework for Safe and Successful Schools* (Bethesda, MD: National Association of School Psychologists, 2013), available at nasponline.org/resources/handouts/Framework_for_Safe_and_Successful_School_Environments.pdf; See also Interdisciplinary Group on Preventing School and Community Violence, "December 2012 Connecticut School Shooting Position Statement," *Journal of School Violence* 12, no. 2 (2013): 109–124. Critical incident response plans exist in nearly every school.

36. Bridges, B., Awokoya, J., and Messano, F., *Done to Us, Not With Us: African American Parent Perceptions of K–12 Education* (Washington, DC: Frederick D. Patterson Research Institute, UNCF, 2012). Thomas B. Fordham Institute, *What Parents Want: Education Preferences and Trade-Offs: A National Survey of K–12 Parents* (Washington, DC: Thomas B. Fordham Institute, 2013).

37. Shah, N., and Ujifusa, A., "School Safety Legislation Since Newtown," *Education Week,* (2013), available at edweek.org/ew/section/multimedia/school-safety-bills-since-newtown.html; Council of State Governments Justice Center, "School Safety Plans: A Snapshot of Legislative Action" (New York: Council of State Governments Justice Center, February 2014), available at csgjusticecenter.org/youth/publications/school-safety-plans-a-snapshot-of-legislative-action/. Note also that in 2013, at least 33 states

introduced more than 80 bills related to arming teachers and school staff, of which seven were signed into law (in addition to 2 enacted for college campuses). Council of State Governments Justice Center, "Arming Teachers and K–12 School Staff: A Snapshot of Legislative Action" (New York: Council of State Governments Justice Center, January 2014), available at csgjusticecenter.org/youth/publications/arming-teachers-and-k-12-school-staff-a-snapshot-of-legislative-action/. For other state statute reviews, see also Wixom, M.A., *States Respond to School Safety Concerns with 2013 Legislation* (Denver: Education Commission of the States, February 2014), available at ecs.org/clearinghouse/01/11/30/11130.pdf; and Child Trends, *Compilation of School Discipline Laws and Regulations for the 50 States,* Washington, D.C. and Puerto Rico (Bethesda, MD: Child Trends, January 2014), available at safesupportivelearning.ed.gov/sites/default/files/discipline-compendium/School Discipline Laws and Regulations Compendium.pdf.

38. Hirschfield, P. J., "Preparing for Prison? The Criminalization of School Discipline in the USA," *Theoretical Criminology* 12, no. 1(2008): 79–101; Theriot, M. T. "School Resource Officers and the Criminalization of Student Behavior," *Journal of Criminal Justice* 37, no. 3 (2009): 280–287.

39. Fabelo et al., *Breaking Schools' Rules;* Aizer, A. and Doyle Jr., J., *Juvenile Incarceration, Human Capital and Future Crime: Evidence from Randomly-Assigned Judges* (NBER Working paper 19102) (Cambridge, MA: National Bureau of Economic Research, 2013); Carmichael, D., Whitten, G., Voloudakis, M., *Study of Minority Over-representation in the Texas Juvenile Justice System, Final Report* (The Public Policy Research Institute, Texas A&M University, 2005).

40. Puzzanchera, C., "Juvenile Arrest in 2011," *Juvenile Offenders and Victims: National Report Series* (U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, December 2013), available at ojjdp.gov/pubs/244476.pdf.

41. Krezmien, M. et al., "Juvenile Court Referrals and the Public Schools: Nature and Extent of the Practice in Five States," *Journal Of Contemporary Criminal Justice* 26, no. 3 (2010): 273–293. The authors observe school referral rates over time in AZ, HI, MO, SC, and WV; Cobb, H., "Separate and Unequal: The Disparate Impact of School-Based Referrals to Juvenile Court," *Harvard Civil Rights-Civil Liberties Law Review* 44, no. 2 (2009): 581–596. Cobb cites large increases in school-based referral rates in Philadelphia between 2000 and 2003 and in Denver between 2001 and 2004.

42. Children's Defense Fund, *America's Cradle to Prison Pipeline* (Washington, DC, Children's Defense Fund, 2007).

43. Fabelo et al., *Breaking Schools' Rules.*

44. Sickmund, M. et al., "Easy Access to the Census of Juveniles in Residential Placement" (Washington, DC: National Center for Juvenile Justice, 2013), available at ojjdp.gov/ojstatbb/ezacjrp/.

45. Mendel, R.A., *No Place For Kids: The Case for Reducing Juvenile Incarceration* (Baltimore: The Annie E. Casey Foundation, 2011); Holman, B. and Ziedenberg, J., *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities* (Washington, DC: The Justice Policy Institute, 2011); Aizer and Doyle, *Juvenile Incarceration, Human Capital and Future Crime: Evidence from Randomly-Assigned Judges;* Carmichael, Whitten, and Voloudakis, *Study of Minority Over-representation in the Texas Juvenile Justice System, Final Report.*

46. National Juvenile Justice Network and Texas Public Policy Foundation, *The Comeback States: Reducing Youth Incarceration in the United States,* (Washington, DC: National Juvenile Justice Network and Texas Public Policy Foundation, 2013).

47. Domenici, D. and Forman Jr., J., "What It Takes to Transform a School Inside a Juvenile Facility: The Story of the Maya Angelou Academy," in *Justice for Kids: Keeping Kids Out of the Juvenile Justice System,* ed. Nancy Dowd (New York: NYU Press, 2011); "Meeting the Educational Needs of Incarcerated Youth, in *Recommendations for Juvenile Justice Reform, American Academy of Child and Adolescent Psychiatry Task Force on Juvenile Justice Reform* (Washington, DC: American Academy of Child and Adolescent Psychiatry, October 2001), available at uiowa.edu/~nrcfcp/dmcrc/pdf/everything6.pdf.

48. Fabelo et al., *Breaking Schools' Rules.* The suspensions include both in-school and out-of-school suspensions.

49. Cohen, R. "Discipline without Derailing: An Investigation of Exclusionary Discipline Practices in Schools" (unpublished Ph.D. dissertation, University of Texas at Austin, 2013).

50. Costenbader, V. and Markson, S., "School Suspension: A Study with Secondary Students," *Journal of School Psychology* 36, no.1. (1998): 59–82.

51. Skiba, R., Arrendondo, M., and Rausch, M., *New and Developing Research on Disparities in Discipline* (Bloomington, IN: Discipline Disparities Research to Practice Collaborative, 2014).

52. Skiba, R. et al., "Where Should We Intervene? Contributions of Behavior, Student, and School Characteristics to Suspension and Expulsion" (paper presented at the Closing the School Discipline Gap: Research to Practice, Washington, DC, January 10, 2013); Skiba, R. and Rausch, M., "Zero Tolerance, Suspension, and Expulsion: Questions of Equity and Effectiveness," in *Handbook for Classroom Management: Research, Practice, and Contemporary Issues,* ed. Evertson, C. and Weinstein. C. (Mahwah, NJ: Erlbaum, 2006),1063,1089.

53. 2013 Maryland Report Card: Graduation Rate, available at mdreportcard.org/CohortGradRate.aspx?PV=163:12:30:XXXX:1:N:0:13:1:1:0:1:1:1:3

54. Gonzalez, T. and Cairns, B., "Moving Beyond Exclusion: Integrative Restorative Practices and Impacting School Culture in Denver Public Schools," in *Justice for Kids: Keeping Kids Out of the Juvenile Justice System,* ed. Dowd, N. .(New York: NYU Press, 2011), 241–262.

55. For more on youth voices on school discipline, see *American Institutes for Research, Roundtable: The Perspectives of Youth Affected by Exclusionary School Discipline,* (Washington, DC: American Institutes for Research, 2013), available at

air.org/files/Exclusionary_Discipline_Roundtable_Report_090613_pdf.pdf; For other information on events, roundtables and discussions with youth on school discipline issues, visit The Dignity in Schools Campaign at dignityinschools.org. See also The National Center on Safe and Supportive Learning Environments at safesupportivelearning.ed.gov/about and The National Clearinghouse on Supportive School Discipline at supportiveschooldiscipline.org/.

56. For example, Padres y Jovenes Unidos, Citizens for a Better Greenville, Friends and Family of Louisiana's Incarcerated Children, Community Organizing and Family Issues, Texas Appleseed, Blocks Together, Community Asset Development Re-defining Education, Advancement Project, and Dignity in Schools Campaign. For additional organizations, see The National Clearinghouse on Supportive School Discipline at supportiveschooldiscipline.org/for additional organizations.

57. See, for example, code of conduct revisions in Broward County Public Schools, available at browardschools.com/Parents-Students/Parent-Student-Pages/Code-Of-Conduct; Denver Public Schools at communications.dpsk12.org/languages/, and in Buffalo City School District, available at buffaloschools.org/StudentServices.cfm?subpage=57596. For more information, visit Padres y Jovenes Unidos at padresunidos.org and the Colorado State House Bill 12–1345 (beginning at section 21) at leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/CD3C8673214EEF8C872579CD00625FE2?open&file=1345_enr.pdf. See also changes to education regulations in Los Angeles, at publiccounsel.org/stories?id=0112.

58. For example, following an investigation of the Meridian Public School District, the U.S. Department of Justice negotiated the terms of a consent decree that stipulated that the district will take steps to create safe and supportive learning environments in all schools, including providing students with supports and interventions before removing them from school; limiting the use of punitive discipline measures that remove students from the classroom; ensuring that discipline responses are fair and consistent; establishing clear guidelines for when law enforcement intervention is appropriate; providing professional development and support to teachers and administrators; and building data-driven monitoring and accountability systems. U.S. Department of Justice, Office of Public Affairs, "Justice Department Files Consent Decree to Prevent and Address Racial Discrimination in Student Discipline in Meridian, Miss.," news release, March 22, 2013, available at justice.gov/opa/pr/2013/March/13-crt-338.html. See also, Palm Beach County, FL, agreement at justice.gov/iso/opa/resources/442201322616361724384.pdf and Owatonna, MN, agreement at ed.gov/news/press-releases/departments-education-and-justice-reach-agreement-owatonna-minn-public-schools-r.

59. Maryland Register 40, no. 25 (2013): 2053–2148, available at dsd.state.md.us/MDRegister/4025.pdf. A number of professional associations are doing pilot work related to school discipline, including the School Superintendents Association and the Children's Defense Fund, available at aasa.org/headlinecontent.aspx?id=32550, and the National Association of State Boards of Education, available at nasbe.org/project/school-discipline/.

60. These approaches are discussed in detail in the Conditions for Learning and Targeted Behavioral Interventions chapters of this report.

61. Beginning in 2012, the U.S. Department of Education offered states more flexibility to comply with requirements of No Child Left Behind in exchange for their commitment to certain reforms. For more information, see ed.gov/nclb/freedom/local/flexibility/index.html?exp=3. See also, U.S. Department of Education, "Obama Administration Approves NCLB Waiver Request for California CORE Districts," news release, August 6, 2013, available at ed.gov/news/press-releases/obama-administration-approves-nclb-waiver-request-california-core-districts.

62. Bracey, J. et al., "Connecticut's Comprehensive Approach to Reducing In-School Arrests: Changes in Statewide Policy, Systems Coordination and School Practices," (paper presented at the National Leadership Summit on School-Justice Partnerships: Keeping Kids In School and Out of Court, New York, NY, March 11-13, 2012); Teske, S., Huff, B., Graves, C., "Collaborative Role of Courts in Promoting Outcomes for Students: The Relationship Between Arrests, Graduation Rates, and School Safety" (paper presented at the National Leadership Summit on School-Justice Partnerships: Keeping Kids In School and Out of Court, New York, NY, March 11–13, 2012).

63. The U.S. Department of Justice Office of Community Oriented Policing Services awarded 144 agencies funding to support their School Resource Officer programs in FY2013; see cops.usdoj.gov/default.asp?Item=2367. The U.S. Department of Health and Human Services maintains a website dedicated to bullying and victimization prevention; see stopbullying.gov/index.html. The U.S. Department of Homeland Security maintains information on funding and training to support school safety; see dhs.gov/school-safety. Please also see compilation of public funding sources available for school discipline, safety, and climate reform efforts.

64. Announcement regarding the SSDI available at justice.gov/opa/pr/2011/July/11-ag-951.html.

65. U.S. Department of Education's School Climate and Discipline Guidance Package, available at http://www2.ed.gov/policy/gen/guid/school-discipline/index.html.

66. See The National Center on Safe and Supportive Learning Environments at safesupportivelearning.ed.gov/about and The National Clearinghouse on Supportive School Discipline at supportiveschooldiscipline.org/.

67. "Ending the School-to-Prison Pipeline," archived webcast and witness testimony for the Senate Judiciary Committee's hearing on December 12, 2012, available at gpo.gov/fdsys/pkg/CHRG-112shrg86166/pdf/CHRG-112shrg86166.pdf. See also, U.S. House Committee on Education and the Workforce discussions on school safety available at edworkforce.house.gov/calendar/eventsingle.aspx?EventID=320902.

68. For valuable resources, see, e.g., Comer, J., *What I Learned in School: Reflections on Race, Child Development, and School Reform* (San Francisco: Jossey-Bass, 2009); Comer, J., Giordano, L., and Brown, F., "Integrating Six Developmental Pathways in the Classroom: The Synergy between Teacher and Students," in *Handbook of Prosocial Education* (Lanham, MD: Rowman and Littlefield, 2012), 445; Comer, J., "Child and Adolescent Development: The Critical Missing Focus in School Reform," *Phi Delta Kappan* 86, no. 10 (2005): 757–763; Comer, J., "Educators Overlook Child Development," *Focus Magazine: Joint Center for Political and Economic Studies* 32, no. 6 (2004): 12.

69. Thomas, J., "Hundreds of Kindergarten Students Suspended from School," *The CT Mirror,* May 17, 2013, available at ctmirror.org/story/2013/05/17/hundreds-kindergarten-students-suspended-school; Green, E., "Pre-K Suspensions Common in Maryland Schools," The Baltimore Sun, November 11, 2013, available at baltimoresun.com/news/maryland/education/blog/bs-md-ci-pre-k-suspensions.

70. Many of the preventive and responsive practices for secondary schools, however, can also be applied in the earlier grades and years. The need for effective instruction and supports for academic proficiency, as well as for improving students' social, self-management and study skills are all important and implementable throughout the preschool through secondary school experiences for all students.

71. National Indian Education Association, *Native Education 101: Basic Facts about American Indian, Alaska Native, and Native Hawaiian Education* (Washington, DC: National Indian Education Association, 2010).

72. *Ibid.*

73. George, B., *Native American Academic Performance: Does School Type Matter?* (Washington, DC: Academy for Public Policy and Research, The Urban Institute, 2011).

74. U.S. Department of Education, *SY2010–2011 Four-Year Regulatory Adjusted Cohort Graduation Rates* (Washington, DC: U.S. Department of Education, 2012).

75. *Ibid.*

76. Losen, D. and Gillespie, J., *Opportunities Suspended: The Disparate Impact of Disciplinary Exclusion from School* (Los Angeles: The UCLA Civil Rights Project, 2012).

77. Healey, M., *The School-To-Prison Pipeline Tragedy on Montana's American Indian Reservations* (New York: The New York University Review of Law and Social Change, 2013).

78. See, e.g., African-American Experience and Issues of Race and Racism in U.S. Schools, Ithaca College, Working to Improve Schools and Education (WISE), available at ithaca.edu/wise/race_african_american/; Gove, T., "Implicit Bias and Law Enforcement," *The Police Chief* 78 (October, 2011): 44-56, accessed from policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=2499&issue_id=102011; Goff, P., Steele, C., and Davies, P., "The Space between Us: Stereotype Threat and Distance in Interracial Contexts," *Journal of Personality and Social Psychology* 94, no. 1 (2008): 91–107; Roberts, H., "Voices: Implicit Bias and Social Justice" (Baltimore: Open Society Foundations, December 18, 2011), available at opensocietyfoundations.org/voices/implicit-bias-and-social-justice; Staats, C., *State of the Science: Implicit Bias Review 2013* (Columbus: Kirwan Institute for the Study of Race and Ethnicity, The Ohio State University, 2013); Casey et al., *Helping Courts Address Implicit Bias: Resources for Education* (Williamsburg, VA: National Center for State Courts, 2009), available at ncsc.org/ibeducation.

79. National Clearinghouse on Supportive School Discipline, National Resources, available at supportiveschooldiscipline.org/connect/resources/national.

80. Key Components in State Anti-Bullying Laws, available at stopbullying.gov/laws/key-components/index.html.

CONDITIONS FOR LEARNING

1. Cowan, K.C. et. al., *A Framework for Safe and Successful Schools* (Bethesda, MD: National Association of School Psychologists; Gregory, A., Cornell, D., & Fan, X., "The Relationship of School Structure and Support to Suspension Rates for Black and White High School Students," *American Educational Research Journal* 48(4) (2011): 904-934.

2. Expulsion should be limited to extreme cases. If a student must be expelled from his or her home school, following state law that mandates students attend school until a certain age (although this age varies from state to state) means that the student must have access to an alternative education setting—whether it is another traditional school or an alternative education program.

3. Balfanz, R., Byrnes, V., and Fox, J., *Sent Home and Put Off-Track: The Antecedents, Disproportionalities, and Consequences of Being Suspended in the Ninth Grade* (Washington, DC: Center for Civil Rights Remedies and the Research-to-Practice Collaborative, National Conference on Race and Gender Disparities in Discipline, 2013); Marchbanks III, M.P. et al., *The Economic Effects of Exclusionary Discipline on Grade Retention and High School Dropout* (Washington, DC: Center for Civil Rights Remedies and the Research-to-Practice Collaborative, National Conference on Race and Gender Disparities in Discipline, 2013); Losen, D. and Gillespie, J., *Opportunities Suspended: The Disparate Impact of Disciplinary Exclusion from School* (Los Angeles, CA: Center for Civil Rights Remedies, Civil Rights Project, University of California, Los Angeles, 2012); Fabelo, T. et al., *Breaking Schools' Rules: A Statewide Study on How School Discipline Relates to Students' Success and Juvenile Justice Involvement* (New York: Council of State Governments Justice Center, 2011).

Although the effect of a positive school climate on decreasing disciplinary actions is well documented, whether improvements in school climate also reduce disparities in discipline is an area in which additional research is needed. Because of the emphasis on fairness and consistency in responses, many hypothesize this would be the case.

4. For more on the disproportionate impact of disciplinary measures on particular groups of students, see the discussions in the Introduction to the full report and the Data Collection chapter. Also see, e.g., Thapa, A. et al., *School Climate Research Summary: August 2012* (New York: National School Climate Center, 2012); Mitchum, P. and Moodie-Mills, A.C., *Beyond Bullying: How Hostile School Climate Perpetuates the School-to-Prison Pipeline for LGBT Youth* (Washington, DC: Center for American Progress, 2014).

5. Dary, T and Pickeral, T., "School Climate Practices for Implementation and Sustainability," *School Climate Practice Briefs,* no. 1 (2013).

6. This definition draws on the work of the National Center on Safe Supportive Learning Environments (safesupportiveschools.ed.gov), the National School Climate Center (schoolclimate.org), and the National School Climate Council (schoolclimate.org/about/council.php) as well as other resources, documents, and discussions with experts in the field.

7. Karcher, M.J., "Connectedness and School Violence: A Framework for Developmental Interventions," in *Handbook of School Violence,* ed. Edwin R. Gerler (Binghamton, NY: Haworth, 2004), 7–40; Skiba, R. et al., "Beyond Guns, Drugs and Gangs: The Structure of Student Perceptions of School Safety," *Journal of School Violence,* 3, no. 2-3 (2004): 149-171; Wang, M.T. et al., "A Tobit Regression Analysis of the Covariation between Middle School Students' Perceived School Climate and Behavioral Problems," *Journal of Research on Adolescence* 20, no. 2 (2010): 274–286.

8. MacNiel, A.J., Prater, D.L., and Busch, S., "The Effects of School Culture and Climate on Student Achievement," in *International Journal of Leadership in Education* 12, no. 1 (2009): 73-84; Niehaus, K., Rudasill, K.M., and Rakes, C.R., "A Longitudinal Study of School Connectedness and Academic Outcomes Across Sixth Grade," *Journal of School Psychology* 50, no. 4 (2012): 443-460.

9. Wilkins, J., "School Characteristics that Influence Student Attendance: Experiences of Students in a School Avoidance Program," *High School Journal* 91, no. 3 (2008): 12–24.

10. Roby, D.E., "Research on School Attendance and Student Achievement: A Study of Ohio Schools," Educational Research Quarterly 28, no. 1 (2004): 3–16.

11. Romer, D., *Issue Brief on Drug Prevention in Schools* (Philadelphia: The Annenberg Public Policy Center of the University of Pennsylvania, 2013).

12. Goodenow, C. and Grady, K.E., "The Relationship of School Belonging and Friends' Values to Academic Motivation Among Urban Adolescent Students," *Journal of Experimental Education* 62, no. 1 (1993): 60–71.

13. Wu, S.C. et al., "Student Suspension: A Critical Reappraisal," *The Urban Review* 14, no. 5 (1982): 245-303; Shirley, E.L.M. and Cornell, D.G., "The Contribution of Student Perceptions of School Climate to Understanding the Disproportionate Punishment of African American Students in a Middle School," *School Psychology International* 33, no. 2 (2012): 115-134; Wang et al., "A Tobit Regression Analysis," 274–286.

14. Libbey, H.P., "Measuring Student Relationships to School: Attachment, Bonding, Connectedness, and Engagement," *Journal of School Health* 74, no. 7 (2004): 274–283.

15. Schools where educators' growth and development are supported and where they are actively involved in making school-based decisions have higher rates of staff satisfaction and retention. Niehaus, Rudasill, and Rakes, "A Longitudinal Study," 443–460; Stewart, E.B., "Individual and School Structural Effects on African American High School Students' Academic Achievement," High School Journal 91, no. 2 (2008): 16–34.

16. Louis, K.S. et al., *Learning from Leadership: Investigating the Links to Improved Student Learning* (New York: The Wallace Foundation, 2010); Goldring, E. et al., *Assessing Learning-Centered Leadership: Connections to Research, Professional Standards, and Current Practices* (New York: The Wallace Foundation, 2007); Lavian, R.H., "The Impact of Organizational Climate on Burnout among Homeroom Teachers and Special Education Teachers (Full Classes/Individual Pupils) in Mainstream Schools," *Teachers and Teaching: Theory and Practice* 18, no. 2 (2012): 233–247; Grayson, J.L. and Alvarez, H.K., "School Climate Factors Relating to Teacher Burnout: A Mediator Model," *Teaching and Teacher Education: An International Journal of Research and Studies* 24, no. 5 (2008): 1349–1363; Ingersoll, R.M. and Smith, T.M., "The Wrong Solution to the Teacher Shortage," *Educational Leadership* 60, no. 8 (2003): 30–33; Bryk, A.S. and Schneider, B., *Trust in Schools: A Core Resource for Improvement* (New York: Russell Sage Foundation, 2002).

17. Additional model programs may be found at the Office of Juvenile Justice and Delinquency Prevention Model Programs Guide, available at ojjdp.gov/mpg.

18. Information was also based, in part, on these sources: Bryk and Schneider, *Trust in Schools;* Thapa, A. et al., "A Review of School Climate Research," *Review of Educational Research* 83 no, 2 (2013). Voight, A., Austin, G. and Hanson, T., *A Climate for Academic Success: How School Climate Distinguishes Schools That Are Beating the Achievement Odds* (San Francisco: WestEd, 2013); Brand, S. et al., "Middle School Improvement and Reform: Development and Validation of a School-Level Assessment of Climate, Cultural Pluralism, and School Safety," *Journal of Educational Psychology* 95, no. 3 (2003): 570–588; Bryk, A.S. et al., *Organizing Schools for Improvement: Lessons from Chicago* (Chicago: University of Chicago Press, 2010).

19. Yoder, N., *Teaching the Whole Child: Instructional Practices That Support Social-Emotional Learning in Three Teacher Evaluation Frameworks* (Washington, DC: Center on Great Teachers and Leaders at American Institutes for Research, 2013).

20. Durlak, J. A. et al., "The Impact of Enhancing Students' Social and Emotional Learning: A Meta-Analysis of School-Based Universal Interventions," *Child Development* 82, no. 1 (2011): 405-432. For additional SEL resources, see Collaborative for Academic, Social, and Emotional Learning (CASEL) (casel.org) and Eduptopia (edutopia.org/social-emotional-learning).

21. Hall, G. et al., *Promoting Positive Youth Development as a Support to Academic Achievement* (Boston: National Institute on Out-of-School Time with Forum for Youth Investment, 2002); Silbereisen, R. K. and Lerner, R.M., eds., *Approaches to Positive Youth Development* (Thousand Oaks, CA: SAGE Publications, 2007).

22. "Developmental Assets," See additional positive youth development resources at Search institute, search-institute.org/; Find Youth Info, findyouthinfo.gov/; National Resource Center for Youth Development, nrcyd.ou.edu/; and National Clearinghouse on Families and Youth, ncfy.acf.hhs.gov/.

23. Character Education Partnership, *11 Principles of Character Education* (Washington, DC: Character Education Partnership, 2010).

24. Lickona, T. and Davidson, M., *Smart & Good High Schools: Integrating Excellence and Ethics for Success in School, Work, and Beyond* (Cortland, NY: Center for the 4th and 5th Rs, 2005). See additional character education resources at The Character Education Partnership (character.org) and U.S. Department of Education (ed.gov/teachers/how/character/edpicks.jhtml).

25. Barret, S., Bradshaw, C., and Lewis-Palmer, T., "Maryland Statewide PBIS Initiative: Systems, Evaluation, and Next Steps," *Journal of Positive Behavior Interventions* 10, no. 2 (2013); 105-114; Skiba, R.J., Arredondo, M.I., and Rausch, M.K., *New and Developing Research on Disparities in Discipline* (Discipline Disparities Research to Practice Collaborative at Indiana University, 2014); Vincent, C.G., Sprague, J., and Gau, J.M., *The Effectiveness of School-Wide Positive Behavior Interventions and Supports for Reducing Racially Inequitable Disciplinary Exclusions in Middle Schools* (Washington, DC: Center for Civil Rights Remedies and the Research-to-Practice Collaborative, National Conference on Race and Gender Disparities in Discipline, 2013); Sprague, J.R. et al., "Preventing Disciplinary Exclusions of Students from American Indian/Alaska Native Backgrounds," *Family Court Review* 51, no. 3 (2013): 452–459; For additional information see the Technical Assistance Center on Positive Behavioral Interventions and Supports, U.S. Department of Education, Office of Special Education Programs at pbis.org/.

26. For additional PBS/PBIS resources, see PBIS Technical Assistance Center (pbis.org/), Project Achieve (projectachieve.org), Safe & Civil Schools (safeandcivilschools.com), and BEST Behavior (nvusd.k12.ca.us/PBIS). Also see the Targeted Behavioral Interventions chapter for more on multi-tiered frameworks.

27. Lunenburg, F.C., "The Comer School Development Program: Improving Education for Low-Income Students," *National Forum of Multicultural Issues Journal* 8, no. 1 (2011); Lunenburg, F.C. and Ornstein, A.O., *Educational Administration: Concepts and Practices* (Belmont, CA: Wadsworth/Cengage Learning, 2012); Comer, J.P., *Leave No Child Behind: Preparing Today's Youth for Tomorrow's World* (New Haven, CT: Yale University Press, 2004). See also Yale University Child Study Center (medicine.yale.edu/childstudy/comer/index.aspx).

28. Wachtel, T., *Defining Restorative Practices* (Bethlehem, PA: International Institute for Restorative Practices, 2012). See additional restorative practices resources at International Institute for Restorative Practices, www.iirp.edu/; Restorative Justice Online, restorativejustice.org/; and Edutopia, edutopia.org/blog/restorative-justice-resources-matt-davis.

29. See Policy Statement III, Recommendation 3 for a full discussion of restorative practices.

30. Osher, D. et al., "How We Can Improve School Discipline," *Educational Researcher 39*, no. 1 (2010): 48-58; Bradshaw, C. P. et al., "The Integration of Positive Behavioral Interventions and Supports (PBIS) and Social Emotional Learning (SEL)" in Weist, M. D. et al., eds., *Handbook of School Mental Health: Research, Training, Practice, and Policy,* 2nd ed. (New York: Springer, 2014).

31. Cohen, J., "School Climate Policy and Practice Trends: A Paradox," *Teachers College Record,* (2014); Cohen, J. et al., *Rethinking Effective Bully and Violence Prevention Effects: Promoting Healthy School Climates, Positive Youth Development, and Preventing Bully-Victim-Bystander Behavior* (forthcoming).

32. The study controlled for school size and proportions of ethnic minority and low-income students. Gregory, A. et al., "Authoritative School Discipline: High School Practices Associated with Lower Student Bullying and Victimization," *Journal of Educational Psychology* 102, no. 2 (2010): 483–496. "In a school setting, an authoritative approach to discipline combines both firm enforcement of school rules and a concerted effort to communicate warmth and concern for the well-being of each student as an individual. In theory, authoritative discipline in school could offer the right conditions for student cooperation with school rules and safe interactions among students." *Ibid.* There is no claim that this theory encompasses the full range of school climate issues, but it serves as a useful organizing framework for demonstrating relations between two key school climate conditions and student outcomes.

33. Students and teachers completed a bullying scale taken from the School Climate Bullying Survey. McConville, D.W. and Cornell, D.G., "Aggressive Attitudes Predict Aggressive Behavior in Middle Schools," *Journal of Emotional and Behavioral Disorders* 11, no. 3 (2003): 179–187. The bullying scale asked students and teachers to rate (strongly disagree, disagree, agree, strongly agree) the extent of teasing and bullying they experienced at school. Gregory, A. et al., "Authoritative School Discipline," 483–496. Students also completed a victimization index on which they were asked if they had experienced any one of seven forms of victimization ranging from theft to physical attack in the past school year.

34. Incidents of student threats against faculty were determined by an examination of school records. Gregory, A., Cornell, D., and Fan, X., "Teacher Safety and Authoritative School Climate in High Schools," *American Journal of Education* 118, no. 4 (2012): 401–425.

35. Konold, T. et al., "Multi-level Multi-Informant Structure of the Authoritative School" (forthcoming). The six scales of the Authoritative School Climate Survey are 1) school disciplinary structure, 2) respect for students/student support, 3) willingness to seek help/student support, 4) feelings about school/affective student engagement, 5) beliefs about ability/cognitive student engagement, and 6) prevalence of teasing and bullying.

36. State education agencies (SEAs) are able to submit ESEA flexibility requests, also known as waivers, to the U.S. Department of Education for leeway regarding specific requirements of the No Child Left Behind Act (NCLB) in exchange for rigorous and comprehensive state-developed plans designed to improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction.

37. "ESEA Flexibility," ed.gov/policy/elsec/guid/esea-flexibility/index.html. ESEA waivers and additional aspects of ESEA may change if the law is revised through reauthorization.

38. The Individuals with Disabilities Education Act (IDEA) governs how states and public agencies provide early intervention, special education, and related services to eligible children and youth with disabilities. For more information see IDEA (idea.ed.gov).

39. 20 US.C. §1418(d).

40. See the Data Collection chapter for a full discussion on school climate and discipline data collection.

41. The U.S. Department Education's National Center on Safe Supportive Learning Environments (safesupportivelearning.ed.gov) offers a series of webinars on measuring school climate—from developing and managing a survey to evaluating its reliability. The Center has a compendium of validated and reliable school climate surveys, assessments, and scales that can help educators assess their conditions for learning. For more information, see "School Climate Survey Compendia," safesupportivelearning.ed.gov/topic-research/school-climate-measurement/school-climate-survey-compendium; "NCSSLE Survey Webinar Series," safesupportivelearning.ed.gov/resources/ncssle-survey-webinar-series.

42. The School Climate Survey Compendia is available at safesupportivelearning.ed.gov/topic-research/school-climate-measurement/school-climate-survey-compendium.

43. The national School Climate Surveys are being developed and cognitively tested by the American Institutes for Research in the fall of 2014, and all items will be pilot tested in spring 2015. The resulting surveys and accompanying online tool and platform will then be ready for use, with national benchmark data collected and available for comparison purposes in the latter part of 2016.

44. Zullig, K.J. et al., "Psychometric Support of the School Climate Measure in a Large, Diverse Sample of Adolescents: A Replication and Extension," *Journal of School Health* 84, no. 2 (2014): 82–90.

45. For additional resources on ways states and districts can improve conditions for learning and adopt positive approaches to school discipline see the National Clearinghouse of Supportive School Discipline at supportiveschooldiscipline.org.

46. Bryk, A.S. et al., *Organizing Schools for Improvement;* Comer, J.P., *Leave No Child Behind* (New Haven, CT: Yale University Press, 2005); Fullan, M., *Choosing the Wrong Drivers for Whole System Reform* (Australia: Centre for Strategic Education, 2011); Mourshed, M., Chijioke, C., and Barber, M., *How the World's Most Improved School Systems Keep Getting Better* (New York: McKinsey & Company, 2010); Henderson, A.T. and Mapp, K.L., *A New Wave of Evidence: The Impact of School, Family, and Community Connections on Student Achievement* (Austin, TX: Southwest Educational Development Laboratory, 2002); Goldring et al., *Assessing Learning-Centered Leadership.*

47. See the Targeted Behavioral Interventions chapter, Policy Statement I, on early warning systems that can reveal trends at the school and district levels.

48. Faster, D. and Lopez, D., *School Climate Measurement and Analysis* (New York: The National School Climate Center, 2013); Clifford, M. et al., *Measuring School Climate for Gauging Principal Performance: A Review of the Validity and Reliability of Publicly Accessible Measures* (Washington, DC: American Institute of Research, 2012); Gangi, T.A., "School Climate and Faculty Relationships: Choosing an Effective Assessment Measure," Ph.D. dissisertation, St. John's University, 2009; Haggerty, K., Elgin, J., and Woolley, A., *Social-Emotional Learning Assessment Measures for Middle School Youth* (Seattle, WA: Social Development Research Group, University of Washington, 2011).

49. "School Climate Survey Compendia," safesupportivelearning.ed.gov/topic-research/school-climate-measurement/school-climate-survey-compendium .

50. Schools/districts may disaggregate discipline data by race/ethnicity/gender/and other factors. For the purposes of the school climate rating, however, the state only takes into account the total number of discipline incidents, weighted by the severity of the disciplinary response.

51. New Teacher Center, *2013 TELL Kentucky Survey: Validity and Reliability Report* (Santa Cruz, CA: New Teacher Center, 2013).

52. "Teaching & Learning Conditions Initiative," newteachercenter.org/policy/teaching-learning-conditions-initiative.

53. All resources can be found at "Student Support and Safety/Overview," baltimorecityschools.org/site/Default.aspx?PageID=397.

54. An example of a School Climate Report can be found at "Climate Report - Sample," baltimorecityschools.org/cms/lib/MD01001351/Centricity/Domain/48/CLIMATE%20REPORT%20-%20SAMPLE.pdf.

55. Questions compiled from focus group discussions with educators, administrators and specialized instructional support personnel; a review of the literature; and discussions among the consensus project advisory group members.

56. See the Targeted Behavioral Interventions and School-Police Partnerships chapters for discussions on additional committees (e.g., student support teams and school safety teams) that may be available to lead the school climate work.

57. Organizations such as the American Institutes for Research and Educators for Social Responsibility provide technical assistance to schools that are examining implicit bias.

58. Singleton, G. and Linton, C.W., *Courageous Conversations About Race: A Field Guide for Achieving Equity in Schools* (Thousand Oaks, CA: Corwin Press, 2005).

59. See Policy Statement IV, Recommendations 1 and 2 for more information on cultural competency training.

60. See, e,g,. "Working Together to Remove Racial and Ethnic Barriers to Student Achievement: Facilitator Discussion Guide," everyday-democracy.org//Exchange/Guide.73.aspx.

61. Council of State Governments Justice Center, "School Climate and Improvement: A Snapshot of Legislative Action" (New York: Council of State Governments Justice Center, 2014). csgjusticecenter.org/youth/publications/school-climate-and-improvement-a-snapshot-of-legislative-action/ .

62. Following tragedies such as the shootings in Newtown and Columbine, school safety plans have focused on increased security measures and emergency responses. The plans typically detail specific procedures for responding to threats against the school including intruders in the building, natural disasters, and medical emergencies. School safety plans are typically stand-alone documents developed with local law enforcement and/or school district police agencies.

Because safety is an integral part of school climate, some plans may include goals and activities for improving the environment and feelings of safety, but the emphasis is typically on enhanced security of the physical facility, student and school personnel responses, and law enforcement protocols. See the School-Police Partnerships chapter for more on school safety plans and resources.

63. For more on safety plans and law enforcement goals, see the School-Police Partnerships chapter.

64. The school superintendent at the time of this effort was Patricia Ciccone. National School Climate Standards are available at schoolclimate.org/climate/documents/school-climate-standards-csee.pdf.

65. The Comprehensive School Climate Inventory is available at schoolclimate.org/programs/csci.php.

66. IDEA Part B articulates special education services for school-aged children.

67. 20 US.C. § 1418(d).

68. A snapshot of available federal funding streams that can be used to support various aspects of school climate and conditions for learning is available at csgjusticecenter.org/wp-content/uploads/2014/05/FederalGrantProgramsChart.pdf.

69. The Collaborative Districts Initiative was launched in 2011.

70. CASEL's work has been supported by NoVo Foundation, the Einhorn Family Charitable Trust, and the 1440 Foundation.

71. "Philadelphia School District Accepts $730,676 Multi-Year Grant to Improve School Climate from the Philadelphia Foundation's Fund for Children," The Philadelphia Foundation for Children, June 13, 2013.

72. Guo, P., "School Culture: A Validation Study and Exploration of its Relationship with Teachers' Work Environment," Ph.D. dissertation, Fordham University, 2012; Bryk and Schneider, *Trust in Schools; Comer, Leave No Child Behind.*

73. McNeeley, C.A., Nonnemaker, J.M., and Blum, R.W., "Promoting School Connectedness: Evidence from the National Longitudinal Study of Adolescent Health," *Journal of School Health* 72 no. 4 (2002): 138–146; Muller, C., "The Role of Caring in the Teacher-Student Relationship for At-Risk Students, *Sociological Inquiry* 71 no. 2 (2001): 241–255; Wentzel, K. R., "Social Relationships and Motivation in Middle School: The Role of Parents, Teachers, and Peers," *Journal of Educational Psychology* 90 no. 2 (1998): 202–209; Cornelius-White, J., "Learner-Centered Teacher-Student Relationships are Effective: A Meta-Analysis," *Review of Educational Research* 77, no. 1 (2007): 113–143; Gregory, A., and Cornell, D., "'Tolerating' Adolescent Needs: Moving Beyond Zero Tolerance Policies in High School," *Theory Into Practice* 48 no. 2 (2009): 106–113; Wang et al., "A Tobit Regression Analysis," 274–286.

74. See Policy Statement III, Recommendation 3, for more information on restorative approaches.

75. Bryk and Schneider, *Trust in Schools.*

76. Professional Learning Communities (PLCs) allow staff to work in collaborative teams to continually analyze and improve classroom practice to enhance student learning. Teachers meet regularly to discuss "best practices" and their implications for student learning. PLCs empower teachers to work together to develop curricular outcomes, assess student achievement, select instructional materials, plan special projects, participate in peer observation and coaching, and pursue professional growth opportunities. See Vescio, V., Ross, D., and Adams, A., "A Review of Research on the Impact of Professional Learning Communities on Teaching Practice and Student Learning," *Teaching and Teacher Education* 24, no. 1 (2008): 80–91.

77. "Making Schools Work with Hendrick Smith," pbs.org/makingschoolswork/sbs/csp/jamescomer.html; Osher, D., Sandler, S., and Nelson, C., "The Best Approach to Safety is to Fix Schools and Support Children and Staff," *New Directions for Youth Development* 92 (2001): 127–154; Bryk and Schneider, *Trust in Schools.*

78. Gregory, A., Bell, J., and Pollock, M., *How Educators Can Eradicate Disparities in School Discipline: A Briefing Paper on School-Based Interventions* (Bloomington, ID, The Equity Project at Indiana University, Center for Evaluation and Education Policy, 2014).

79. These actions were recommended through advisory group meetings, focus group discussions, conversations with additional experts and a review of the literature.

80. In places where school resources officers (SROs) have been effectively selected and trained, SROs may work with counselors and other staff to mentor students and to help connect them with necessary services or preempt discipline problems. See the School-Police Partnerships chapter of the report.

81. The first bell rings at 8:00 a.m., but students have a few minutes grace period before the welcome team starts working.

82. Dalisha Phillips (School Success Coordinator/Community Liaison/FSCS Site Coordinator, Rainier Beach High School), in discussion with CSG Justice Center Senior Policy Analyst Emily Morgan, September 12, 2013.

83. Boss, S., "Keeping Kids in School: With Hard Data and Soft Skills, Communities in Schools Fine-Tunes its Model to Reduce Dropout Rates," *Stanford Social Innovation Review* (2013).

84. Phillips, discussion with Morgan.

85. Bloom, H.S. and Unterman, R., *Sustained Progress: New Findings About the Effectiveness and Operation of Small Public High Schools of Choice in New York City* (New York: MDRC, 2013); Felner, R.D. et al., "Creating Small Learning Communities: Lessons From the Project on High-Performing Learning Communities About 'What Works' in Creating Productive, Developmentally Enhancing, Learning Contexts," *Educational Psychologist* 42, no. 4 (2007): 209–221.

86. The school serves 54 percent Hispanic students, 19.5 percent White students, 16.5 percent Black students, 5 percent Asian students, and 5 percent "Other." During the 2012–13 school year, 67.5 percent of students received free or reduced price lunches.

87. In student advisory programs, youth are connected with a teacher or staff member as guide and mentor. These programs typically include an advisory class where a group of students come together to discuss issues of shared concern, and may also include one-on-one time with a teacher or mentor to discuss personal issues and challenges that students are facing. Students are able to form personal relationships with caring adults to set and achieve their own behavioral and academic goals. See, also, Poliner, R.A. and Lieber, C.M., *The Advisory Guide: Designing and Implementing Advisory Programs in Secondary Schools* (Cambridge, MA: Educators for Social Responsibility, 2004).

88. New York City public high schools have different admission processes. Some "screen" students by ranking them based on their seventh grade report card grades and reading and math standardized scores. Attendance and punctuality are also considered. There may also be other items that schools require to screen applicants, such as an interview, essay, or additional diagnostic test. "Unscreened" high schools are programs in which students who apply are selected by lottery.

89. NYC Department of Education. *Progress Report 2012-2013 for Academy for Careers in Television and Film* (New York: NYC Department of Education, 2013).

90. The 21st Century Community Learning Centers (21st CCLC) program helps support academic enrichment opportunities during non-school hours. Grants support after-school and expanded learning programs that provide services to students attending high-poverty, low-performing schools. For more information, see "21st Century Community Learning Centers," ed.gov/programs/21stcclc/index.html.

91. Summer bridge programs, often considered more intensive freshman orientation programs, are being implemented by many schools and districts to help support students through the difficult transition from middle to high school. Summer bridge programs offer incoming high school students the option of coming together at school for a few days or weeks to expose them to the new behavioral and academic expectations, introduce them to the school routines and procedures, and to meet and form positive relationships with adults in the building.

92. The local community program VOICES, previously a 501(c)(3), has since dissolved and is now housed under the Tucson Small School Project.

93. Krista Niles (Extended Day Program Coordinator, City High School), in discussion with CSG Justice Center Senior Policy Analyst Emily Morgan, September 10, 2013.

94. The program was created through a collaboration between the Charles A. Dana Center for Mathematics and Science Education at The University of Texas at Austin and Agile Mind, Inc. See "Summer-Start AYD," utdanacenter.org/pre-kindergarten-12-education/tools-for-teaching-and-learning/comprehensive-course-programs/academic-youth-development/summer-start-ayd.

95. Bush-Richards, A.M. et al., *Intelligence, Persistence, Sense of Belonging, and Problem-Solving Strategies: Assessing Change in Student Beliefs in the Academic Youth Development Program* (Austin, TX: University of Texas at Austin, 2011).

96. Agile Mind, Inc., *Academic Youth Development: Program and Research Update* (Grapevine, TX: Agile Mind, Inc., 2013).

97. See Policy Statement III for a full discussion on codes of conduct.

98. See the OSEP Technical Assistance Center on Positive Behavioral Interventions and Support for more information, pbis.org.

99. See e.g., Horner, R.H., Sugai, G., and Anderson, C.M., "Examining the Evidence Base for School-Wide Positive Behavior Support," *Focus on Exceptionality* 42, no. 8 (2010): 1–14; Simonsen, B. et al., "Illinois Statewide Positive Behavioral Interventions and Supports: Evolution and Impact on Student Outcomes Across Years," *Journal of Positive Behavior Interventions* 14, no. 1 (2011): 5-16; Bradshaw, C.P., Mitchell, M.M., and Leaf, P.J., "Examining the Effects of Schoolwide Positive Behavioral Interventions and Supports on Student Outcomes: Results From a Randomized Controlled Effectiveness Trial in Elementary Schools," *Journal of Positive Behavioral Interventions* 12, no. 3 (2010): 161–179 Additional research is available at pbis.org.

100. Osher et al., "How We Can Improve School Discipline." See the Targeted Behavioral Interventions chapter for a detailed discussion of the "targeted" and "intensive" tiers of supports.

101. For other examples of guideline-setting see "Lesson Plan - Social Contract for our School," learningtogive.org/lessons/unit530/lesson1.html; "Responsive Classroom,"responsiveclassroom.org; "Caring School Community," devstu.org/caring-school-community.

102. Bystander education programs teach potential witnesses safe and positive ways to act to prevent or intervene when there is a risk for harassment or misbehavior. Community Matters is a nonprofit organization that provides programs and services to create safer, high-performing and thriving schools and communities. For more information, see "The Solution to Safer Schools," community-matters.org.

103. Sparks, S., "Student Peer Leadership Can Help Boost School Climate," *Education Week,* January 4, 2013.

104. "Community Matters Impact & Results," community-matters.org/research-and-results/community-matters-impact-results. Safe School Ambassadors is included in SAMHSA's National Registry of Evidence-Based Programs and Practices (nrepp.samhsa.gov).

105. See Policy Statement III, Recommendation 3 for further discussion of restorative practices.

106. Consistent and fair treatment of all students is explored further in the Targeted Behavioral Interventions chapter of this report, as well as in discussions of the enforcement of the school code of conduct.

107. See the chapter on Data Collection for additional discussions of disproportionate impact among students of color, youth with disabilities, and other student groups.

108. Cardichon, J. and Roc, M., *Climate Change: Providing Equitable Access to a Rigorous and Engaging* Curriculum (Washington, DC: Alliance for Excellent Education, 2013).

109. Shirley and Cornell, "The Contribution of Student Perceptions of School Climate"; Wang et al., "A Tobit Regression Analysis," 274–286; Gregory, Bell, and Pollock, *How Educators Can Eradicate Disparities in School Discipline;* Cardichon and Roc, *Climate Change.*

110. Wang, M. and Eccles, J.S., "School Context, Achievement Motivation, and Academic Engagement: A Longitudinal Study of School Engagement Using a Multidimensional Perspective," Learning and Instruction 28 (2013): 12–23.

111. Cornell, D. et al., "Perceived Prevalence of Bullying and Teasing Predicts High School Dropout Rates," *Journal of Educational Psychology* 105, no. 1 (2013): 138–149; Chen, G. and Weikart, L.A., "Student Background, School Climate, School Disorder, and Student Achievement: An Empirical Study of New York City's Middle Schools," *Journal of School Violence* 7, no. 4 (2008): 3–20; Christle, C. A., Joliette, K., and Nelson, C.M., "School Characteristics Related to High School Dropout Rates," *Remedial and Special Education* 28, no. 6 (2007): 325–339; Gottfredson, G.D. et al., "School Climate Predictors of School Disorder: Results from the National Study of Delinquency Prevention in Schools," *Journal of Research in Crime and Delinquency* 42, no. 4 (2005): 412–444; Toldson, I.A., McGee, T., and Lemmons, B.P., *Reducing Suspensions by Improving Academic Engagement Among School-Age Black Males* (Washington, DC: Center for Civil Rights Remedies and the Research-to-Practice Collaborative, National Conference on Race and Gender Disparities in Discipline, 2013).

112. The Common Core State Standards (CCSS) is a state-led effort, coordinated by the National Governor's Association Center for Best Practices and the Council of Chief State School Officers, to establish standards for English/Language Arts and math to replace education goals that varied widely from state to state. As of February 2014, 45 states, the District of Columbia, 4 territories, and the Department of Defense Education Activity have adopted the Common Core State Standards. Schools are implementing instruction consistent with the CCSS in preparation for the 2014–15 rollout of a new assessment system to measure student achievement of the standards. For more information, see "Common Core Standards Initiative," corestandards.org.

113. Cardichon and Roc, *Climate Change.*

114. Yoder, *Teaching the Whole Child;* McTigue, E.M. and Rimm-Kaufman, S.E., "The Responsive Classroom Approach and its Implications for Improving Reading and Writing," *Reading & Writing Quarterly:* Overcoming Learning Difficulties 27, no. 1–2 (2010): 5–24; Osher, D. et al., "A Comprehensive Approach to Promoting Social, Emotional, and Academic Growth in Contemporary Schools," in *Best Practices in School Psychology,* eds. A. Thomas and J. Grimes, vol. 4 (Bethesda, MD: National Association of School Psychologists, 2008), 1263–1278; Durlak et al., "The Impact of Enhancing Students' Social and Emotional Learning;" Kress, J. et al., "Bringing Together Educational Standards and Social and Emotional Learning: Making the Case for Educators," *American Journal of Education* 111, no. 1 (2004): 68–89; "English Language Arts Standards," corestandards.org/ELA-Literacy/introduction/students-who-are-college-and-career-ready-in-reading-writing-speaking-listening-language; "Standards for Mathematical Practice," corestandards.org/Math/Practice.

115. Dusenbury, L. et al., *State Standards to Advance Social and Emotional Learning: Findings from CASEL's State Scan of Social and Emotional Learning Standards, Preschool through High School, 2014* (Chicago, IL: Collaborative for Academic, Social, and Emotional Learning, 2014). Also see "Illinois Learning Standards," isbe.state.il.us/ils/social_emotional/standards.htm; "Kansas State Department of Education: SEL Standards," ksde.org/Default.aspx?tabid=1799.

116. "Social and Emotional Learning," Oakland Unified School District, thrivingstudents.org/46; "Cleveland Metropolitan School District," casel.org/collaborating-districts/cleveland-metropolitan-school-district.

117. The list is compiled from advisory group discussions and a review of the literature, including Wang and Eccles, "School Context, Achievement Motivation, and Academic Engagement."

118. Ravitz, J., "Beyond Changing Culture in Small High Schools: Reform Models and Changing Instruction With Project-Based Learning," *Peabody Journal of Education* 85, no. 3 (2010): 290–312; Strobel, J. and van Barneveld, A., "When is PBL More Effective? A Meta-Synthesis of Meta-Analyses Comparing PBL to Conventional Classrooms," *Interdisciplinary Journal of Problem-Based Learning* 3, no. 1 (2008), 44–58; Capon, N and Kuhn, D., "What's So Good About Problem-Based Learning?" *Cognition and Instruction* 22, no. 1 (2004): 61–79; Ravitz, J., "Introduction: Summarizing Findings and Looking Ahead to a New Generation of PBL Research," *Interdisciplinary Journal of Problem-Based Learning* 3, no. 1 (2008), 4–11.

119. Linked Learning, *Work-Based Learning in Linked Learning: Definitions, Outcomes and Quality Criteria* (Sacramento, CA: Linked Learning, 2012); Archuleta, K., *Guide to Effective Work-Based Learning* (Antioch, CA: Emerald Consulting, 2010); Darche, S., Nayar, N., and Bracco, K., *Work-Based Learning in California: Opportunities and Models for Expansion* (San Francisco, CA: The James Irvine Foundation, 2009). Also see "Linked Learning," linkedlearning.org.

120. Furco, A. and Root, S., "Research Demonstrates the Value of Service Learning," *Phi Delta Kappan* 91, no. 5 (2010): 16–20; Deeley, S., "Service-Learning: Thinking Outside the Box," *Active Learning in Higher Education* 11, no. 1 (2010) 43–53; Kielsmeier, J.C., "Service Learning: Building a Bridge Between Service and Learning," *Phi Delta Kappan* 91, no. 5 (2010) 8–15. See also, "National Service-Learning Clearinghouse," servicelearning.org/what-is-service-learning.

121. According to Expeditionary Learning, it partners with more than 160 schools and 4,000 teachers serving 53,000 students in 33 states, and thousands of other teachers through its professional services work in New York and other states. For more information, visit elschools.org.

122. According to Big Picture Learning, as of 2014, there are more than 54 BPL Schools across 16 states. Since 1996, BPL's schools have served more than 26,000 students (85 percent of BPL schools receive Title I funding; 66 percent of students are eligible for free/reduced lunch).

123. National Education Association, *Parent, Family and Community Involvement in Education* (Washington, DC: National Education Association, 2008); National Parent Teacher Association, *PTA National Standards for Family-School Partnerships: An Implementation Guide* (Washington, DC: National Parent Teacher Association, 2009); Blank, M.J., Jacobson, R., and Melaville, A., *Achieving Results Through Community School Partnerships: How District and Community Leaders are Building Strong Sustainable* Relationships (Washington, DC: Center for American Progress, 2012); Henderson and Mapp, A New Wave of Evidence; Henderson, A.T. et al., *Beyond the Bake Sale: The Essential Guide to Family-School Partnerships* (New York: The New Press, 2007).

124. Adams, K.C. and Christenson, S.L., "Trust and the Family-School Relationship: Examination of Parent-Teacher Differences in Elementary and Secondary Grades," *Journal of School Psychology* 38 (2000): 477–497.

125. Hoover-Dempsey, K.V. et al., "Why Do Parents Become Involved? Research Findings and Implications," *Elementary School Journal* 106, no. 2 (2005): 105–130; Comer, J.P. and Haynes, N.M., "Parent Involvement in Schools: An Ecological Approach," *Elementary School Journal* 91, no. 3 (1991): 271–277.

126. These strategies are drawn from a review of the literature, focus group discussions, and conversations with practitioners in the field. Key documents consulted include Henderson et al., *Beyond the Bake Sale; National Education Association, Parent, Family and Community Involvement;* National Parent Teacher Association, *PTA National Standards for Family-School Partnerships; Blank, Jacobson, and Melaville, Achieving Results Through Community School Partnerships;* Kakli, Z. et al., *Focus on Families! How to Build and Support Family-Centered Practices in After School* (Boston, MA: Harvard Family Research Project, 2006); Boethel, M., Diversity: School, Family & Community Connections (Austin, TX: SEDL, 2003); Ferguson, C., *Reaching Out to Diverse Populations: What Can Schools Do to Foster Family-School Connections?* (Austin, TX: SEDL, 2005).

127. See Policy Statement I, Recommendation 1, for additional information on student, staff, and family surveys.

128. Marschall, M.J., Shah, P.R., and Donato. K., "Parent Involvement Policy in Established and New Immigrant Destinations," *Social Science Quarterly* 93, no. 1 (2012): 130–151.

129. "Community Achieves," Metropolitan Nashville Public Schools, mnps.org/Page105629.aspx.

130. Clusters are groupings of elementary, middle, and high schools within a certain geographic area. MNPS Cluster Support Teams provide services and support to all schools within a particular cluster of schools.

131. See the Targeted Behavioral Interventions chapter for a discussion of IEPs. Also see "A Guide to the Individualized Education Program," ed.gov/parents/needs/speced/iepguide/index.html?exp=3.

132. Metropolitan Nashville Public Schools, *Department of Family and Community Partnerships: 2012-2013 Year-End Scorecard Report* (Nashville: MNPS Department of Family and Community Partnerships, 2013); Virginia Pupo-Walker (Director, Family and Community Partnerships), in discussion with CSG Justice Center Senior Policy Analyst, Emily Morgan, September 10, 2013.

133. Metropolitan Nashville Public Schools, Department of Family and Community Partnerships.

134. "MALDEF: About the Parent School Partnership (PSP) Program," maldef.org/leadership/programs/psp/about/index.html.

135. Gonzalez, J., "Empowering Latino Parents for the Education of Their Children: The MALDEF National Parent School Partnership Program," Georgia Association for Supervision and Curriculum Development, *The Reporter Newsletter,* January 2004.

136. Gonzalez, M. and Chrispeels, J., *Mapping Family-School Partnership Program Evaluation: The PIQE and MALDEF Logic Models* (New York: American Educational Research Association Annual Meeting, 2008).

137. Bloom, L.R. et al., *Making Policy Come to Life: A Qualitative Study of COFI Peace Centers for Restorative Justice in the Brunson Math and Science Specialty Elementary School and the Wells Community Academy High School* (Chicago: Mansfield Institute of Social Justice and Transformation, Roosevelt University, 2012).

138. See the Targeted Behavioral Interventions chapter for further discussion of community partnerships to provide students with health services and supports.

139. See "The CSCI's Community Scale," schoolclimate.org/climate/documents/csci_Community_School.pdf.

140. See, for example, Mayaer, M. and Furlong, M., "How Safe are Our Schools?" *Educational Researcher* 39, no. 1 (2010): 16–26; Robers, S., Zhang, J., and Truman, J., *Indicators of School Crime and Safety:* 2011 (Washington, DC: U.S. Departments of Education and Justice, 2012); Borum, R. et al., "What Can Be Done About School Shootings? A Review of the Evidence," *Educational Researcher* 39, no. 1 (2010): 27–37; Altheide, D.L., "The Columbine Shootings and the Discourse of Fear," *American Behavioral Scientist* 52, no. 10 (2009): 1354–1370.

141. Although most school leaders know the research and believe their schools are generally safe, they often feel pressure to take every conceivable precautionary step even if the chances for violence are remote. In some instances, however, security equipment and measures may indeed be necessary.

142. Bachman, R., Randolph, A., and Brown, B.L., "Predicting Perceptions of Fear at School and Going to and From School for African American and White Students: The Effects of School Security Measures," *Youth & Society* 43, no. 1 (2011): 705–726; National Association of School Psychologists, *Research on School Security: The Impact of Security Measures on Students* (Bethesda, MD: National Association of School Psychologists, 2013).

143. Na, C. and Gottfredson, D., "Police Officers in Schools: Effects on School Crime and the Processing of Offending Behaviors," *Justice Quarterly* 30, no. 4 (2013): 1–32; Nicole, L., "Students Perceptions of High-Security School Environments," *Youth & Society* 43, no. 1 (2011): 365–395; Kitsantas, A., Ware, H.W., and Martinez-Arias, R., "Students' Perceptions of School Safety: Effects by Community," *Journal of Early Adolescence* 24, no. 4 (2004): 412–430; Finn, J.D. and Servocc, T.J., *Misbehavior, Suspensions, and Security Measures in High School: Racial/Ethnic and Gender Differences* (Washington, DC: Center for Civil Rights Remedies and the Research-to-Practice Collaborative, National Conference on Race and Gender Disparities in Discipline, 2012); Kupchik, A. and Catlaw, T.J., *Discipline and Participation: The Long-Term Effects of Suspension and School Security on the Political and Civic Engagement of Youth* (Washington, DC: Center for Civil Rights Remedies and the Research-to-Practice Collaborative, National Conference on Race and Gender Disparities in Discipline, 2013); Osher, D.M. et al., *Avoid Simple Solutions and Quick Fixes: Lessons Learned from a Comprehensive Districtwide Approach to Improving Conditions for Learning* (Washington, DC: Center for Civil Rights Remedies and the Research-to-Practice Collaborative, National Conference on Race and Gender Disparities in Discipline, 2013); Hirschfield, P., "School Surveillance in America: Disparate and Unequal," in *Schools Under Surveillance: Cultures of Control in Public Education,* eds. T. Monahan et al. (New Brunswick, NJ: Rutgers University Press, 2013), 38–54; Powell, M., "In a School Built on Trust, Metal Detectors Inject Fear," *New York Times,* September 17, 2012.

144. Based on conversations among Consensus Project advisory group members.

145. Steinberg, M.P., Allensworth, E., and Johnson, D.W., *What Conditions Jeopardize and Support Safety in Urban Schools? The Influence of Community Characteristics, School Composition, and School Organizational Practices on Student and Teacher Reports of Safety in Chicago* (Washington, DC: Center for Civil Rights Remedies and the Research-to-Practice Collaborative, National Conference on Race and Gender Disparities in Discipline, 2013); Fein, R.E. et al., *Threat Assessment in Schools: A Guide to Managing Threatening Situations and Creating Safe Climates in Schools* (Washington, DC: U.S. Secret Service and U.S. Department of Education, 2002); Steinberg, M.P., Allensworth, E., and Johnson, D.W., *Student and Teacher Safety in Chicago Public Schools: The Roles of Community Context and School Social Organization* (Chicago, IL: University of Chicago, 2011); Walker, D., "School Violence Prevention," *Educational Resources Information Center* 94 (1995); Walker, H., Ramsey, E., and Gresham, F.M., *Antisocial Behavior in School: Strategies and Best Practices* (Pacific Grove, California: Brooks/Cole Publishing Company, 1995); McEvoy, A. and Welker, R., "Antisocial Behavior, Academic Failure and School Climate: A Critical Review," in *Making Schools Safer and Violence Free: Critical Issues, Solutions, and Recommended Practices,* eds. H.M. Walker and M.H. Epstein (Austin: Pro-Ed, 2001), 37; Astor, R. et al., "A Call for Effective Prevention of Violence," *School Psychologist* 67, no. 2 (2013): 40–43; Dwyer, K., Osher, D., and Warger, C., *Early Warning, Timely Response: A Guide to Safe Schools* (Washington, DC: U. S. Department of Education, 1998).

146. See Policy Statement I in the School-Police Partnerships chapter regarding the collaborative decision-making tool for determining whether an on-site police or security presence is needed in a particular school.

147. Cozens, P.M., Saville, G., and Hillier, D., "Crime Prevention Through Environmental Design (CPTED): A Review and Modern Bibliography," *Property Management* 23, no. 5 (2005): 328–356; "International CPTED Association," cpted.net; Zahm, D., *Using Crime Prevention Through Environmental Design in Problem-Solving* (Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services, 2007); Heinzelmann, F. and Fleissner, D., *Crime Prevention Through Environmental Design and Community Policing* (Washington, DC: U.S. Department of Justice, National Institute of Justice, 1996); Plaster-Carter, S., Carter, S.L., and Dannenberg, A.L., "Zoning Out Crime and Improving Community Health in Sarasota, Florida: Crime Prevention Through Environmental Design, *American Journal of Public Health* 93, no. 9 (2003): 1442–1445; Crowe, T., Crime Prevention Through Environmental Design vol. 2 (Woburn, MA: Butterworth-Heinemann, 2000); Virginia Department of Criminal Justice Services Crime Prevention Center, *Safety by Design: Creating a Safer Environment in Virginia* (Richmond, VA: Virginia Department of Criminal Justice Services Crime Prevention Center, 2005).

148. U.S. Department of Homeland Security, *Primer to Design Safe School Projects in Case of Terrorist Attacks or School Shootings* (Washington, DC: FEMA and BIPS, 2012), available at dhs.gov/xlibrary/assets/st/bips07_428_schools.pdf.

149. Uline, C.L., Wolsey, T.D., and Tschannen-Moran, M., "Improving the Physical and Social Environment of School: A Question of Equity," *Journal of School Leadership* 20, no. 5 (2010): 597–632; Stevenson, K. R., *The Relationship of School Facilities Conditions to Selected Student Academic Outcomes: A Study of South Carolina Public Schools* (SC: Education Oversight Committee, 2001); Uline, C. and Tschannen-Moran, M., "The Walls Speak: The Interplay of Quality Facilities, School Climate and Student Achievement," *Journal of Educational Administration* 46, no. 1 (2008): 55–73.

150. See "Education Design Showcase," educationdesignshowcase.com/view.esiml?pid=342.

151. See, e.g., Conn. Agencies Regs. § 10-145d-400a.

152. See, e.g., "National Education Association Code of Ethics," nea.org/home/30442.htm.

153. Among the codes of conduct revised at the time of this project are Baltimore City Public Schools, MD; Fairfax County Public Schools, VA; Buffalo Public Schools, NY; Denver Public Schools, CO; Indianapolis Public Schools, IN; Madison Metropolitan School District, WI; Recovery School District, LA; Los Angeles Unified School District, CA; the School District of Philadelphia, PA; Broward County Public Schools, FL; and Chicago Public Schools, IL. Some of these revisions are recent enough that evaluations of their impact have not been completed. By reviewing them and highlighting aspects of their work, the report is not endorsing the codes. They do serve to illustrate the kinds of elements of various codes that are being proposed across the country.

154. See the Targeted Behavioral Interventions chapter for a discussion of alternative education. See chapter on Courts and Juvenile Justice also reviews education programs for confined youth.

155. Many advisory group members opposed the inclusion of these types of offenses in the code of conduct at all. To the extent that they do remain in codes of conduct, they should be as well defined as possible.

156. S. 5946, 63d Leg., (Wa. 2013).

157. Maryland's revised regulations are available at marylandpublicschools.org/press/2013Press/StudentDisciplineRegulations.pdf.

158. Council of State Governments Justice Center, School Climate and Improvement: A Snapshot of Legislative Action. Available at csgjusticecenter.org/youth/publications/school-climate-and-improvement-a-snapshot-of-legislative-action/. A compilation of school-discipline-related state statutes and regulations, and where available, links to state-sponsored websites or resources, is also available at safesupportivelearning.ed.gov/topic-research/school-climate-measurement/school-climate-survey-compendium .

159. California's legislative information is available at leginfo.legislature.ca.gov.

160. H.R. 12-1345 (Co. 2012).

161. S. 338, 118th Cong. (In. 2013).

162. H.R. 4332, 187th Leg. (Ma. 2012).

163. S. 5946, 63d Leg., (Wa. 2013).

164. Many members of the advisory groups wanted states to go much further than the steps outlined here. For example, there was a strong push to request that legislators ban out-of-school suspensions and ensure that in-school suspensions and other measures be used instead. Because of the consensus nature of the project, these steps are the ones that, although not reflective of the ideal, seemed possible given political and resource realities. This does not prohibit individual school districts from going further (e.g., in 2013, the Los Angeles Unified School District school board voted to discontinue its inclusion of "willful defiance" by students as a suspendable offense.)

165. Ark. Code Ann. § 6-18-507; Ohio Rev. Code Ann. § 3313.66 (LexisNexis 2014); 22 Pa. Cons. Stat. 12.6 (2014). For additional legislation limiting out-of-school suspension, see "Compilation of School Discipline State Laws and Regulations," safesupportivelearning.ed.gov/school-discipline-compendium.

166. As of 2013, 17 states had no cap on the number of days a student can be suspended from school. See Policy Statement III, Recommendation 4 on due process for a detailed discussion of IDEA.

167. Cal. Educ. Code § 48900-48927 (Deering 2014).

168. Dishion, T.J. and Dodge, K.A, "Peer Contagion in Interventions for Children and Adolescents: Moving Toward an Understanding of the Ecology and Dynamics of Change," *Journal of Abnormal Psychology* 33, no. 3 (2005): 395–400.

169. As described more fully in the Targeted Behavioral Interventions chapter of this report, alternative placement facilities should have certified instructors who meet all current state and federal requirements for teaching the courses they have been assigned, including special education and limited English proficiency courses. Counselors should have an MSW or equivalent degree demonstrating their qualifications for working with youth in an alternative setting.

170. Many members of the advisory groups and other experts and practitioners in the field believe the term "alternative education" should be changed to "promising or multiple pathways to education" because of the negative connotation that has come to be associated with the former classification.

171. See the alternative education discussions in the Targeted Behavioral Interventions and Courts and Juvenile Justice chapters of this report for more information on credit transfers for students excluded from public schools and those under juvenile justice control.

172. "National Alliance for Public Charter Schools Dashboard," dashboard.publiccharters.org/dashboard/home.

173. *Ibid.*

174. Strauss, V., "Why Charter Schools Need Better Oversight," *Washington Post,* September 5, 2013; Zubrzycki, J., Cavanagh, S., and McNeill, M., "Charter Schools' Discipline Policies Face Scrutiny," *Education Week,* May 16, 2013.

175. "Chicago Public Schools Performance," cps.edu/performance/Pages/Performance.aspx.

176. "District of Columbia Public Charter School Board," dcpcsb.org/data/images/final%20finalcopy%20of%20discipline_by_school_09_19_12%20%284%29.pdf.

177. "District Discipline: The Overuse of Suspension and Expulsion in the District of Columbia," dcly.org/district_discipline.

178. "Education Week: Discipline Data," edweek.org/ew/section/infographics/charter-discipline-infographic.html.

179. "Recovery School District Charter Schools," rsdcharters.org/discipline/expulsion.

180. The list of questions was developed from conversations with education experts and practitioners, and is not meant to be exhaustive.

181. See Osher, D., Dwyer, K., and Jackson, S., *Safe, Supportive and Successful Schools: Step by Step* (Washington, DC: American Institutes for Research, 2004), 32–35.

182. See the Introduction to this report for additional research on negative impacts of school discipline. See, also, Fabelo et al., *Breaking Schools' Rules;* Losen and Martinez, *Out of School & Off Track;* Shah, N., "Discipline Policies Shift With Views on What Works," *Education Week,* January 4, 2013; Skiba, R.J. et al., "Race is not Neutral: A National Investigation of African American and Latino Disproportionality in School Discipline," *School Psychology Review* 40, no. 1 (2011): 85–107; Skiba, R., et al., "Are Zero Tolerance Policies Effective in the Schools? An Evidentiary Review and Recommendations," *American Psychologist* 63, no. 9 (2006); Raffaele Mendez, L.M. and Knoff, H.M., "Who Gets Suspended from School and Why: A Demographic Analysis of Schools and Disciplinary Infractions in a Large School District," *Education and Treatment of Children* 26, no. 1 (2003): 30–51; Himmelstein, K. E. W., and Brückner, H., "Criminal-Justice and School Sanctions Against Nonheterosexual Youth: A National Longitudinal Study," *Pediatrics* 127, no. 1 (2010): 49–57; Gay, Lesbian and Straight Education Network, *The 2011 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual and Transgender Youth in our Nation's Schools* (Washington, DC: GLSEN, 2012); Poteat, P. and Russell, S.T., "Understanding Homophobic Behavior and Its Implications for Policy and Practice," *Theory Into Practice* 52, no. 4 (2013): 264–271.

183. Schools should be aware of when cultural factors may influence dress code violations and provide alternatives to disciplinary measures.

184. Watanabe, T., "L.A. Unified Bans Suspensions for 'Willful Defiance,'" *Los Angeles Times*, May 14, 2013.

185. New Mexico Center of Law and Poverty, *Suspend, Expel and Exclude: How Zero-Tolerance Discipline Policies Deny New Mexico Students Access to an Education* (Albuquerque: NM, Center on Law and Poverty, 2012); Advancement Project, American Civil Liberties Union of Mississippi, Mississippi State Conference of the NAACP, and Mississippi Coalition for the Prevention of Schoolhouse to Jailhouse, *Handcuffs on Success: The Extreme School Discipline Crisis in Mississippi Public Schools* (New York: Advancement Project, 2013).

186. Other strategies may include Consistency Management and Cooperative Discipline (CMCD), which is a comprehensive, schoolwide classroom management program that increases student acceptance of personal responsibility for learning and behavior while decreasing classroom disruptions. CMCD provides professional development and coaching designed to help teachers facilitate strong, positive relationships with students and caring communities that maximize student self-discipline, engagement, and learning. Schools implementing CMCD see improvements in student behavior, school climate and student achievement. CMCD moves teachers toward a management design that is preventive and prosocial, while empowering student voices. For more information, see "Consistency Management & Cooperative Discipline," cmcd.coe.uh.edu.

187. Adapted from San Francisco Unified School District restorative justice materials available at healthiersf.org/RestorativePractices.

188. Community Conferencing is a three-step process that brings together victims, offenders, and their peers to discuss and develop solutions to address conflict. The process begins with a trained facilitator asking both the victim and offender to discuss what happened. All of the members of the conference then take turns discussing how they have been affected by the situation. The conference ends with the group coming up with ways to repair the harm and prevent it from happening again.

Peer Mediation helps students in conflict resolve their disputes and create their own solutions, using shared problem solving. Trained peer mediators serve as neutral third parties to help participants reach an agreement that is both mutually fair and reasonable. The peer mediation process is voluntary, confidential, informal, respectful, and impartial. Most importantly, peer mediation puts conflict back into the hands of the students, giving them a sense of ownership in determining solutions that repair harm done and help students move forward.

Administrator-led Mediation is a process through whihch trained school administrators facilitate formal restorative conferences that bring together all students, staff and other parties who were affected by the incident. The student or staff member who violated behavioral expectations of the code of conduct has an opportunity to discuss the incident and learn about the impact his or her actions had on the school community. The conference ends with everyone sharing and reaching agreement on actions the individual needs to take to responsibility for their actions.

189. Youth courts train teenagers to serve as jurors, judges, and advocates, handling real-life cases involving their peers. The goal of youth court is to use positive peer pressure to ensure that young people who have committed minor offenses learn accountability and repair the harm caused by their actions. See the Courts and Juvenile Justice chapter for more about court-facilitated youth courts.

190. Schiff, M. and Bazemore, G., "Dangers and Opportunities of Restorative Community Justice: A Response to Critics" in *Restorative Community Justice: Repairing Harm and Transforming Communities,* eds. G. Bazemore and M. Schiff (Cincinnati, OH: Anderson Publishing Company, 2001); Cole, H. and Heilig, J.V., "Developing a School-Based Youth Court: A Potential Alternative to the School to Prison Pipeline," *Journal of Law and Education* 40, no. 2 (2011): 16.

191. Responsive Classroom is an evidence-based approach to improving student achievement, educator effectiveness, and school climate by building students' social and emotional skills. Following 10 core practices, educators work to create classrooms that have engaging instruction, to build a positive community of learners, and to effectively manage student behavior. More information is available at "Responsive Classroom," responsiveclassroom.org.

192. Schiff, M. and Bazemore, G., "Dangers and Opportunities of Restorative Community Justice," Cole and Heilig, "Developing a School-Based Youth Court," Drewery, W., "Conferencing in Schools: Punishment, Restorative Justice and the Productive Importance of the Process Conversation," *Journal of Community & Applied Social Psychology* 14, no. 5 (2004), 332–344; Gregory, A. et al., "The Promise of Restorative Practices to Transform Teacher-Student Relationships and Achieve Equity in School Discipline" (forthcoming); Payne, A.A. and Welch, K., "Restorative Justice in Schools: The Influence of Race on Restorative Discipline," *Youth & Society* (2013): 1–26; Schiff, M., "Dignity, Disparity and Desistance: Effective Restorative Justice Strategies to Plug the 'School-to-Prison Pipeline'" (unpublished manuscript); Wearmouth, J. and Berryman, M., "Viewing Restorative Approaches to Addressing Challenging Behavior of Minority Ethnic Students Through a Community of Practice Lens," *Cambridge Journal of Education* 42, no. 2 (2012): 253–268; Gonzales, T., "Socializing Schools: Addressing Racial Disparities in Discipline through Restorative Justice, in *Closing the School Discipline Gap,* ed. D.J. Losen (Columbia, NY: Teachers College Press, forthcoming).

193. Data from "2010-11 Indicators Report," profiles.doe.mass.edu/state_report/indicators.aspx?mode=&orderBy=&year=2011&filterBy=. Also see Encarnacao, J., "Sharp Drop in Suspensions as Boston Schools Try 'Restorative' Approach, *Boston Herald*, September 3, 2013.

194. This list was generated through discussions with restorative justice experts and a review of the available literature, including Sumner, M.D., Silverman, C.J., and Frampton, M.L., *School-Based Restorative Justice as an Alternative to Zero-Tolerance Policies: Lessons from West Oakland* (Berkeley, CA: Center for Social Justice: University of California, Berkley, School of Law, 2010).

195. See e.g., The Advancement Project, American Federation of Teachers, National Education Association, and National Opportunity to Learn Campaign, *Restorative Practices: Fostering Healthy Relationships & Promoting Positive Discipline in Schools* (Washington, DC: The Advancement Project, American Federation of Teachers, National Education Association, & National Opportunity to Learn Campaign, 2014). Also see Policy Statement IV, Recommendation 1 for a broader discussion of professional development issues.

196. Berkowitz, Kerri. Restorative Practices Whole-School Implementation Guide. (San Francisco: San Francisco Unified School District, 2012).

197. The reductions in out-of-school suspension cannot be solely attributed to the use of restorative practices, but it has been perceived as a strong contributing factor. Suspension data can be found at dq.cde.ca.gov/dataquest.

198. "Oakland Unified School District: Restorative Justice," ousd.k12.ca.us/restorativejustice.

199. Castlemount High School is a public 9-12 high school located in East Oakland. Formerly a comprehensive high school, it has been divided into a series of smaller schools. For more information see Oakland Unified School District: Restorative Justice at ousd.k12.ca.us/restorativejustice.

200. Ralph J. Bunche High School is a small public high school (grades 9–12) serving approximately 256 students in Oakland.

201. "Highlight on RJOY and Oakland Unified School District," Fix School Discipline, fixschooldiscipline.org/toolkit/educators/rjoy.

202. Mumma, L., "Fresno Unified approves Restorative Justice Program," KFSN (CA), May 11, 2013; "Youth Leaders Attain Restorative School Discipline Policies," Youth Leadership Institute, youthleadershipinstitute.wordpress.com/2013/05/14/young-leaders-attain-restorative-school-discipline-policies/.

203. "Students United to Create a Climate of Engagement, Support and Safety," yetfresno.org.

204. These elements are based on a review of the literature and discussions with education practitioners.

205. Osher et al., *Avoid Simple Solutions and Quick Fixes*.

206. "Cleveland Metropolitan School District, Planning Centers," clevelandmetroschools.org/site/default.aspx?PageType=19.

207. "Memorandum of Understanding between the Cleveland Metropolitan School District and the Cleveland Teachers Union," cmsdnet.net/en/Departments/Humanware/~/media/Files/Departments/Humanware/Planing%20Centers/PC%20MOU.ashx.

208. Osher et al., *Avoid Simple Solutions and Quick Fixes*.

209. Student support teams are described more fully in the following chapter on Targeted Behavioral Interventions.

210. Osher et al., *Avoid Simple Solutions and Quick Fixes.*

211. "ACLU Students' Due Process Protections," acluvt.org/pubs/students_rights/due_process.php; "Suspension, Expulsion and Due Process Rules," Washington State Office of Superintendent of Public Instruction, k12.wa.us/safetycenter/discipline/pubdocs/Suspension-expulsion-rights.pdf; "Student Rights: Suspension & Expulsion," palawhelp.org/resource/student-rights-suspension-expulsion. Additional resources include: "Center for Children's Law and Policy," cclp.org; "Juvenile Law Center," jlc.org; "National Juvenile Defender Center," njdc.info/index.php; "Youth Law Center," ylc.org.

212. "Ohio Legal Services Students & Schools: School Discipline – Suspension and Expulsion," ohiolegalservices.org/public/legal_problem/students-schools/discipline-suspension-or-expulsion/qandact_view; "Michigan Legal Aid: Suspension & Discipline: Students' and Parents' Rights in the Discipline Process," michiganlegalaid.org/library_client/resource.2005-09-14.8825289571/html_view. In cases in which the student is arrested or the school refers the case directly to the court system, additional processes will come into play (see the Courts and Juvenile Justice chapter).

213. Persky, A., "A Painful Case: Do Parents Need Lawyers for School Disciplinary Hearings?" *ABA Journal,* July 1, 2011; Mossman, E., "Navigating a Legal Dilemma: A Student's Right to Legal Counsel in Disciplinary Hearings for Criminal Misbehavior," *University of Pennsylvania Law Review* 160 no. 2 (2012): 585; New York Civil Liberties Union, *Students and Parents: Know Your Rights When Facing a Suspension* (New York: NYCLU, 2010).

214. This list represents additional due process protections that should be provided to students facing disciplinary action based on discussion and feedback from advisory group members.

215. See "Building the Legacy: IDEA 2004," idea.ed.gov/explore/view/p/,root,dynamic,QaCorner,7.

216. "Manifestation Determination," nichcy.org/schoolage/placement/disc-details/manifestation.

217. Students identified with disabilities have the right to maintain their current educational placement. However, if an identified student has carried a weapon to school or possessed, sold, or tried to purchase drugs while at school, the student may be sent to an alternative educational setting for up to 45 days. The interim alternative educational setting must still provide the services required by the student's IEP as well as any services and modifications designed to address the behavior so that it does not occur again. Additional information on IEP teams can be found in the Targeted Behavioral Interventions chapter.

218. See the Targeted Behavioral Interventions chapter for more information on FBAs.

219. See, e.g., Brown, P.C., Keresztes, W., and Comerford, S., *Developing Safe and Supportive Schools: Buffalo Public Schools Standards for Community-Wide Conduct and Intervention Supports* 2013–2014 (Buffalo, NY: Buffalo Public Schools, 2013).

220. Browers, A. and Tomic, W., "A Longitudinal Study of Teacher Burnout and Perceived Self-Efficacy in Classroom Management," *Teaching and Teacher Education* 16, no. 2 (2000): 239–253; Louis et al., *Learning from Leadership;* Goldring et al., *Assessing Learning-Centered Leadership; Lavian, R.H.,* "The Impact of Organizational Climate," 233–247; Grayson and Alvarez, "School Climate Factors Relating to Teacher Burnout," 1349–1363.

221. Ingersoll and Smith, "The Wrong Solution to the Teacher Shortage," 30–33; Donavan, M.S. and Cross, C.T., *Minority Students in Special and Gifted Education* (Washington, DC: National Academy Press, 2002); Harrell, P. et al., "No Teacher Left Behind: Results of a Five-Year Study of Teacher Attrition," *Action in Teachers Education* 26, no. 2 (2004): 47–59.

222. Pre-service programs provide education and training to student teachers before they become certified teachers. These programs can include university-based teacher preparation programs as well as alternative certification programs.

223. Poteat and Russell, "Understanding Homophobic Behavior," 264–271; Gregory, Bell, and Pollock, *How Educators Can Eradicate Disparities in School Discipline.*

224. Wei, R.C., Darling-Hammond, L., and Adamson, F., *Professional Development in the United States: Trends and Challenges* (Washington, DC: National Staff Development Council, 2010).

225. *Ibid.*

226. See the School-Police Partnerships chapter for additional information on cross-training among school-based officers and school staff.

227. The information for this table is drawn from a review of training topics from the field, feedback from project advisors, and other resources as noted.

228. "Austin Independent School District: Department of Social and Emotional Learning," austinisd.org/academics/sel.

229. See, e.g., Broward County Public Schools, *LGBTQ Critical Support Guide* (Florida: Broward County Public Schools, 2012).

230. See e.g., "PBIS Training," pbis.org/training/default.aspx.

231. For more on training school personnel to work effectively with school-based police officers, see the School-Police Partnerships chapter that recommends cross-training for school administrators and all other personnel with school resource officers to understand when to ask for officers' assistance and how to keep students out of the juvenile justice system when possible.

232. Quinn, M.M. et al., *Teaching and Working with Children who Have Emotional and Behavioral Challenges* (Longmont, CO: Sopris West, 2000); O'Brien, J.G. et al., *Helping Traumatized Children Learn: Supportive School Environments for Children Traumatized by Family Violence* (Boston, MA: Massachussetts Advocates for Children: Trauma and Learning Policy Initiative, 2005).

233. See the Targeted Behavioral Interventions chapter for more information on all of the following topics that should have related trainings provided.

234. H.R. 1308, 113th Leg. (In. 2004).

235. "Multicultural Education in IPS," multied.ips.k12.in.us/multicultural-education-in-ips.

236. "Intercultural Development Inventory," idiinventory.com.

237. Elliott, S., "Bridging Cultural Divide Between Teachers, Students," *Indianapolis Star,* November 20, 2011.

238. "Multicultural Education in IPS."

239. The New Teacher Project, *Perspectives of Irreplaceable Teachers: What America's Best Teachers Think About Teaching* (Washington, DC: TNTP, 2013).

240. Cowger, A. "Let Me Put a Bug in Your Ear," May 30, 2013, tntp.org/blog/post/let-me-put-a-bug-in-your-ear; Rock, M.L. et al., "Virtual Coaching for Novice Teachers," *Phi Delta Kappan* 91, no. 2 (2009): 36–41.

241. "The Center for Advanced Study in Teaching and Learning," curry.virginia.edu/research/centers/castl/mtp.

242. Allen, J. P. et al., "Observations of Effective Teacher-Student Interactions in Secondary School Classrooms: Predicting Student Achievement with the Classroom Assessment Scoring System-Secondary," *School Psychology* Review 42, no. 1 (2013): 76–98.

243. "Teachstone: CLASS Tool," teachstone.org/about-the-class.

244. Allen, J.P. et al., "An Interaction-Based Approach to Enhancing Secondary School Instruction and Student Achievement," *Science* 333, no. 6045 (2011): 1034–1037.

245. Anne Gregory (Rutgers University) and Sharon Deal (CASTL), in discussion with CSG Justice Senior Policy Analyst Emily Morgan, August 13, 2013.

246. Gregory and Deal, discussion with Morgan.

247. Gregory, A. et al., *The Promise of a Teacher Professional Development Program in Reducing Disparity in Classroom Discipline Referrals* (Washington, DC: Center for Civil Rights Remedies and the Research-to-Practice Collaborative, National Conference on Race and Gender Disparities in Discipline, 2012).

248. Gregory and Deal, discussion with Morgan.

249. Alternative certification programs are non-traditional teacher preparation programs designed for those individuals who have not completed a formal teacher preparation program at an accredited college or university, but wish to obtain the necessary training to become a certified teacher.

250. U.S. Department of Education, Office of Postsecondary Education, *Preparing and Credentialing the Nation's Teachers: The Secretary's Ninth Report on Teacher Quality* (Washington, DC: U.S. Department of Education, 2013).

251. Greenberg, J., Putman, H., and Walsh, K., *Training our Future Teachers: Classroom Management* (Washington, DC: National Council on Teacher Quality, 2013).

252. *Ibid.*

253. National Council for Accreditation of Teacher Education (NCATE) recently merged with the Teacher Education Accreditation Council (TEAC) to form the Council for the Accreditation of Educator Preparation (CAEP), which serves as the primary accreditation body for teacher education. "CAPE 2013 Standards for Accreditation of Educator Preparation," caepnet.org/accreditation/standards.

254. The CAEP Accreditation Standards, which include specific competencies that pre-service educators should know and be able to demonstrate through their coursework and clinical placements, are drawn from the Council of Chief State School Officers (CCSSO) Interstate Teacher Assessment and Support Consortium (InTASC) model core teaching standards.

255. CCSSO, *InTASC Model Core Teaching Standards: A Resource for State Dialogue* (Washington, DC: Council of Chief State School Officers, 2011).

256. "Teachstone: CLASS Tool."

257. For more information about the Attentional Teaching Practices course, contact the Center for Urban Education at the University of Pittsburgh School of Education at education.pitt.edu/ResearchService/CentersInstitutes/CenterforUrbanEducation.aspx.

258. The review of the literature included Center for Teaching Quality, *Teaching 2030: Leveraging Teacher Preparation 2.0* (Carborro, NC: Center for Teaching Quality, 2012); CCSSO Taskforce on Educator Preparation and Entry to the Profession, *Our Responsibility, Our Promise: Transforming Educator Preparation and Entry to the Profession* (Washington, DC: Council of Chief State School Officers, 2012); The New Teacher Project, *Perspectives of Irreplaceable Teachers; NCATE, Transforming Teacher Education Through Clinical Practice: A National Strategy to Prepare Effective Teachers* (Washington, DC: National Council for Accreditation of Teacher Education, 2010).

259. Scott Sullivan (Chicago Urban Teacher Residency), in discussion with CSG Justice Center Senior Policy Analyst Emily Morgan, July 10, 2013. See also Karp, S. and Harris, R., "Teacher Colleges Emphasizing 'Cultural Competence,'" *Education Week,* March 15, 2011.

260. National Council for Accreditation of Teacher Education, *The Road Less Traveled: How the Developmental Sciences Can Prepare Educators to Improve Student Achievement: Policy Recommendations* (Washington, DC: National Council for Accreditation of Teacher Education, 2012).

261. "Education Teacher Performance Assessment," edtpa.com.

262. Ladd, H., *Teachers' Perceptions of their Working Conditions: How Predictive of Policy-Relevant Outcomes?* (Washington, DC: Urban Institute, 2009); Kelley, R.C., Thornton, B., and Daugherty, R., "Relationships between Measures of Leadership and School Climate," *Education* 126, no. 1 (2005) 17–26.

263. National Association of Elementary School Principals and National Association of Secondary School Principals, *Rethinking Principal Evaluation A New Paradigm Informed by Research and Practice* (Washington, DC: NAESP and NASSP, 2011).

264. Zubrzycki, J., "Chicago Principal Evaluation Based Half on Student Growth," *Education Week,* January 18, 2013.

265. Available at cps.edu/News/Press_releases/Pages/01_17_2013_PR1.aspx.

266. "Washington State Teacher/Principal Evaluation Project," tpep-wa.org.

267. "About Washington State Teacher/Principal Evaluation Project," tpep-wa.org/about-tpep.

268. "ESSB 5895," tpep-wa.org/about-tpep/legislation/essb-5895.

269. Association of Washington School Principals, *Evaluating Principal Leadership in a Performance-Based School: The Eight New Principal Performance Criteria* (Olympia, WA: Association of Washington School Principals, 2010). The Marzano Observational and Feedback Protocol identifies the 41 research-based strategies for effective teaching, based on the Art and Science of Teaching Framework, which was developed from more than 40 years of research on teaching and learning. The protocol focuses on several elements of school climate including, relationships, engagement, and rules and procedures. See "Leadership Evaluation Strategy for Principals and District Administrators," marzanocenter.com/Leadership-Evaluation.

270. "Marzano School Leadership Evaluation Model: Learning Map," marzanocenter.com/files/Leadership-Model-Map-20120417.pdf.

271. DeMonte, J., *High-Quality Professional Development for Teachers: Supporting Teacher Training to Improve Student Learning* (Washington, DC: Center for American Progress, 2013); Sartain, L., Stoelinga, S.R., and Brown, E.R., *Rethinking Teacher Evaluation in Chicago: Lessons Learned from Classroom Observations, Principal-Teacher Conferences, and District Implementation* (Chicago, IL: Consortium on Chicago School Research, 2011); White, B., Cowhy, J., and Stevens, W.D., *Designing and Implementing the Next Generation of Teacher Evaluation Systems: Lessons Learned from Case Studies in Five Illinois Districts* (Chicago, IL: Consortium on Chicago School Research, 2012); Weisberg, D. et al., *The Widget Effect: Our National Failure to Acknowledge and Act on Differences in Teacher Effectiveness* (Washington, DC: TNTP, 2009).

272. Berkley, R.G. et al., *The Teacher and Leader Evaluation Roadmap* (Washington, DC: Education Counsel, 2013); Odden, A., *Getting the Best People into the Toughest Jobs: Changes in Talent Management in Education* (Washington, DC: Center for American Progress, 2013).

273. Charlotte Danielson's Framework for Teaching is a research-based set of components of instruction, aligned to the InTASC standards. The framework has been adopted by several states, including New Jersey, Illinois, Arkansas, Delaware and South Dakota, and in numerous districts, including New York City, Los Angeles Unified School District, Memphis City Schools, and Pittsburgh Public Schools. "Charlotte Danielson's Framework for Teaching Sees Record Growth as States and Districts Redefine Teacher Evaluation," *Teachscape,* June 28, 2011; Editorial, "Better Teachers for New York City," *New York Times,* June 5, 2013; Council of Chief State School Officers, *Roadmap for Next-Generation State Accountability Systems (Working Draft)* (CCSO, forthcoming); Sartain, Stoelinga, and Brown, *Rethinking Teacher Evaluation in Chicago.*

274. Danielson, C., *The Framework for Teaching: Evaluation Instrument (2013 Edition)* (Princeton, NJ: The Danielson Group, 2013), 33.

275. Kane, T. "Who is an Effective Teacher?" Brookings Institution, brookings.edu/blogs/brown-center-chalkboard/posts/2013/06/12-effective-teacher-evaluation-k12-education-kane.

276. MET Project, *Learning about Teaching: Initial Findings from the Measures of Effective Teaching Project* (Seattle, WA: The Bill and Melinda Gates Foundation, 2010); The New Teacher Project, *Perspectives of Irreplaceable Teachers.*

277. MET Project, *Asking Students about Teaching: Student Perception Surveys and Their Implementation* (Seattle, WA: Bill and Melinda Gates Foundation, 2012); MET Project, *Learning about Teaching;* Osher, D. and Kendziora, K., "Building Conditions for Learning and Healthy Adolescent Development: Strategic Approaches," in *Handbook of Youth Prevention Science,* eds. B. Doll, W. Pfohl, and J. Yoon (New York: Rutledge, 2010), 121–140.

278. School discipline data can also include whether an educator refers a student for out-of-school suspension or referral, although these decisions are typically made by school administrators.

279. National Education Association, *Teacher Assessment and Evaluation: The National Education Association's Framework for Transforming Education Systems to Support Effective Teaching and Improve Student Learning*

(Washington, DC: National Education Association, 2010). Also see, e.g., "New York State Teacher Self-Assessment Guide," usny.nysed.gov/rttt/teachers-leaders/practicerubrics/Docs/SilverStrongSelfAssessmentRubric.pdf.

280. Student Learning Objectives (SLOs) are measurable instructional goals established for a specific group of students over a set period of time.

281. Denver Public Schools, *Framework for Effective Teaching Handbook: 2011-2012* (Denver: Denver Public Schools, 2011).

282. Denver Public Schools, "Leading Effective Academic Practice: Professionalism," leap.dpsk12.org/LEAP-Components/Collaborative-Professionalism.

283. Denver Public Schools, "Leading Effective Academic Practice: Student Perception," leap.dpsk12.org/LEAP-Components/Student-Perception.

TARGETED BEHAVIORAL INTERVENTIONS

1. The President's New Freedom Commission on Mental Health, *Achieving the Promise: Transforming Mental Health Care in America* (Rockville, MD: Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, 2003).

2. *Ibid.*

3. Kataoka, S.H, Zhang, L., and Wells, K.B., "Unmet Need for Mental Healthcare Among U.S. Children: Variation by Ethnicity and Insurance Status," *American Journal of Psychiatry* 159, no. 9 (2002): 1548–1555.

4. Howell, E., *Access to Children's Mental Health Services Under Medicaid and SCHIP* (Washington, DC: Urban Institute, 2004); Kortenkamp, K. and Macomber, J., *The Well-Being of Children Involved with the Child Welfare System: A National Overview* (Washington, DC: Urban Institute, 2002); Burns, B.J. et al., "Mental Health Need and Access to Mental Health Services by Youths Involved with Child Welfare: A National Survey," *Journal of the American Academy of Child and Adolescent Psychiatry* 43, no. 8 (2004): 960–970; Kataoka, Zhang, and Wells, "Unmet Needs for Mental Healthcare Among U.S. Children," 1548–1555.

5. Wagner, M., "Youth with Disabilities Leaving Secondary School," in *Changes Over Time in the Early Post School Outcomes of Youth with Disabilities: A Report of Findings from the National Longitudinal Transition Study* (NLTS) and the National Longitudinal Transition Study-2 (NLTS2) (Menlo Park, CA: SRI International, 2005); Fabelo, T. et al, *Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement* (New York: Council of State Governments Justice Center, 2011); Osher, D. and Hanley, T.V., "Implications of the National Agenda to Improve Results for Children and Youth with or At Risk of Serious Emotional Disturbance," *Special Services in the Schools* 10, no. 2 (1995): 7–36.

6. Substance Abuse and Mental Health Services Administration, *Leading Change: A Plan for SAMHSA's Roles and Actions 2011-2014* (Rockville, MD: Substance Abuse and Mental Health Services Administration, 2011).

7. This document is not intended to fully address the services and protections specifically for children with disabilities under the Individuals with Disabilities Education Act (IDEA). For more information, see "IDEA – Building the Legacy: IDEA 2004," idea.ed.gov.

8. "IDEA – Building the Legacy: IDEA 2004," idea.ed.gov.

9. Losen, D. and Martinez, T.A., *Out of School & Off Track: The Overuse of Suspensions in American Middle and High Schools* (Los Angeles: The Civil Rights Project at UCLA, 2013). An analysis of 2011-2012 data is forthcoming at this writing. U.S. Department of Education, Office for Civil Rights, *2009-2010 Civil Rights Data Collection* (Washington, DC: Office for Civil Rights, 2012); Quinn, M.M., Rutherford, R.B., and Leone, P.E., *Students with Disabilities in Correctional Facilities* (Arlington, VA: ERIC Clearinghouse on Disabilities and Gifted Education, 2001); Larson, K.A. and Turner, K.D., *Best Practices for Serving Court Involved Youth with Learning, Attention and Behavioral Disabilities* (Washington, DC: U.S. Department of Education and U.S. Department of Justice, 2002).

10. Losen and Martinez, *Out of School & Off Track* (using data from 26,000 secondary schools during the 2009-2010 school year).

11. Fabelo et al, *Breaking Schools' Rules* (study conducted in Texas, which found that secondary public school students with emotional disturbances were 24 percent more likely to have a discretionary discipline action than their peers).

12. Ford, J.D. et al., *Trauma Among Youth in the Juvenile Justice System: Critical Issues and New Directions* (Delmar, NY: National Center for Mental Health and Juvenile Justice, 2007); Hennessey M. et al., *Trauma Among Girls in the Juvenile Justice System* (Los Angeles: National Child Traumatic Stress Network, 2004); National Child Traumatic Stress Network, *Trauma Facts for Educators* (Washington, DC: National Child Traumatic Stress Network, 2008).

13. Snyder, T.D., Dillow, S.A., and Hoffman, C.M., *Digest of Education Statistics 2007 (NCES 2008-022)* (Washington, DC: National Center for Education Statistics, 2008); Children's Defense Fund Ohio, *Zero Tolerance and Exclusionary School Discipline Policies Harm Students and Contribute to the Cradle to Prison Pipeline* (Columbus, OH: Children's Defense Fund, 2012); Losen and Martinez, *Out of School & Off Track* (using data from 26,000 secondary schools during the 2009-2010 school year). When the intersection of race, gender, and disability was examined, 36 percent of all black middle school males with disabilities were suspended 1 or more times.

14. Griffin, G. and Studzinski, A., *Illinois Childhood Trauma Coalition White Paper: Child Trauma as a Lens for the Public Sector* (Chicago: Illinois Childhood Trauma Coalition, 2010).

15. Massachusetts Advocates for Children: Trauma and Learning Policy Initiative, *Helping Traumatized Children Learn: A Report and Policy Agenda* (Cambridge, MA: Massachusetts Advocates for Children: Trauma and Learning Policy Initiative, 2005).

16. Ford et al., *Trauma Among Youth in the Juvenile Justice System.*

17. U.S. Department of Education (1994) National Agenda for Achieving Better Results for Children and Youth with Serious Emotional Disturbance. Washington, DC: U.S. Department of Education; Osher and Hanley, "Implications of the National Agenda," 7–36, cecp.air.org/resources/ntlagend.asp.

18. Hunter, L. et al., *Working Together to Promote Academic Performance, Social and Emotional Learning, and Mental Health for All Children: A Position Paper of the School Mental Health Alliance* (New York: Center for the Advancement of Children's Mental Health at Columbia University, 2005).

19. Centers for Disease Control and Prevention, *Results from the School Health Policies and Practices Study 2012* (Atlanta: Centers for Disease Control and Prevention, 2012). See table 2 for more information on recommended ratios of behavioral health staff to students.

20. Foster, S. et al., *School Mental Health Services in the United States, 2002-2003* (Rockville, MD: U.S. Department of Health and Human Services, Center for Mental Health Services, Substance Abuse and Mental Health Services Administration, 2005).

21. Fabelo et al., *Breaking Schools' Rules.*

22. National High School Center, *Developing Early Warning Systems to Identify Potential High School Dropouts* (Washington, DC: American Institutes for Research, 2008).

23. Balfanz, R., *Putting Middle Grades Students on the Graduation Path: A Policy and Practice Brief* (Westerville, OH: Everyone Graduates Center and Talent Development Middle Grades Program, 2009); Jerald, C.D., *Identifying Potential Dropouts: Key Lessons for Building an Early Warning Data System* (Washington, DC: Achieve, Inc., 2006); Pinkus, L., *Using Early-Warning Data to Improve Graduation Rates: Closing Cracks in the Education System* (Washington, DC: Alliance for Excellent Education, 2008).

24. Jerald, *Identifying Potential Dropouts;* Pinkus, L., *Using Early-Warning Data.*

25. Neild, R. and Balfanz, R., "An Extreme Degree of Difficulty: The Educational Demographics of the Urban Neighborhood High School," *Journal of Education for Students Placed at Risk* 11, no. 2 (2006): 123–141.

26. Balfanz, Putting Middle Grades Students on the Graduation Path.

27. Schools that receive federal funds to serve particular populations of students are obligated to report data on these students. For example, schools that receive funds from the Title I, Part C Migrant Education Program are required to report on the activities and services provided to migrant students and must provide proof of eligibility, and therefore migrant status, similar to LEP or special education status, is noted in students' educational records.

28. Murphey, D., Barry, M., and Vaughn, B., *Positive Mental Health: Resilience* (Bethesda, MD: Child Trends, 2013); Sesma Jr., A. and Roehlkepartain, E.C., *Unique Strengths, Shared Strengths: Developmental Assets among Youth of Color* (Minneapolis, MN: Search Institute, 2003); Scales, P.C. and Roehlkepartain, E.C., *Boosting Student Achievement: New Research on the Power of Developmental Assets* (Minneapolis, MN: Search Institute, 2003); Schreiner, L.A. and Anderson, E., "Strengths-Based Advising: A New Lens for Higher Education," *NACADA Journal* 25, no. 2 (2005); Epstein, M.H., "The Development and Validation of a Scale to Assess the Emotional and Behavioral Strengths of Children and Adolescents," *Remedial and Special Education* 20, no. 5 (1999); Epstein, M.H. and Sharma, J., *Behavioral and Emotional Rating Scale: A Strength-Based Approach to Assessment* (Austin, TX: PRO-ED, 1998).

29. Kerbow, D., "Patterns of Urban Student Mobility and Local School Reform" *Journal of Education for Students Placed at Risk* 1, no. 2 (1996): 147–169; Reynolds, A.J. et al., *School Mobility and Educational Success: A Research Synthesis and Evidence on Prevention* (Minneapolis, MN: University of Minnesota, 2009); South, S.J., Haynie, D.L., and Bose, S., "Student Mobility and School Dropout," *Social Science Research* 36, no. 1 (2007): 68–94.

30. Mizerek, E.A., *Homeless Students in the Schools: Information for Educators* (Bethesda, MD: National Association of School Psychologists, 2004).

31. "The Condition of Eduction," National Center for Education Statistics, nces.ed.gov/programs/coe/indicator_cgf.asp.

32. Shepherd, T.L., Linn, D., and Brown, R.D., "The Disproportionate Representation of English Language Learners for Special "Education Services Along the Border," *Journal of Social and Ecological Boundaries* 1, no. 1 (2005): 104–116; Linn, D. and Hemmer, L., "English Language Learner Disproportionality in Special Education: Implications for the Scholar-Practitioner," *Journal of Educational Research and Practice* 1, no. 1 (2011): 70–80.

33. Turnaround for Children, Inc., *Poverty, Stress, Schools: Implications for Research, Practice, and Assessment* (New York: Turnaround for Children, Inc., 2013); Middlebrooks, J.S. and Audage, N.C., *The Effects of Childhood Stress Across the Lifespan* (Atlanta: Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, 2008). For more about toxic stress in childhood, see "Toxic Stress: The Facts," developingchild.harvard.edu/topics/science_of_early_childhood/toxic_stress_response.

34. Balfanz, R. and Byrnes, V., *The Importance of Being in School: A Report on Absenteeism in the Nation's Public Schools* (Baltimore: Johns Hopkins University for Social Organization of Schools, 2012).

35. Maguin, E. and Loeber, R., "Academic Performance and Delinquency," *Crime and Justice* 20, no. 1 (1996) 145–264; Hawkins, J.D. et al., "A Review of Predictors of Youth Violence," in *Serious and Violent Juvenile Offenders: Risk Factors and Successful Interventions* (Thousand Oaks, CA, 1998): 106–146.

36. Katsiyannis, A. et al., "Juvenile Delinquency and Recidivism: The Impact of Academic Achievement," *Reading & Writing Quarterly: Overcoming Learning Difficulties* 24, no. 2 (2008): 117–196.

37. Smith, S. et al., *Linking Education and Social Services Data to Improve Child Welfare* (Washington, DC: Data Quality Campaign, 2007).

38. "Electronic Data Sharing Agreement Between Florida Department of Children & Families; Local CBC; CBC Provider Agencies and Local School District," sss.usf.edu/resources/topic/childabuseprevention/ElectronicDataSharingAgreement.pdf.

39. "South Carolina Department of Social Services: Education and Health Passport," https://dss.sc.gov/content/library/forms/files/30245.pdf.

40. Balfanz, R. and Byrnes, V., *Early Indicator Analysis: Arkansas* (Baltimore: Johns Hopkins University for Social Organization of Schools, 2010).

41. Celio, M.B., *Final Technical Report: Getting to Graduation and Beyond: Identifying Indicators of Risk for Students in the Spokane Public Schools* (Portland, OR: Northwest Decision Resources, 2013).

42. Tableau Software, *Early Indicators: Using Data to Keep High-Risk Students in the Classroom: The Spokane School District Story* (Seattle: Tableau Software, 2012).

43. Epstein and Sharma, *Behavioral and Emotional Rating Scale.*

44. "40 Developmental Assets for Adolescents," search-institute.org/content/40-developmental-assets-adolescents-ages-12-18; Powers, J.D., Bowen, G.L., and Rose, R.A., "Using Social Environment Assets to Identify Intervention Strategies for Promoting School Success," *Children & Schools* 27, no. 3 (2005): 177–187.

45. Rudolph, S.M. and Epstein, M.H., "Empowering Children and Families through Strength-Based Assessment," *Reclaiming Children and Youth* 8, no. 4 (2000): 207–209.

46. For additional information, see search-institute.org/research/developmental-assets.

47. Scales and Roehlkepartain, *Boosting Student Achievement;* Sesma Jr. and Roehlkepartain, *Unique Strengths, Shared Strengths*.

48. "Vermont Department of Health Agency of Human Services Successful Prevention of Youth High-Risk Behaviors," healthvermont.gov/adap/prevention/success_youth.aspx.

49. Kendziora, K., Osher, D., and Schmitt-Carey, M.A., *Say Yes to Education Student Monitoring System: Research Report* (New York: Say Yes to Education Foundation, 2007).

50. *Ibid.*

51. Scales and Roehlkepartain, *Boosting Student Achievement;* Sesma Jr. and Roehlkepartain, *Unique Strengths, Shared Strengths.*

52. Jimerson, S.R. et al., "Strength-Based Assessment and School Psychology: A Summary and Synthesis," *California School Psychologist* 9, no. 1 (2004): 9–19.

53. For more information on the BERS tool, see "California Evidence-Based Clearinghouse: Screening and Assessment Tools for Child Welfare," cebc4cw.org/assessment-tool/behavioral-and-emotional-rating-scale-2nd-edition/.

54. Kendziora, Osher, and Schmitt-Carey, *Say Yes to Education Student Monitoring System.*

55. Jerald, C., *Identifying Potential Dropouts.*

56. Artiles, A.J. et al., "Justifying and Explaining Disproportionality, 1968–2008: A Critique of Underlying Views of Culture," *Exceptional Children* 76, no. 3 (2010): 279–299; Osher, D. et al., "Issues of Cultural and Linguistic Competency and Disproportionate Representation," in *Handbook of Research in Behavioral Disorders,* eds. R. Rutherford, M. Quinn, and S. Mather (New York: Guilford Publications, 2004), 54–77.

57. Krezmien, M.P., Leone, P.E., and Achilles, G.M., "Suspension, Race, and Disability: Analysis of Statewide Practices and Reporting," *Journal of Emotional and Behavioral Disorders* 14, no. 4 (2006): 217–226.

58. 34 C.F.R. § 300.8 (2013).

59. 34 C.F.R. § 300.645(a) (2013).

60. U.S. Government Accountability Office, *IDEA: Standards Needed to Improve Identification of Racial and Ethnic Overrepresentation in Special Education* (Washington, DC: U.S. Government Accountability Office, 2013).

61. "Youth Risk Behavior Surveillance System," cdc.gov/HealthyYouth/yrbs/index.htm.

62. "Communities that Care Youth Survey," sdrg.org/ctcresource/CTC_Youth_Survey_2006.pdf.

63. "California Healthy Kids Survey," chks.wested.org.

64. Alameda County Health Care Services Agency, *Frick Middle School: School Health Needs Assessment* (San Leandro, CA: Alameda County Health Care Services Agency, 2011).

65. Osher, D.M. et al., "Avoid Simple Solutions and Quick Fixes: Lessons Learned from a Comprehensive Districtwide Approach to Improving Conditions for Learning" (paper presented at Closing the School Discipline Gap: Research to Practice, January 2, 2013); Faria, A.M. et al., *Cleveland Metropolitan School District Human Ware Audit* (Washington, DC: American Institutes for Research, 2013).

66. U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, "Co-occuring Substance Abuse and Mental Disorder," and "Substance Abuse and the Adolescent Brain," in *Report to Congress on the Prevention and Treatment of Co-Occurring Substance Abuse Disorders and Mental Disorders* (Washington, DC: Substance Abuse and Mental Health Services Administration, 2002).

67. Quintero, M. and Flick, S., "Co-Occurring Mental Illness and Developmental Disabilities," *Social Work Today* 10, no. 5 (2010): 6.

68. Cortiella, C., *The State of Learning Disabilities: Facts, Trends and Indicators* (New York: National Center for Learning Disabilities, 2011).

69. Fabelo et al., *Breaking Schools' Rules.*

70. Cortiella, *The State of Learning Disabilities.*

71. Krezmien, Leone, and Achilles, "Suspension, Race, and Disability," 217–226.

72. Cash, R.E. and Cowan, K.C., "Mood Disorders: What Parents and Teachers Should Know," *NASP Communiqué* 35, no. 3 (2006).

73. U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, "Co-occuring Substance Abuse and Mental Disorder," and "Substance Abuse and the Adolescent Brain."

74. Costello, E.J., Armstrong, T.D., and Erkanli, A., "Report on the Developmental Epidemiology of Comorbid Psychiatric and Substance Use Disorders," (paper presented to the National Institute on Drug Abuse, Durham, NC, April 2000).

75. Finkelhor, D. et al., "Children's Exposure to Violence: A Comprehensive National Survey," *OJJDP Bulletin* (Washington, DC: Office of Juvenile Justice and Delinquency Prevention, 2009). In 2010, the U.S. Department of Justice launched the Defending Childhood Initiative to work with leading researchers on examining the issue of children exposed to violence. In 2012, the Attorney General's National Taskforce on Children Exposed to Violence released a final report with recommendations. For more information on this initiative and the report, see "USDOJ: Defending Childhood," justice.gov/defendingchildhood/.

76. Chen, W.Y. "Exposure to Community Violence and Adolescents' Internalizing Behaviors Among African American and Asian American Adolescents," *Journal of Youth and Adolescence* 39, no. 4 (2010): 403–413.

77. Stevens, T.N. et al., "Variable Differentiating Singly and Multiply Victimized Youth: Results from the National Survey of Adolescents and Implications for Secondary Prevention," *Child Maltreatment* 10, no. 3 (2005): 211–233; BigFoot, D.S., "Cultural Issues in Historical Trauma and Implications for Youth at Risk," isu.edu/irh/projects/ysp/downloads/CulturalIssuesinHistoricalTrauma.pdf; Beals, J. et al., "Comorbidity Between Alcohol Abuse/Dependence and Psychiatric Disorders: Prevalence, Treatment Implications, and New Directions among American Indian Populations," in *Alcohol Use Among American Indians and Alaska Natives: Multiple Perspectives on a Complex Problem: Cultural Specificity and Comparison in Psychiatric Epidemiology,* ed. P. Mail et al. (Bethesda, MD: U.S. Department of Health and Human Services, 2002): 371–410. For more information, also see the work of the U.S. Department of Justice Task Force on American Indian and Alaska Native Children Exposed to Violence at "Task Force on American Indian and Alaska Native Children Exposed to Violence," justice.gov/defendingchildhood/aian.html.

78. For more information on childhood trauma see the National Child Traumatic Stress Network resources at nctsn.org and Massachusetts Advocates for Children: Trauma and Learning Policy Initiative, *Helping Traumatized Children Learn,* as well as the Robert Wood Johnson Foundation's web page on Adverse Childhood Experiences at rwjf.org/en/about-rwjf/newsroom/features-and-articles/ACEs.html.

79. Massachusetts Advocates for Children: Trauma and Learning Policy Initiative, *Helping Traumatized Children Learn.*

80. Lincoln High School was supported in this process by the Children's Resiliency Initiative, an organization in Walla Walla, WA that educates the community and schools about ACEs and works on creating trauma-free environments. For more information, see "Resilience Trumps Aces," resiliencetrumpsaces.org.

81. Stevens, J.E., "Lincoln High School in Walla Walla, WA, Tries New Approach to School Discipline — Suspensions Drop 85%," *ACES Too High News,* April 23, 2012; "Resilience Trumps Aces;" "Adverse Childhood Experiences (ACE) Study," cdc.gov/ace/index.htm.

82. More information and resources on roles and responsibilities for specialized instructional support staff can be found on websites of various associations representing these groups of professionals:

- American School Counselor Association: schoolcounselor.org
- National Association of School Psychologists: nasponline.org

- School Social Work Association of America: sswaa.org

- National Association of Social Workers: naswdc.org

- National Association of School Nurses: nasn.org

83. Osher, D., Dwyer, K., and Jackson, S., *Safe, Supportive, and Successful Schools Step by Step* (Longmont, CO: Sopris West, 2004).

84. See "NAMI Treatment and Services," nami.org/Template.cfm?Section=About_Treatments_and_Supports&template=/ContentManagement/ContentDisplay.cfm&ContentID=7952.

85. Ghafoori, B. and Tracz, S.M., *The Effectiveness of Cognitive-Behavioral Therapy in Reducing Classroom Disruptive Behaviors: A Meta-Analysis,* (National Dissemination Center for Children with Disabilities, 2001).

86. Allen, K., "Introduction to the Special Issue," *Psychology in the Schools* 48, no. 3 (2011): 215–222.

87. Center for School Mental Health Assistance at the University of Maryland at csmh.umaryland.edu/Resources/ResourcePackets/files/empiricallysupported.pdf.

88. Center for Mental Health in Schools at the University of California, Los Angeles at smhp.psych.ucla.edu/pdfdocs/aboutmh/annotatedlist.pdf.

89. See SAMHSA's National Registry of Evidence-based Programs and Practices at nrepp.samhsa.gov.

90. As of 2014, 17 states have legislative mandates for minimum school counselor to student ratios. "State School Counseling Mandates and Legislation," American School Counselor Association, schoolcounselor.org/school-counselors-members/careers-roles/state-school-counseling-mandates-and-legislation.

91. For example, by federal judicial order, every school in Georgia is required to have a student support team in place. Georgia Department of Education, *Student Support Teams (SST) Structure and Process* (Atlanta: Georgia Department of Education, 2011). In Maryland, the Code of Maryland Regulations requires that each public school in the state of Maryland have a coordinated program of pupil services for all students. Md. Code Regs. 13.A.05.05.01 (2014).

92. Massachusetts Behavioral Health and Public Schools Task Force, Massachusetts Department of Elementary and Secondary Education, *Creating Safe, Healthy, and Supportive Learning Environments to Increase the Success of all Students: The Final Report of the Massachusetts Behavioral Health and Public Schools Task Force* (Maiden, MA: Massachusetts Department of Elementary and Secondary Education, 2011).

93. School Improvement Grants (SIGs) under Title I are awarded to states to provide grants to LEAs that demonstrate the need for funds to turn around their lowest performing schools. Schools must develop school improvement plans (SIPs) in accordance with the grant program's regulations. States may also choose to require all districts and schools to adopt SIPs. Most often these plans focus on meeting academic achievement standards and ensuring that all students are receiving an adequate and equitable education. As of September 2013, 23 states require all schools or districts to adopt SIPs regardless of their status as a lowest performing school or if they received a SIG, while 16 states require schools or districts that have been identified as not meeting federal performance standards to adopt SIPs. Council of State Governments Justice Center, *School Climate and Improvement: A Snapshot of Legislative Action* (New York, Council of State Governments Justice Center, 2014).

94. A sample referral form for student support teams in Baltimore City Public Schools can be found at baltimorecityschools.org/cms/lib/MD01001351/Centricity/Domain/5184/SST%20Referral%20Form%20-%20Digital.pdf.

95. Osher et al., "Avoid Simple Solutions and Quick Fixes;" Faria et al., *Cleveland Metropolitan School District Human Ware Audit.*

96. Vescio, V., Ross, D., and Adams, A., "A Review of the Research on the Impact of Professional Learning Communities on Teaching Practice and Student Learning," *Teaching and Teacher Education* 24, no. 1 (2008): 80–91; Saunders, W.M. and Goldenberg, C., "Increasing Achievement by Focusing on Grade-Level Teams on Improving Classroom Learning: A Prospective, Quasi-Experimental Study of Title I Schools," *American Educational Research Journal* 46, no. 4 (2009): 1006–1033; "Professional Learning Communities," Center for Comprehensive School Reform and Improvement, centerforcsri.org/plc/literature.html; Hughes, T.A. and Kritsonsis, W.A., "Professional Learning Communities and the Positive Effects on Achievement: A National Agenda for School Improvement," (paper presented at the Louisiana Educational Research Conference, Lafayette, LA, March 14-15, 2014); Supovitz, J.A., "Developing Communities of Instructional Practice," *Teachers College Board* 104, no. 8 (2002): 1591–1626; Supovitz, J.A. and Christman, J.B., *Developing Communities of Instructional Practice: Lessons from Cincinnati and Philadelphia* (Philadelphia: Consortium for Policy Research in Education, 2003).

97. Supovitz and Christman, *Developing Communities of Instructional Practice.*

98. Charrat, J.L.,"Ratio of Students Per School Psychologist by State: Data from the 2009–2010 and 2004–2005 NASP Membership Surveys," National Association of School Psychologists, nasponline.org/advocacy/Ratios_by_State_2005_and_2010.pdf.

99. "NASP Practice Model: Improving Outcome for Students and Schools," nasponline.org/standards/practice-model/index.aspx.

100. "Student-to-School Counselor Ratio 2010–2011," American School Counselor Association, schoolcounselor.org/asca/media/asca/home/ratios10-11.pdf.

101. *Ibid.*

102. From National Association of Social Workers ESEA Comments Letter to House Education and Labor Committee, 2010.

103. "School Social Work Association of America Resolution Statement," sswaa.org/associations/13190/files/Ratio%20Resolution%20StatementRev.pdf. Whitaker, T.R. et al., *NASW Standards for School Social Work Services* (Washington, DC: National Association of Social Workers, 2012).

104. "Healthy Children Learn Better! School Nurses Make a Difference," nasn.org/Portals/0/about/press_room_faq.pdf.

105. *Ibid.*

106. "Student Support Team Manual," Baltimore City Public Schools bcps, org/offices/sss/psManual/PS107.pdf.

107. Herzog, L., Davis, M., and Legters, N., *Learning What it Takes: An Initial Look at how Schools are Using Early Warning Indicator Data and Collaborative Response Teams to Keep All Students on Track to Success* (Baltimore: Johns Hopkins University, 2011). For background see Osher, Dwyer, and Jackson, *Safe, Supportive, and Successful Schools;* Puyer and Osher, *Safeguarding Our Children.*

108. "Center for Effective Collaboration and Practice: Functional Behavioral Assessment," cecp.air.org/fba/.

109. Graham-Clay, S., "Communicating with Parents: Strategies for Teachers," *School Community Journal* 16, no. 1 (2005): 117–130.

110. Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin in programs or activities that receive federal financial assistance. For more information see "Title VI, Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons," archives.gov/eeo/laws/title-vi.html.

111. Epstein, J., and Sheldon, S., "Present and Accounted For: Improving Student Attendance through Family and Community Involvement," *The Journal of Educational Research* 95, no. 5 (1998): 308–318; Sheldon, S.B., "Parents' Social Networks and Beliefs as Predictors of Parent Involvement," *Elementary School Journal* 102, no. 4 (2002): 301–316; Flay B.R. and Allred, C.G., "Long-term Effects of the Positive Action Program," *American Journal of Health Behavior* 27, no. 1 (2003); Nokali N.E., Bachman, H.J., and Votruba-Drzal, E., "Parent Involvement and Children's Academic and Social Development in Elementary School," *Child Development* 81, no. 3 (2003): 988–1005.

112. U.S. Department of Education, U.S. Department of Justice, American Institutes for Research, *Safeguarding our Children: An Action Guide* (Washington, DC: Departments of Education and Justice, American Institutes for Research, 2000).

113. More information on differences and similarities in IDEA and Section 504 provisions can be found on the National Center for Learning Disabilities web site at ncld.org/disability-advocacy/learn-ld-laws/adaaa-section-504/section-504-idea-comparison-chart.

114. For more on the Child Study Team System at Austin Independent School District, see "Austin ISD Child Study System," childstudysystem.com; Austin Independent School District, Child Study System (Austin: Austin Independent School District).

115. "Campus Child Study Team Process," Austin Independent School District, childstudysystem.com/uploads/6/1/9/1/6191025/child_study_systems_detailed_process.pdf.

116. Osher et al., "Avoid Simple Solutions and Quick Fixes."

117. List compiled through advisory group feedback and a review of the literature.

118. See the Information Sharing chapter for more information.

119. Stroul, B.A., *A Framework for System Reform in Children's Mental Health* (Washington, DC: National Technical Assistance Center for Children's Mental Health, Georgetown University, Child Development Center, 2002); University of Maryland, Center for School Mental Health Analysis and Action, *Education and Systems-of-Care Approaches: Solutions for Educators and School Mental Health Professionals* (Baltimore: Center for School Mental Health Analysis and Action, 2007).

120. University of Maryland, Center for School Mental Health Analysis and Action, *Education and Systems-of-Care Approaches.*

121. Data from the 2005 evaluation of the Comprehensive Mental Health Services Program for Children and Their Families; University of Maryland, Center for School Mental Health Analysis and Action, *Education and Systems-of-Care Approaches; Woodruff, D.W. et al., The Role of Education in a System of Care: Effectively Serving Children with Emotional or Behavioral Disorders* (Washington, DC: Center for Effective Collaboration and Practice, American Institutes for Research, 1999).

122. Osher, D., "Creating Comprehensive and Collaborative Systems," *Journal of Child and Family Studies* 11, no. 1 (2002): 91–101.

123. "Memorandum of Understanding Between the Department of Mental Health, Community Services Agency, and District of Columbia Public School System," smhp.psych.ucla.edu/pdfdocs/dcmou.pdf.

124. National Alliance of Specialized Instructional Support Personnel, *Research Brief: National Alliance of Specialized Instructional Support Personnel Effective Specialized Instructional Support Services* (Washington, DC: National Alliance of Specialized Instructional Support Personnel, 2013); National Association of School Psychologists, *Evidence for the Positive Impact of School Psychological Services* (Bethesda, MD: National Association of School Psychologists, 2010).

125. Tracy, E.M. and Castro-Guillen, E., *Roles of School and Community Providers in the Delivery of School-Based Mental Health Services* (Miami: Center for School-Based Mental Health Programs, Miami University of Ohio, 2007).

126. Harris, E. and Wilkes, S., *Partnerships for Learning: Community Support for Youth Success* (Cambridge, MA: Harvard Family Research Project, 2013). For more information on community schools see Dryfoos, J.G., Quinn, J., and Barkin, C., *Community Schools in Action: Lessons from a Decade of Practice* (New York: Oxford University Press, 2005).

127. For more information on community schools, see "Coalition for Community Schools," communityschools.org; There are many community school models in addition to the ones profiled in the Consensus Project Report. Additional models include Beacons, Bridges to Success, Communities in Schools, and Healthy Start. For more information on additional models visit communityschools.org/aboutschools/national_models.aspx.

128. Coalition for Community Schools, *Community Schools: Promoting Student Success*, Washington, DC; Murray, M. and Ganet, J., Community Schools Collaboration Evaluation Report (Seattle, WA: MEMconsultants, 2010); ICF International, Communities in Schools National Evaluation Five Year Summary Report (Fairfax, VA: ICF International 2010); W. Gardner Center for Youth and their Communities, Redwood City Community Schools Evaluation: 2010–11 End-of-Year Report (CA: W. Gardner Center for Youth and their Communities, 2012).

129. Coalition for Community Schools. (2003). Research and Practice in Community Schools.

130. For more information on school-based health centers see "School-Based Health Alliance," sbh4all.org.

131. Strozer, J., and Ammerman, A., *National Assembly on School-Based Health Centers: National Census, School Year 2007–2008* (Washington, DC: National Assembly on School-Based Health Care, 2010).

132. *Ibid.*

133. National Assembly on School-Based Health Care, *School-Based Health Care State Policy Survey: Executive Summary* (Washington, DC: National Assembly on School-Based Health Care, 2012).

134. "School-Based Health Center Fact Sheets," National Assembly on School-Based Health Care, sbh4all.org/site/c.ckLQKbOVLkK6E/b.7526255/k.9AF9/SBHC_Fact_Sheets.htm; "Benefits of School-Based Health Centers," National Assembly on School-Based Health Care, sbh4all.org/atf/cf/{B241D183-DA6F-443F-9588-3230D027D8DB}/Benefits%20of%20SBHCs.pdf; "School-Based Health Centers and Academic Success," National Assembly on School-Based Health Care, sbh4all.org/atf/cf/{B241D183-DA6F-443F-9588-3230D027D8DB}/Academic%20Outcomes.pdf.

135. Strozer and Ammerman, *National Assembly on School-Based Health Centers.*

136. "Summary of Children's Aid Society Community Schools Results to Date," aypf.org/documents/SummaryoftheChildrensAidSocietyCommunitySchoolsResults.pdf.

137. For more information on the Elev8, see "Elev8," elev8kids.org.

138. "Elev8 Results Framework Findings: 2011–12 School Year," elev8kids.org/files/Elev8ResultsFrameworkFindings12_20_12.pdf.

139. Centers for Disease Control and Prevention, *Results from the School Health Policies and Practices Study 2012*.

140. For more information on the Prevention and Public Health fund, see "Prevention and Public Health Fund," U.S. Department of Health & Human Services, hhs.gov/open/recordsandreports/prevention/.

141. Vaughn, B. et al., *Schools and the Affordable Care Act. Safe Supportive Learning* (Washington, DC: American Institutes for Research, 2013); Forsberg, V. and Fichtenberg, C., *The Prevention and Public Health Fund: A Critical Investment in our Nation's Physical and Fiscal Health* (Washington, DC: American Public Health Association, Center for Public Health Policy, 2012).

142. Poirier, J.M. and Osher, D., "Effective Strategies for Funding School-Based Services," in *The School Services Sourcebook: A Guide for School-Based Professionals,* eds. C. Franklin, M.B. Harris, and P. Allen-Meares, vol. 2 (New York: Oxford University Press, forthcoming).

143. Council of State Governments Justice Center, "School Climate and Improvement."

144. See "Numbers and Types of Public Elementary and Secondary Schools From the Common Core of Data: School Year 2010–11," National Center for Education Statistics, nces.ed.gov/pubs2012/pesschools10/glossary.asp.

145. The term "multiple pathways" is currently being used in a number of states and districts and by some organizations to describe a set of different schooling approaches to get students ready for graduation and for college and career.

146. Carver, P.R., and Lewis, L., *Alternative Schools and Programs for Public School Students At Risk of Educational Failure:* 2007–2008 (Washington, DC: U.S. Department of Education, National Center for Education Statistics, 2010).

147. *Ibid*

148. Chiang, H. and Gill, B., *The Impacts of Philadelphia's Accelerated Schools on Academic Progress and Graduation* (Cambridge, MA: Mathematica Policy Research, Inc., 2010). Disciplinary school students in Philadelphia tended to be more male and Black than neighborhood students, and students needing remedial help tended to be older.

149. Fairbrother, A., "'They Might Need a Little Extra Hand, You Know': Latino Students in At-Risk Programs," *Urban Education,* 43, no. 5 (2008): 587–611; Kelly, D.M., *Last Chance High: How Girls and Boys Drop in and out of Alternative Schools* (New Haven, CT: Yale University Press, 1993); Kim, J. and Taylor, K.A., "Rethinking Alternative Education to Break the Cycle of Educational Inequality and

Inequity," *Journal of Educational Research* 101, no. 4 (2008): 207–219; Muñoz, J.S., "The Social Construction of Alternative Education: Re-Examining the Margins of Public Education for At-Risk Chicano/a Students," *The High School Journal* 88, no. 2 (2004), 3–22; Glassett, S., *Caring is not Enough: A Critical Systematic Review of Recent Research on Alternative Education* (forthcoming).

150. Chiang, H. and Gill, B., *Student Characteristics and Outcomes in Alternative and Neighborhood High Schools in Philadelphia* (Cambridge, MA: Mathematica Policy Research, Inc., 2010). A study of high school students in the Philadelphia School District found that for 9th grade students in 2003 and 2004, the 6-year graduation rate for neighborhood students was more than twice the corresponding rates for students in alternative settings (accelerated schools and disciplinary schools).

151. California law provides for the creation of continuation high schools that are "designed to meet the educational needs of each pupil, including, but not limited to, independent study, regional occupation programs, work study, career counseling, and job placement services." Continuation schools provide an alternative route to the high school diploma. See also Ruiz de Velasco, J. et al., *Alternative Education Options: A Descriptive Study of California Continuation High Schools* (San Francisco: WestEd, 2008). In a study on "continuation" high schools in California, results indicated that not only were demographic patterns similar to that of Philadelphia, but students also had twice the rates of regular alcohol and substance use than in traditional high schools.

152. Lange, C.M. and Sletten, S.J., *Alternative Education: A Brief History and Research Synthesis* (Alexandria, VA: National Association of State Directors of Special Education, 2002). The report discusses a Texas study that indicated that alternative school students participated in a higher percentage of activities that placed them at risk for health-related issues, and a Minnesota survey on youth behavior reported that students in alternative settings were twice as likely to attempt suicide than students in traditional schools.

153. For more information, see Dishon, T.J. and Dodge, K., "Peer Contagion in Interventions for Children and Adolescents: Moving Towards and Understanding of the Ecology and Dynamics of Change," *Journal of Abnormal Child Psychology* 33, no. 3 (2005): 395–400; Dishon, T.J., Dodge, K., and Lansford, J.E., eds., *Deviant Peer Influences in Programs for Youth: Problems and Solutions* (New York: The Guildford Press, 2006).

154. Alliance for Excellent Education, *Overlooked and Underpaid: How Title I Shortchanges High Schools, and What ESEA Can Do About It?* (Washington, DC: Alliance for Excellent Education, 2011).

155. Martin, N. and Brand, B., *Federal, State, and Local Roles Supporting Alternative Education* (Washington, DC: American Youth Policy Forum, 2006).

156. Almeida, C., Le, C., and Steinberg, A., *Reinventing Alternative Education: An Assessment for Current State Policy and How to Improve It* (Washington, DC: Jobs for the Future, 2010).

157. Kochhar-Bryant, C.A. and Lacey, R., *Alternative Education as a Quality Choice for Youth: Preparing Educators for Effective Programs* (paper presented at Persistently Safe Schools Conference, 2005).

158. Almeida, Le, and Steinberg, *Reinventing Alternative Education*.

159. *Ibid.*

160. Kleiner, B. et al., *Public Alternative Schools and Programs for Students at Risk of Educational Failure: 2000–01* (Washington, DC: U.S. Department of Education, National Center for Education Statistics, 2002).

161. Carver and Lewis, *Alternative Schools and Programs*.

162. For more information about the ATOSS Program, see sdhc.k12.fl.us/nontraditional/atoss.asp.

163. Lange and Sletten, *Alternative Education.*

164. For more information about this redesign plan, visit http://boarddocs.com/mabe/mcpsmd/Board.nsf/files/9GGQP95A0AC1/$file/7.1 Alternative Programs.pdf.

165. Donald-Kay Foundation, *Alternative Education in Colorado: Recommendations for Improving State Outcomes for Opportunity Youth* (Denver: Donald-Kay Foundation, 2012). Social issues include teen pregnancy/parents, history of delinquency, among others.

166. Martin and Brand, *Federal, State, and Local Roles*.

167. Kochhar-Bryant and Lacey, *Alternative Education as a Quality Choice for Youth*.

168. Quinn, M.M. and Poirier, J.M., *Study of Effective Alternative Education Programs: Final Grant Report* (Washington, DC: American Institutes of Research, 2006); "Alternative Education Programs," Oklahoma State Department of Education, ok.gov/sde/alternative-education-programs; "Alternative Learning Programs," North Carolina Department of Public Instruction, dpi.state.nc.us/alp;

Bland, P. et al., "Lessons from Successful Alternative Education: A Guide for Secondary School Reform," in *Successful Alternative Education;* "Successful Program Characteristics," sedl.org/policy/insights/n06/3.html.

169. *Ibid.*

170. For more information on 21st century skills, see Partnership for 21st Century Skills, *Framework for 21st Century Skills* (Washington, DC: Partnership for 21st Century Skills, 2009).

171. There is a growing national movement addressing the use of multiple pathways for education to prepare students for graduation and for postsecondary success. A number of organizations and resources are available that describe these pathway options in further detail, including Edsource, *Multiple Pathways in California: An Emerging Option for High School Reform* (Mountain View, CA: EdSource, 2009); Marsh, S., and Hill, P., *Multiple Pathways to Graduation: New Routes to High School Completion* (CPRE Working Paper #2010-2) (Seattle: Center on Reinventing Public Education, 2010); Harvard Graduate School of Education, *Pathways to Prosperity: Meeting the Challenge of Preparing Young America for the 21st Century* (Cambridge, MA: Harvard Graduate School of Education, 2011); Oakes, Jeannie and Marisa Saunders, eds., Beyond Tracking: Multiple Pathways to College, Career, and Civic Participation (Cambridge, MA: Harvard Education Press, 2008).

172. Orange County Department of Education, Division of Alternative Education. Alternative Education Options for Youth and Adults in Orange County, nationalserviceresources.gov/filemanager/download/education/alt_ed/ACCESS_OC_DeptEd.pdf.

173. Hill, E.G., *Improving Alternative Education in California* (Sacramento, CA: Legislative Analyst's Office, 2007).

174. Fabelo et al., *Breaking Schools' Rules.*

175. "2011-2012 ABCs Program Information," Public Schools of North Carolina, ncpublicschools.org/accountability/reporting/abc/2011-12/.

176. "Alternative Schools Accountability Model (ASAM)," California Department of Education, cde.ca.gov/ta/ac/am/.

177. For an overview of San Jose's learning options for students, visit sjusd.org/learning-options/.

178. For an overview of the Plus program, visit sjusd.org/learning-options/plus-program/plus-overview.

179. McLaughlin, M. and Santikian, H., *PLUS: San Jose's Successful Alternative Education Option* (CA: John W. Gardner Center for Youth and their Communities, 2011); "Learning Options," sjusd.org/learning-options/; "Plus Overview," sjusd.org/learning-options/plus-program/plus-overview/.

180. Council of State Governments Justice Center, School Climate and Improvement, csgjusticecenter.org/youth/publications/school-climate-and-improvement-a-snapshot-of-legislative-action/.

181. For more information on reintegrating students into traditional home schools, see Gregory, A., Bell, J., and Pollack, M., *How Educators Can Eradicate Disparities in School Discipline: A Briefing Paper on School-Based Interventions* (Bloomington, ID: Discipline Disparities, A Research-to-Practice Collaborative, 2014).

SCHOOL-POLICE PARTNERSHIPS

1. Creating the conditions for learning and providing targeted behavioral interventions are associated with fewer instances of school violence and increased staff and student feelings of safety. See, e.g., Karcher, M.J., "Connectedness and School Violence: A Framework for Developmental Interventions," in *Handbook of School Violence,* ed. E. Gerler (Binghamton, NY: Haworth, 2002), 7–40; Skiba, R.J. et al., "Beyond Guns, Drugs and Gangs: The Structure of Student Perceptions of School Safety," *Journal of School Violence* 3, no. 2/3 (2004): 149–171; Wang, M.T. et al., "A Tobit Regression Analysis of the Covariation between Middle School Students' Perceived School Climate and Behavioral Problems," *Journal of Research on Adolescence* 20, no. 2 (2010): 274–286; Cowan, K.C. et al., *A Framework for Safe and Successful Schools* (Bethesda, MD: National Association of School Psychologists, 2013).

2. Reports that express concerns about "criminalizing" student misbehavior include Mukherjee, E. and Karpatkin, M.M., *Criminalizing the Classroom: The Over-Policing of New York City Schools* (New York: New York Civil Liberties Union, 2007); Petteruti, A., *Education Under Arrest: The Case Against Police in Schools* (Washington, DC: Justice Policy Institute, 2011); Hirschfield, P. J., "Preparing for Prison?: The Criminalization of School Discipline in the USA," *Theoretical Criminology* 12, no. 1 (2008) 79-101; Greenwald, M. A., *Delinquency in Florida's Schools: A Seven-Year Study* (Tallahassee, FL: Florida Department of Juvenile Justice, Bureau of Research and Planning, 2011); Advancement Project, Alliance for Educational Justice, Dignity in Schools Campaign, and the NAACP Legal Defense and Educational Fund, Inc., *Police in Schools Are Not the Answer to the Newtown Shooting:* January 2013 (Washington, DC: Advancement Project, Alliance for Educational Justice, Dignity in Schools Campaign, and the NAACP Legal Defense and Educational Fund, Inc., 2013); Ofer, U., "Criminalizing the Classroom," *New York Law School Law Review* 56, no. 2011/12 (2012): 1373–1411; Ofer, U. et al., *Safety with Dignity: Alternatives to the Over-Policing of Schools* (New York: New York Civil Liberties Union, Annenberg Institute for School Reform, Make the Road New York, 2009).

3. For more information on critical incident management and school safety planning, see Regli, B., Mitkus, M., and D'Ovidio, R., *School Violence: Echos From The Digital Playgrounds* (Camden, NJ: Drakontas LLC, 2013); U.S. Department of Education, Office of Elementary and Secondary Education, Office of Safe and Healthy Students, *Guide for Developing High-Quality School Emergency Operations Plans* (Washington, DC: U.S. Department of Education, Office of Elementary and Secondary Education, Office of Safe and Healthy Students, 2013); National Institute of Justice, National Law Enforcement and Corrections Technology Center, *Sharing Ideas & Resources to Keep Our Nation's Schools Safe* (Washington, DC: National Institute of Justice, National Law Enforcement and Corrections Technology Center, 2013); Newman, G. R., *Bomb Threats in Schools, Problem-Specific Guide Series No. 32* (Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services, 2011); "International Association of Chiefs of Police: Juvenile Justice and Child Protection Online Training Portal," elearning-courses.net/iacp/; "NASP Resources: School Safety and Crisis Resources," nasponline.org/resources/crisis_safety/; "The National Child Traumatic Stress Network: Responding to a School Crisis," nctsn.org/resources/audiences/school-personnel/crisis-situation.

4. See, e.g., Cowan et al., *A Framework for Safe and Successful Schools.*

5. For more information on police efforts to address school-based problems, see the Office of Community Oriented Policing Services'

CD with a collection of more than 110 documents and links related to such issues as school violence, gangs, bullying, and property crime compiled for policymakers, police, school administrators, parents, and students at ric-doj.zai-inc.com/ric.php?page=detail&id=COPS-CD010 ; see also Seeley, K. et al., *Bullying in Schools: An Overview* (Washington, DC: Office of Juvenile Justice and Delinquency Prevention, 2011) at stopbullying.gov . "Tool Kit for Creating Your Own Truancy Reduction Program," ojjdp.gov/publications/truancy_toolkit.html.

6. Weiler, S.C. and Cray, M., "Police at School: A Brief History and Current Status of School Resource Officers," *Clearing House: A Journal of Education Strategies, Issues and Ideas* 84, no. 4 (2011) 160–163.

7. See, e.g., Canady, M., Bernard, J., and Nease, J., *To Protect & Educate: The School Resource Officer and the Prevention of Violence in Schools* (Hoover, AL: National Association of School Resource Officers, 2012); Mulqueen, C., "School Resource Officers More Than Security Guards," *American School & University* 71, no. 2 (1999); Myrstol, B., "Police in Schools: Public Perceptions," *Alaska Justice Forum* 27, no. 3 (2010): 1, 5–8.

8. Reaves, B., *Census of State and Local Law Enforcement Agencies, 2008* (Washington, DC: U.S. Department of Justice Bureau of Justice Statistics, 2011). These numbers are expected to be updated by the Bureau of Justice Statistics (BJS) in 2015. To view the series, visit bjs.gov.

9. See, e.g., the Gang Resistance Education and Training (G.R.E.A.T.) Program that started in 1991. It is a gang and delinquency prevention program for middle and elementary school students. G.R.E.A.T. teaches students how to resist gang pressure and develop positive attitudes concerning law enforcement. "Gang Resistance Education and Training (G.R.E.A.T.) Program," atf.gov/publications/factsheets/factsheet-gang-resistance-education-and-training.html. For other programs that officers teach, see Raymond, B., *Assigning Police Officers to Schools: Problem-Oriented Guides for Police Response Guides Series* No. 10 (Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services, 2010).

10. The traditional DARE program has been updated to the Drug Abuse Resistance Education + Play and Learn Under Supervision (DARE + PLUS). It is a curriculum for 13- to 18- year-old youth that teaches children to refuse drugs and reduce violence. In addition to classroom work, it includes extra-curricular and community problem-solving efforts. "Drug Abuse Resistance Education + Play and Learn Under Supervision (DARE + PLUS)," crimesolutions.gov/ProgramDetails.aspx?ID=98.

11. See for example, Thurau, L. H. and Wald, J. "School-to-Prison Pipeline Symposium, Controlling Partners: When Law Enforcement Meets Discipline in Public Schools," *Washington & Lee Law School Law Review* 54, no. 1 (2009): 977–1020 (citing the use of dedicated call-for-service or liaison officers that address incidents at any of the schools in the jurisdiction to which they are assigned to respond). The School Safety Advocacy Council has also created a program called the Law Enforcement Educational Program (LEEP) in which specially trained reserve officers are assigned to schools and/or officers assigned to patrol, specialized units or other duties regularly visit schools in their jurisdictions, even using the school as a type of satellite office to do administrative work. National Law Enforcement and Corrections Technology Center, *Sharing Ideas & Resources to Keep Our Nation's Schools Safe!* (Gaithersburg, MD: National Law Enforcement and Corrections Technology Center, 2013), 20-21; "Law Enforcement Educational Presence," schoolsafety911.org/PDF/LEEP%20Program%20Outline.pdf.

12. Many of these activities are also provided by on-campus officers. For roles, see, e.g., Travis, L.F. and Coon, J.K., *The Role of Law Enforcement in Public School Safety: A National Survey* (Washington, DC: The National Institute of Justice, 2005); see also Raymond, *Assigning Police Officers to Schools.*

13. Travis and Coon, *The Role of Law Enforcement in Public School Safety.*

14. Security officers typically have civilian arrest powers, whereby if they witness a misdemeanor or felony crime taking place, they can hold the person until law enforcement arrives, and file a citizen's arrest. Each state will determine the power of arrest afforded a private citizen; although most adhere to common law (misdemeanor or felony crimes in progress) some states include language regarding public and nuisance offenses and felony crimes after-the-fact.

15. See Policy Statement III for more information on reporting lines and examples of agencies that employ different types of personnel. See also McDaniel, J., *School Resource Officers: What We Know, What We Think We Know, What We Need to Know* (Raleigh, NC: Center for the Prevention of School Violence, 2001).

16. See Council of State Governments Justice Center, "Officers in Schools: A Snapshot of Legislative Action" (New York: Council of State Governments Justice Center, 2014), csgjusticecenter.org/youth/publications/officers-in-schools-a-snapshot-of-legislative-action/ .

17. *Ibid.*

18. See 42 U.S.C. § 3796dd-8 (the authorizing legislation for the COPS Office). A similar definition is found at 20 U.S.C. § 7161 (the Safe and Drug Free Schools and Communities Act). For more information, see James, N. and McCallion, G., *School Resource Officers: Law Enforcement Officers in Schools* (Washington, DC: Congressional Research Service, 2013). School-based officers also engage in a lengthy list of additional activities that are described later in this chapter.

19. See, e.g., Krisberg, B., *Juvenile Justice: Redeeming Our Children* (Thousand Oaks, CA: SAGE Publications, Inc., 2004); Dilulio, Jr., J.J., "My Black Crime Problem, and Ours," *City Journal,* Spring 1996 (1996): 18–19 (Dilulio is credited with creating the term "super-predators," whom he described as a generation of youth without respect for human life or empathy that was driving up violent juvenile crime.)

20. Changes in policies and related funding were also responsive to the local data and information that schools collected on campus crime and disorder. Canady, Bernard, and Nease, *To Protect & Educate.* The growth in school/law enforcement partnerships was also aided by the Office of Community Oriented Policing Services (COPS) grants. From FY1998 to FY2011, the COPS office invested more than $913 million in school safety initiatives, including providing funding for more than 6,500 SROs. Office of Community Oriented

Policing Services, *Fact Sheet: Secure Our Schools* (Washington, DC: Office of Community Oriented Policing Services, 2011); "COPS in Schools (CIS)," cops.usdoj.gov/default.asp?Item=54. This estimate includes School-Based Partnerships (FY1998 and 1999), COPS in Schools (FY1999-2005), Safe Schools Initiative (FY 2010) and the Secure Our Schools program (FY 2002-2011).

21. American Psychological Association Zero Tolerance Task Force, "Are Zero Tolerance Policies Effective in the Schools? An Evidentiary Review and Recommendations," *American Psychologist* 63, no. 9 (2008): 852–62.

22. Hirschfield, "Preparing for Prison?"

23. In a survey of 1,000 SROs, 26 percent of respondents reported decreases in funding versus about 15 percent who reported increases. See "National Association of School Resource Officers 2004 Survey," schoolsecurity.org/resource/nasro-survey-2004/; Eisele-Dyrli, K. "School Safety Gets the Ax: Districts Are Struggling to Maintain Safety and Security When Budgets Are Cut," *District Administration* (2010); Mansourian, J., "The Impact of the Economic Downturn on School Safety and Security," *Community Policing Dispatch* 4, no. 12 (2011).

24. "List Serve Summary Issue-Specific Report on School Security Budget Cuts: June 2010," schoolsecurity.org/trends/School-Security-Budget-Cuts-US-DOE-June-2010.pdf. The Office of Safe and Drug Free Schools' programs were moved into an Office of Safe and Healthy Students in 2011.

25. Trump, K.S., "The State of Security: Keeping Schools Safe During Tight Budget Times," *District Administration* (2010).

26. For example, cuts in recent years were made to the Office of Community Oriented Policing Services, such as the Secure Our Schools (funded until 2012) and COPS in Schools programs (funding ended FY2005), and from the joint grant programs of the U.S. Departments of Education, Health and Human Services, and Justice, (such as the elimination of the Safe Schools, Healthy Students grant program in 2012), as well as the elimination of the Title IV state grant component of the federal Safe and Drug-Free schools program following FY2009. Note, however, that new programs or expanded uses can offset some of these cuts, csgjusticecenter.org/wp-content/uploads/2014/05/FederalGrantProgramsChart.pdf .

27. For a review of 11 experimental and quasi-experimental evaluations of police programs in schools through 2009, including the United States (but excluding curriculum-based programs such as DARE), see Petrosino, A., Guckenburg, S., and Fronius, T., "'Policing Schools' Strategies: A Review of the Evaluation Evidence," *Journal of MultiDisciplinary Evaluation* 8, no. 17 (2012): 80–101.

28. See, e.g., Raymond, Assigning Police Officers to Schools; James & McCallion, School Resource Officers; Petrosino, Guckensburg, and Fronius, "Policing Schools' Strategies" (of the 11 evaluations reviewed, 9 had a non-equivalent comparison group that would be ranked as "not meeting evidence standards" under the Department of Education's What Works Clearinghouse criteria).

29. Na, C. and Gottfredson, D., "Police Officers in Schools: Effects on School Crime and the Processing of Offender Behaviors," *Justice Quarterly* 30, no. 4 (2011): 620–650.

30. Theriot, M.T., *Research Findings and Recommendations for Effective School Resource Officer Programs* (The University of Tennessee College of Social Work, forthcoming). But note comparison of SROs and security guards in Maskaly, J. et al., "On the Association Between SROs, Private Security Guards, Use-of-Force Capabilities, and Violent Crime in Schools," *Journal of Police Crisis Negotiations* 11, no. 2 (2011): 159–176.

31. See, e.g., "School Discipline Consensus Project Survey of School System Leaders" (New York: Council of State Governments Justice Center, The School Superintendents Association, 2013). The School Superintendents Association (AASA) February 2013 survey, conducted by CSG and AASA of 450 school district-level administrators, found that 96 percent of those with one or more school officers (57 percent) said that officers had a positive impact on school environments. See also Brown, B. and Benedict, W.R., "Classroom Cops: What Do the Students Think? A Case Study of Student Perceptions of School Police and Security Officers Conducted in a Hispanic Community," *International Journal of Police Science & Management* 7, no. 4 (2005): 264–285; Portillos, E., Gonzalez, J.C., and Peguero, A., "Crime Control Strategies in School: Chicanas'/os' Perceptions and Criminalization," *Urban Review* 44, no. 2 (2012): 171–188 (found that some students perceive the new techniques and officer presence to be invasive and others find school security measures as providing a sense of security, but administrators and teachers generally find value in the security approaches); McDaniel, School Resource Officers; Barnes, D., "Students Want Police Inside D.C. Schools," *The Washington Times,* March 5, 2005; Finn, P. and McDevitt, J., *National Assessment of School Resource Officer Programs: Final Project Report* (Cambridge, MA: Abt Associates, 2005).

32. See, e.g., Brady, K. P., Balmer, S., and Phenix, D., "School-Police Partnership Effectiveness in Urban Schools: An Analysis of New York City's Impact Schools Initiative," *Education and Urban Society* 39, no. 4 (2007): 455–478; Advancement Project, *Test, Punish, and Push Out: How "Zero Tolerance" and High-Stakes Testing Funnel Youth into the School-to-Prison Pipeline* (Washington, DC: Advancement Project, 2010); Advancement Project, Alliance for Educational Justice, and Gay-Straight Alliance Network, *Two Wrongs Don't Make A Right: Why Zero Tolerance is Not the Solution to Bullying* (Washington, DC: Advancement Project, 2012); New York City School-Justice Partnership Task Force, *Keeping Students in School and Out of Court: Report and Recommendations* (New York: New York State Permanent Judicial Commission on Justice for Children, 2013).

33. Brown and Benedict, "Classroom Cops," 264–285; Jackson, A., "Police-School Resource Officers' and Students' Perception of the Police and Offending," Policing: An International Journal of Police Strategies & Management 25, no. 3 (2002): 631–650 (the study suggests that an SRO does not actually affect students' view of the police).

34. See, e.g., Browne, J.A., *Derailed: The Schoolhouse to Jailhouse Track* (Washington, DC: Advancement Project, 2003); Advancement Project, *Test, Punish, and Push Out;* Advancement Project, Alliance for Educational Justice, and Gay-Straight Alliance Network, *Two Wrongs Don't Make A Right.*

35. See, e.g., Finn, P., "School Resource Officer Programs," *FBI Bulletin,* 8, no. 75 (2006): 1; Brown and Benedict, "Classroom Cops," 264–285; Johnson, I.M., "School Violence: The Effectiveness of a School Resource Officer Program in a Southern City," *Journal of Criminal Justice* 27, no. 2 (1999): 173–192; Jennings, W.G. et al., "Evaluating the Relationship Between Law Enforcement and School Security Measures and Violent Crime in Schools," *Journal of Police Crisis Negotiations* 11, no. 2 (2011): 109–124; Theriot, M., "The Impact of School Resource Officer Interaction on Students' Feelings About School and School Police," *Crime and Delinquency* 59, no. 8 (2014, forthcoming).

36. See Kern County, California example in National Center for Mental Health Promotion and Youth Violence Prevention, *Truancy Prevention Efforts in School-Community Partnerships* (Newton, MA: National Center for Mental Health Promotion and Youth Violence Prevention, 2012). For additional examples of youth programs, see promoteprevent.org .

37. Johnson, "School Violence," 173–192; Finn and McDevitt, *National Assessment of School Resource Officer Programs.*

38. *Supra* note 2. See also, Fowler, D. et al., *Texas' School to Prison Pipeline: Ticketing, Arrest, and Use of Force at Schools: How the Myth of the "Blackboard Jungle" Reshaped School Disciplinary Policy* (Austin, TX: Texas Appleseed, 2010); Dahlberg, R.L., *Arrested Futures: The Criminalization of School Discipline in Massachusetts' Three Largest School Districts* (New York: American Civil Liberties Union, 2012); Brown, B., "Understanding and Assessing School Police Officers: A Conceptual and Methodological Comment," *Journal of Criminal Justice* 34, no. 6 (2006): 591–604; Theriot, M.T., "School Resource Officers and the Criminalization of Student Behavior," *Journal of Criminal Justice* 37, no. 3 (2009): 280–287.

39. Robers, S., Kemp, J., and Truman, J., *Indicators of School Crime and Safety: 2012* (NCES 2013-036/NCJ 241446) (Washington, DC: National Center for Education Statistics, U.S. Department of Education, and Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice. 2013); James and McCallion, *School Resource Officers.*

40. Robers, Kemp, and Truman, *Indicators of School Crime and Safety: 2012.*

41. Theriot, "The Impact of School Resource Officer Interaction." Impact is also difficult to determine because of the lack of data collected on school-based arrests and referrals; see e.g., Wald, J. and Thurau, L., *First, Do No Harm: How Educators and Police Can Work Together More Effectively to Keep Schools Safe and Protect Vulnerable Students* (Cambridge, MA: Charles Hamilton Houston Institute for Race and Justice Policy Brief, 2010). For more information on school-based arrest and referral data, see the chapter on courts and juvenile justice.

42. Krezmien, M.P. et al., "Juvenile Court Referrals and the Public Schools: Nature and Extent of the Practice in Five States," *Journal of Contemporary Criminal Justice*, 26, no. 3 (2010): 273–293. The authors observe school referral rates over time in AZ, HI, MO, SC, and WV. Cobb cites large increases in school-based referral rates in Philadelphia between 2000 and 2003 and Denver between 2001 and 2004. Cobb, H. "Separate and Unequal: The Disparate Impact of School-Based Referrals to Juvenile Court," *Harvard Civil Rights-Civil Liberties Law Review* 44, no. 2 (2009): 581–596.

43. See, e.g., American Psychological Association Zero Tolerance Task Force, "Are Zero Tolerance Policies Effective," 852–62; Dycus, J., *Hard Lessons: School Resource Officers and School Based Arrests in Three Connecticut Towns* (New York: American Civil Liberties Union and ALCU of Connecticut, 2008); Dahlberg, *Arrested Futures;* ACLU of Florida, Advancement Project, and Florida State Conference of the NAACP, *Still Haven't Shut Down the School-to-Prison Pipeline* (Miami, FL: Advancement Project, 2011); ACLU of Florida, Advancement Project, and Florida State Conference of the NAACP, *Arresting Development: Addressing the School Discipline Crisis in Florida* (Miami, FL: Advancement Project, 2006).

44. Theriot, "The Impact of School Resource Officer Interaction;" Canady, Bernard, and Nease, *To Protect & Educate.*

45. See, e.g., Tulsa Public Schools, *Tulsa Public Schools Campus Police Department Five-Year Report (2008-2013)* (Tulsa, OK: Tulsa Public Schools, 2013), 12.

46. American Psychological Association Zero Tolerance Task Force, "Are Zero Tolerance Policies Effective," 852–62; Skiba, R.J., Arredondo, M.I., and Rausch, M.K., *New and Developing Research on Disparities in Discipline* (Bloomington, IN: Discipline Disparities: A Research-to-Practice Collaborative, 2014). The Equity Project at Indiana University provides resouces on addressing disparities. See "The Equity Project at Indiana University," indiana.edu/~equity/resources.php.

47. Fabelo, T. et al., *Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement* (New York: Council of State Governments Justice Center, 2011); American Psychological Association Zero Tolerance Task Force, "Are Zero Tolerance Policies Effective," 852–62.

48. Losen, D.J. and Martinez, T.E., *Out of School & Off Track: The Overuse of Suspensions in American Middle and High Schools* (Los Angeles: The Civil Rights Project, 2013); Browne, J.A., *Hearing on Ending the School-to-Prison Pipeline* (Washington, DC: Advancement Project, 2012); Hunt, J. and Moodie-Mills, A.C., *The Unfair Criminalization of Gay and Transgender Youth: An Overview of the Experiences of LGBT Youth in the Juvenile Justice System* (Washington, DC: Center for American Progress, 2012); Kosciw, J.G. et al., *The 2011 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual and Transgender Youth in Our Nation's Schools* (Washington, DC: Gay, Lesbian, & Straight Education Network, 2011).

49. Additional school- and state-level data collection and anecdotal information are summarized in a number of student advocacy publications. See, e.g., Browne, *Derailed;* Advancement Project, *Test, Punish, and Push Out;* Advancement Project, Alliance for Educational Justice, and Gay-Straight Alliance Network, *Two Wrongs Don't Make A Right.*

50. Crouch, E. and Williams, D., "What Cities Are Doing to Protect Kids," *Educational Leadership,* 52, no. 5 (1995): 60–62.

51. Theriot, "School Resource Officers and the Criminalization of Student Behavior," 280–287. (But see explanations of other findings from the same analysis regarding crimes that did not decline.)

52. Johnson, "School Violence," 173–192.

53. Na and Gottfredson, "Police Officers in Schools," 620–650.

54. Brady, Balmer, and Phenix, "School-Police Partnership Effectiveness in Urban Schools," 455–478.

55. Theriot, "School Resource Officers and the Criminalization of Student Behavior," 280–287; Beger, R.R. "The 'Worst of Both Worlds': School Security and the Disappearing Fourth Amendment Rights of Students," *Criminal Justice Review* 28, no. 2 (2003): 336–354; Dohrn, B., "Look Out Kid/It's Something You Did: Zero Tolerance for Children," in *Tolerance: Resisting the Drive for Punishment in Our Schools,* W. Ayers, B. Dohrn, and R. Ayers (New York: The New Press, 2001).

56. Theriot, "School Resource Officers and the Criminalization of Student Behavior," 280–287.

57. Schuiteman, J.G., "SRO Program Evaluation Issues Plus New Commonsense Findings" (paper presented to Persistently Safe Schools 2005, The National Conference of the Hamilton Fish Institute on School and Community Violence, 2005); Advancement Project, *Test, Punish, and Push Out;* Advancement Project, Alliance for Educational Justice, and Gay-Straight Alliance Network, *Two Wrongs Don't Make A Right;* Robers, Kemp, and Truman, *Indicators of School Crime and Safety: 2012,* James and McCallion, *School Resource Officers;* Crouch, and Williams, "What Cities Are Doing to Protect Kids," 60–62; Na and Gottfredson, "Police Officers in Schools," 620–650; Brady, Balmer, and Phenix, "School-Police Partnership Effectiveness in Urban Schools," 455–478; Theriot, "School Resource Officers and the Criminalization of Student Behavior," 280–287; Johnson, "School Violence," 173–192.

58. For the member results, see "Survey of National Association of School Resource Officers Members," csgjusticecenter.org/youth/publications/survey-of-national-association-of-school-resource-officers-members.

59. Chief Edward Flynn directed the department to develop the youth prevention program. William J. Singleton (Officer of the STOP Program, Office of Community Outreach & Education, Milwaukee Police Department) in discussion about STOP with CSG Justice Center Senior Policy Analyst Emily Morgan, April 29, 2014. The program is also featured in the IACP youth program directory at iacpyouth.org/ProgramDirectory/ProgramProfile.aspx?c=1679. The STOP program is funded by the Greater Milwaukee Foundation, The Helen Bader Foundation, and the Milwaukee Police Department. A recent COPS Office grant for addressing disproportionate minority impact is also being used, in part, to support related program activities.

60. See, e.g., James and McCallion. *School Resource Officers,* (outlining the costs for SROs); Fowler et al., *Texas' School to Prison Pipeline* (stating in 2006-07, some school districts reported spending millions of dollars on police department budgets).

61. See, e.g., Petteruti, *Education Under Arrest.*

62. See the Targeted Behavioral Interventions chapter for more on the recommended ratios of counselors to students and other discussions about staffing for specialized instructional support personnel.

63. For school districts, a "safety" budget may include their police department, their counselors, tobacco and alcohol awareness, bullying prevention, nursing, and myriad other functions. Jeff Crawford (Training Director, National Association of School Safety and Law Enforcement Official—(NASSLEO) in discussion with CSG Justice Center Director for Strategic Initiatives Martha Plotkin, December 15, 2013; reviewer feedback.

64. See James and McCallion, *School Resource Officers,* 4–7 (estimates on how many officers are in schools). James and McCallion state that "[d]ata available from the Bureau of Justice Statistics (BJS) and the National Center for Education Statistics (NCES) provide some insight into the total number of SROs and the type of schools that they serve, but the data are not collected and reported regularly."

65. Robers, Kemp, and Truman, *Indicators of School Crime and Safety: 2012.*

66. Brown, "Understanding and Assessing School Police Officers," 591–604.

67. See, K. Quinn, "My View: More School Resource Officers, More Safe School Communities," CNN, January 17, 2013. These numbers refer to "sworn law enforcement officers, armed, in uniform and assigned to a school full-time, just as an officer might be assigned a neighborhood.... [with] the same training as other police officers, and often more." The National Association of School Safety and Law Enforcement Officers NASSLEO does not currently keep estimates of how many school police officers or security personnel are employed by school districts. Augustine Pescatore (NASSLEO President), in discussion with CSG Justice Center Director of Local Initiatives Blake Norton, March 8, 2013. .

68. Marklein, M.B. "Schools Tighten Security After Sandy Hook," *USA Today*, September 24, 2013. NASRO's Executive Director Mo Canady indicated that the organization trained more than 2,000 law enforcement officers in just the summer of 2013, more than three times the number trained the previous summer.

69. The White House, *Now is the Time: The President's Plan to Protect Our Children and Our Communities by Reducing Gun Violence* (Washington, DC: The White House, 2013), 10–13. The plan proposed providing schools with the options of hiring more school-based officers or school counselors.

70. St. George, D., "A Shift in Denver: Limits on Police in Schools," *Washington Post,* February 18, 2013.

71. See U.S. Department of Justice, Community Oriented Policing Services Grant Award Packages at cops.usdoj.gov/default.asp?Item=2367 and for a complete list of FY13 CHP SRO grantees go to cops.usdoj.gov/pdf/2013AwardDocs/CHP/2013-CHP-SRO-Fact-Sheet.pdf. See also, "Progress Report on the President's Executive Actions to Reduce Gun Violence," whitehouse.gov/sites/default/files/docs/exec_actions_progress_report_final.pdf.

72. See Council of State Governments Justice Center, "Officers in Schools;" Child Trends, "Compilation of School Discipline State Laws and Regulations," safesupportivelearning.ed.gov/school-discipline-compendium; Wixom, M.A., *States Respond to School Safety Concerns with 2013 Legislation* (Denver: Education Commission of the States, 2014).

73. Texas Appleseed, "Student Guide to Changes in Texas School Discipline Laws," texasappleseed.net/index.php?option=com_docman&task=doc_download&gid=991&Itemid=. For more information, see J. Serrano, "School Officers Can No Longer Issue On-Campus Citations," *Texas Tribune,* August 29, 2013. See also S. 393, 83d Leg. Sess. (Tx. 2013).

74. S. 13-138, 2013 Reg. Sess., (Co. 2013); Assemb. B. 549 (Ca. 2013).

75. S. 13-138 (Co. 2013).

76. See Council of State Governments Justice Center, "Arming Teachers and K-12 School Staff" (New York: Council of State Governments Justice Center, 2014); "Compendium of School Discipline State Laws and Regulations;" Wixom, *States Respond to School Safety Concerns.* See also, e.g., "Arming Teachers and School Staff," schoolsecurity.org/trends/arming-teachers-and-school-staff; Eligon, J., "A State Backs Guns in Class by Teachers," *New York Times,* March 9, 2013; St. George, D. and Wiggins, O., "Schools Taking Serious Look at Putting Armed Police in Schools After Massacre," *Washington Post,* February 7, 2013.

77. Council of State Governments Justice Center, "Survey of National Association of School Resource Officers Members."

78. Travis and Coon, *The Role of Law Enforcement in Public School Safety.*

79. Price, P., "When Is a Police Officer an Officer of the Law?: The Status of Police Officers in Schools," *Journal of Criminal Law and Criminology* 99, no. 2 (2009): 548.

80. See Finn, J.D. and Servoss, T.J., *Misbehavior, Suspensions, and Security Measures in High School: Racial/Ethnic and Gender Differences* (paper presented at the Closing the School Discipline Gap: Research to Practice national conference, Washington, DC, January 10, 2013). The paper found students of color were disproportionately enrolled in schools with high degrees of security including the presence of police or security guards during school hours.

81. Travis and Coon (2005) wrote that nearly all "school principals (96.8 percent) reported that they relied predominantly on public law enforcement rather than private security (3.2 percent). Further, almost half of respondents also reported that they had school resource officers (47.8 percent)." Travis and Coon, *The Role of Law Enforcement in Public School Safety.* Still, it is important to examine what roles and functions security personnel are serving and then determine if they are receiving the proper training and possess the appropriate experience.

82. Cornelius Taylor (School Resource Officer), in discussion with CSG Justice Center Director of Local Initiatives Blake Norton, December 17, 2013. Milwaukee Public Schools also have school safety assistants who are hired by the school district, but they do not have police powers. See "School Safety Assistant: Division of School Safety and Security," city.milwaukee.gov/ImageLibrary/User/jkamme/PastJobAnnouncements/SchoolSafetyAssistant.pdf.

83. Local police hired on overtime may be detailed to a school campus. The police department would receive payment for the officers' hours and would pay the officers directly. If officers are hired on a contractual basis as part of off-duty employment, they would be paid by the hiring authority (such as through a security company or by the school or district if in a direct contractual agreement).

84. Trump, K.S., "Keeping the Peace: What You Should Know About Staffing a School Security Department," *American School Board Journal* 185, no. 3 (1998): 31–35.

85. Council of State Governments Justice Center, "Officers in Schools."

86. For additional information on supporting and sustaining school-based officer programs, see e.g., Rosiak, J., "Sustaining the SRO Position in Tough Financial Times," *Journal of School Safety,* Spring (2011): 9–11; Finn, P. et al., "Chapter 7: Identifying Sources of Program Funding" and "Chapter 8: Maintaining Program Funding," in *A Guide to Developing, Maintaining and Succeeding with Your School Resource Officer Program* (Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services, 2005).

87. In a survey of 1,000 school resource officers, 26 percent of responding SROs reported decreases in funding versus about 15 percent that reported increases. See "National Association of School Resource Officers 2004 Survey." See, e.g., Eisele-Dyrli, K. "School Safety Gets the Ax;" Mansourian, "The Impact of the Economic Downturn on School Safety and Security."

88. See Ohio School Resource Officers Association website at osroa.org/timelyhm.html.

89. This does not include decision making regarding the use of unarmed security personnel or off-duty police officers who contract with the school district/county/city. This focuses only on officers with sworn authority who are employed by the school district police agency or assigned from a municipal or county law enforcement agency.

90. The Data Collection chapter of this report compiles the various data collection recommendations in the Conditions for Learning, Targeted Behavioral Interventions, and Courts and Juvenile Justice chapters of this report and identifies how these efforts can be coordinated to serve multiple purposes.

91. Council of State Governments Justice Center, "School Safety Plans: A Snapshot of Legislative Action" (New York: Council of State Governments Justice Center, 2014).

92. For more information see Wixom, *States Respond to School Safety Concerns.*

93. Council of State Governments Justice Center, "Officers in Schools."

94. In 2014, the Office of Community Oriented Policing Services, as part of an integrated curriculum and training project, began working with a wide range of disciplines and stakeholders to incorporate how the SROs' duties and functions intersect with school safety planning, including physical security, emergency preparedness and crisis response, prevention and wellness promotion, overall school safety and climate, early identification and support for students at risk of harming themselves or others, mental health and service provision, and student, parent, and community engagement.

95. *Supra* endnote 3. Also see state-based resources such as the Washington State School Safety Planning Manual found at k12.wa.us/Safetycenter/Planning/Manual.aspx and the Pennsylvania All-Hazards School Safety Planning Toolkit at portal.state.pa.us/portal/server.pt/community/plans, guides and presentations/4625/all-hazards school safety planning toolkit (pdf)/541340. IACP also provides courses on safe schools and safety planning. International Association of Chiefs of Police, *Guide to Preventing and Responding to School Violence, Second Edition* (Alexandria, VA: International Association of Chiefs of Police, 2009). For course offerings, visit elearning-courses.net/iacp . Other resources are available from the U.S. Department of Homeland Security at dhs.gov/school-safety and the National Crime Prevention Council at ncpc.org/resources/files/pdf/school-safety/11964-School%20Safety%20Toolkit%20final.pdf.

96. Raymond, Assigning Police Officers to Schools.

97. Although attendance may not be an indicator by itself of school safety, it can be a factor in students missing school when they do not feel safe there.

98. For more information on using school climate or school safety perception surveys see the Conditions for Learning chapter.

99. Lacoe, J., "Too Scared to Learn? The Academic Consequences for Feeling Unsafe at School" (working paper #02-13, NYU Steinhardt School of Culture, Education, and Human Development and Robert F. Wagner School of Public Service, 2013).

100. New Jersey Department of Law & Public Safety and the New Jersey Department of Education, A Uniform State Memorandum of Agreement between Education and Law Enforcement Officials, New Jersey State's 2011 Revisions, 2 ("Experience has shown that violent acts committed by children off school grounds can have serious deleterious effects upon the school community, just as acts of violence committed on school grounds can lead to further violence or retaliation at other places.").

101. "West Virginia Division of Justice and Community Services: Prevention Resource Officer (PRO)," djcs.wv.gov/pro/Pages/default.aspx.

102. Kochel, T.R., Laszlo, A.T., and Nickles, L.B., *SRO Performance Evaluation: A Guide to Getting Results* (Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services, 2005); Raymond, *Assigning Police Officers to Schools;* Finn et al., "Chapter 7" and "Chapter 8;" Uchida, C.D., *Measuring the Performance of School Resource Officers* (Silver Spring: 21st Century Solutions, Inc., 2002); Brown, "Understanding and Assessing School Police Officers," 591–604.

103. For schools interested in gang prevention, among the many resources available are those at the Office of Community Oriented Policing Services at cops.usdoj.gov, the Center for Disease Control and the National Institute of Justice at cdc.gov/violenceprevention/youthviolence/preventgangmembership, and the Office of Juvenile Justice and Delinquency Prevention at ojjdp.gov/programs/antigang.

104. Kochel, Laszlo, and Nickles, *SRO Performance Evaluation;* Raymond, *Assigning Police Officers to Schools;* Finn, P. et al., *Comparison of Program Activities and Lessons Learned among 19 School Resource Officer (SRO) Programs* (Washington, DC: U.S. Department of Justice, 2005).

105. There are certainly more expansive roles for officers as mentors, mediators, and other interventionists for youth, but these are discussed in more detail in other sections of this paper.

106. American Psychological Association Zero Tolerance Task Force, "Are Zero Tolerance Policies Effective," 852–62; Fowler et al., *Texas' School to Prison Pipeline.*

107. See New York Civil Liberties Union, *Report Under Administrative Code 14–152: Arrests Effected by SSA or Officers Assigned to School Safety Division,* available at nyclu.org/files/releases/SSA%20Arrest%20Summons%20Data%202011-12%20Combined.pdf; "Common Code of Data (CCD)," nces.ed.gov/ccd/pubschuniv.asp. In San Angelo, TX, Hispanic students make up 50 percent of the students but 80 percent of the tickets for student code of conduct violations. Fowler et al., *Texas' School to Prison Pipeline*. In South Carolina, African-American students made up 42 percent of student enrollment in 2000–2001, but 75 percent of disorderly conduct charges. "Quick Facts: School Crime Incident Report 2000-2001," in Browne, *Derailed*.

108. See, Esty S., *Arresting Development: Student Arrests in Connecticut* (New Haven: Connecticut Voices for Children, 2013). African-American and Hispanic students together accounted for 69 percent of the student population studied in three jurisdictions, but

comprised 85 percent of school-based arrests. Dycus, *Hard Lessons.* But see the model MOU and information in this chapter on Connecticut's initiative to reduce youth contact with the juvenile justice system and address disparities in disciplinary practices.

109. Greenwald, *Delinquency in Florida's Schools: A Seven-Year Study.*

110. Fedders, B., Langber, J., and Story, J., *School Safety in North Carolina: Realities, Recommendations and Resources* (Raleigh: NC: North Carolina Center for Safer Schools, 2013).

111. American Psychological Association Zero Tolerance Task Force, "Are Zero Tolerance Policies Effective," 852–62. See also Browne, *Derailed;* Hunt and Moodie-Mills, *The Unfair Criminalization of Gay and Transgender Youth;* Kosciw et al., *The 2011 National School Climate Survey.*

112. Pennsylvania Protection & Advocasy, "Arrested Development: Students with Disabilities and School Referrals to Law Enforcement in Pennsylvania," (Harrisburg: Pennsylvania Protection & Advocacy, 2004).

113. ESE refers to a student enrolled in or eligible for enrollment in the public schools in a district that requires special instruction. This can include services to help a student with physical, mental, emotional, social, or learning exceptionality take full advantage of or respond to educational programs and opportunities. For more information see "Exceptional Education & Student Services," fldoe.org/ese.

114. See Greenwald, M.A., *Delinquency in Florida's Schools: An Eight-Year Study (FY 2004–05 through 2011–12)* (Tallahassee: Florida Department of Juvenile Justice Headquarters, 2013). See also "Data Publications and Reports: Students," fldoe.org/eias/eiaspubs/pubstudent.asp.

115. Himmelstein, K.E.W. and Brückner, H., "Criminal-Justice and School Sanctions Against Nonheterosexual Youth: A Longitudinal Study," *Pediatrics* 121, no. 1 (2011): 48–57.

116. See "COPS Resource Center," ric-doj.zai-inc.com; see also, e.g., Kenney, D. J. and Watson, S., *Crime in the Schools: Reducing Conflict With Student Problem Solving* (Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, 1999), 7; Kenney, D.J. and Watson, S., *Crime in the Schools: Reducing Fear and Disorder with Student Problem Solving* (Washington, DC: Police Executive Research Forum, 1998).

117. As one example, in Delaware during the 2010–11 school year, only 9 percent of all school-based arrests were for felony charges, mostly for weapons offenses. The rest were for misdemeanor offenses. Sixty-three percent of all of these school arrests were dismissed by the Family Court. Approximately one-quarter of the cases that ended in dismissal were dismissed outright. Insufficient evidence, including the failure of witnesses and victims to appear at trial, was the most common reason for this. However, the attorney general's office cited a lack of "prosecutorial merit" as the reason for approximately one-third of the outright dismissals. See Wolf, K.C., "Booking Students: An Analysis of School Arrests and Court Outcomes," *Northwestern Journal of Law and Social Policy* (forthcoming). See also Community Rights Campaign of the Labor/Community Strategy Center, *Black, Brown, and Over-Policed in L.A. Schools: Structural Proposals to End the School-to-Prison Pipeline in the Los Angeles Unified School District and to Build a National Movement to Stop the Mass Incarceration of Black and Latino Communities* (Los Angeles, CA: Community Rights Campaign of the Labor/Community Strategy Center, 2013); Fowler et al., *Texas' School to Prison Pipeline.*

118. In some cases, these policies have emerged from legal action. For example, a Meridian, MS, school district entered into a consent decree with the U.S. Department of Justice to address reported discriminatory use of "exclusionary discipline" such as suspension, expulsion, and school-based arrest, often for minor infractions by Black students. It also focused on the use of harsher discipline for Black students, even when White peers of similar ages and with similar disciplinary histories committed comparable misbehavior at the same schools. See Department of Justice, "Justice Department Files Consent Decree to Prevent and Address Racial Discrimination in Student Discipline in Meridian, Miss.," news release, March 22, 2013. See also Department of Justice, "Justice Department Releases Settlement with School District of Palm Beach County, Fla., to Prevent and Address Discrimination in School Enrollment and Student Discipline," news release, February 26, 2013.

119. "Safety Net Collaborative," cambridgema.gov/cpd/communityresources/safetynetcollaborative.aspx. Information about Cambridge Youth Resource Officers' efforts was also provided by Lieutenant Leonard DiPietro, Commanding Officer, Community Services Unit, Cambridge Police Department.

120. "Memorandum of Understanding between the Cambridge Public Schools and Cambridge Police Department."

121. Theriot, "The Impact of School Resource Officer Interaction;" Kim, C.Y. and Geronimo, I., *Policing in Schools: Developing a Governance Document for School Resource Officers in K–12 Schools* (New York: American Civil Liberties Union, 2009).

122. Schools also should be sensitive to cultural factors that may influence dress code violations and have alternatives to disciplinary measures such as providing belts, t-shirts or sweatpants to students who are wearing clothing that is too revealing or otherwise breaks the code while they are in school.

123. See, e.g., "Memorandum of Understanding Between the San Francisco Police Department and the San Francisco Unified School District" (2014), available at fixschooldiscipline.org/2014/01/San-Francisco-Schools-target-arrests/.

124. The ACLU published a white paper in 2009 outlining a governance structure for working with police in schools that includes language about the need to clearly distinguish between disciplinary misconduct and criminal offenses. See Kim and Geronimo, *Policing in Schools;* see also, Kochel, Laszlo, and Nickles, *SRO Performance Evaluation.*

125. Baltimore City Public Schools, *Code of Conduct 2012-2013* (Baltimore: Baltimore City Public Schools, 2012).

126. Buffalo Public Schools, *Developing Safe and Supportive Schools: Standards for Community-Wide Conduct and Intervention Supports: 2013-2014* (Buffalo: Buffalo Public Schools, 2013). Guidelines for the reporting process for principals are articulated in the 1999 Memorandum of Understanding between the Buffalo Police Department and the Buffalo Public Schools.

127. Chicago Public Schools, *Student Code of Conduct* (Chicago: Chicago Public Schools, 2013).

128. Fort Wayne Community Schools, *Code of Conduct 2013-2014* (Fort Wayne: Fort Wayne Community Schools, 2013).

129. San Diego Unified School District, *Uniform Discipline Plan 2012* (San Diego: San Diego Unified School District, 2012).

130. See Policy Statement IV for more information on developing MOUs.

131. See "Sacramento City Unified School District SRO Assignments & Emergency Support Protocol" (September 14, 2012), scusd.edu/principal-bulletin/sro-assignments-emergency-support-protocol.

132. See, e.g., "City of Sacramento Youth Development Services," cityofsacramento.org/youth-development/attendance-centers.cfm. Also see the truancy diversion programs in the Courts and Juvenile Justice chapter.

133. For more information on Chicago's Safe Passage program, visit cps.edu/Pages/safepassage.aspx; for Los Angeles' program, visit advancementprojectca.org/?q=SafeRoutes; for Bridgeport's program, visit ctpost.com/local/article/Safe-Corridors-to-protect-kids-3788495.phphttp://www.ctpost.com/local/article/Safe-Corridors-to-protect-kids-3788495.php; and for Detroit's program, visit detroitpublicsafetyfoundation.org/youth-violence-prevention/safe-passage.

134. This is reflected in some codes of conduct explicitly. See, e.g., *Baltimore City Public Schools, Code of Conduct 2012-2013*.

135. The Conditions for Learning chapter of this report, for example, provides additional information on restorative practices and universal strategies to prevent student offending; the Targeted Behavioral Interventions chapter discusses services for students; and the Courts and Juvenile Justice chapter outlines court- and community-based diversion programs. Also see, e.g., Cowan et al., *A Framework for Safe and Successful Schools.*

136. See also, Kim and Geronimo, *Policing in Schools,* which recommends that training should include 10 hours of in-service training on topics including PBIS and other non-punitive approaches.

137. "Survey of National Association of School Resource Officers Members."

138. The Crisis Intervention Team (CIT) approach is a police-based first-responder program that emphasizes pre-arrest jail diversion for those in a mental illness crisis. CIT officers are specially trained and work in partnership with mental health service providers. For more on the CIT approach, as well as police-mental health co-response teams and other models, see Council of State Governments Justice Center, *Improving Responses to People with Mental Illnesses: Tailoring Law Enforcement Initiatives to Individual Jurisdictions* (New York: Council of States Justice Center, 2010).

139. See, for example, crisis intervention team training for law enforcement that is youth-focused at nami.org/template.cfm?section=CIT_for_Youth, and for Virginia's efforts in 2013, visit wset.com/story/23661960/lynchburg-police-receive-grant-to-train-officers-on-juvenile-behavioral-problems.

140. For more information on the CIT-Y program, see "Law Enforcement and Children: CIT-Y + REACT Information and Registration," cableweb.org/training/law-enforcement-and-children_cit-y_react-info-and-registration.

141. For more information on the Bexar County program, see "Children's Crisis Intervention Training: Bexar County Judges' Children's Diversion Initiative," txchildren.org/Images/Interior/mh%20forum/childrens%20crisis%20intervention%20training.pdf.

142. For more information see "Behavioral Health: Psychiatric Emergency Response Team (PERT)," sandiego.networkofcare.org/mh/services/agency.aspx?pid=PsychiatricEmergencyResponseTeamPERT_61_2_0.

143. For more information on the Anne Arundel County Mobile Crisis Teams, see "Mobile Crisis Team," aacounty.org/Police/RulesRegs/Sections11-16/1611MobileCrisisTeam.pdf.

144. A report by the New York City School-Justice Partnership Task Force noted that one out of six school-based arrests in New York City was for a conflict between a police officer or SRO that resulted in the student being charged with obstructing government administration or resisting arrest. See New York City School-Justice Partnership Task Force, *Keeping Students in School and Out of Court.*

145. Not all security personnel receive the same training as officers and may not be expected to assume the same duties. School leaders should review the curricula and orientation for both security personnel and school-based officers as well as what roles they are each being asked to assume to ensure that de-escalation, problem solving, and alternatives to arrest are adequately addressed for personnel working with youth in crisis or conflict. Some advisors also believe security personnel and officers should be trained on bias-free policing, cultural competence, adolescent development, working with students with disabilities and mental health issues, trauma-informed approaches to working with youth techniques, working with limited English proficiency students, and working with LGBT students. See Policy State II, Recommendation 3, for other training topics.

146. Connecticut General Assembly, "What has happened since the DMC reduction project started?" (Hartford: Connecticut General Assembly, 2013).

147. Emergency Mobile Psychiatric Services (EMPS) is a mobile intervention service for children and adolescents experiencing a behavioral or mental health crisis. For more information, visit empsct.org.

148. "Center for Children's Advocacy January 2013 Newsletter," kidscounsel.org/january-2013-newsletter.

149. See the Data Collection chapter of this report for more on how the data-collection recommendations in this section overlap with (and therefore can draw from) other reporting efforts on discipline data to state and federal agencies. That section discusses how the data-collection efforts recommended here can be implemented as part of a comprehensive approach.

150. For an example of an activity log, see Kochel, Laszlo, and Nickles, *SRO Performance Evaluation.* The Mississippi Department of Education uses the following form to record any incidents: mde.k12.ms.us/docs/healthy-schools-environment-services/unlawful-activity-form.pdf?sfvrsn=4. School COP, developed with funding from the National Institute of Justice, was used by the COPS office to help with these tasks. See Rich, T., Finn, P., and Ward, S., *Using School COP: A Guide for School Administrators and Safety Personnel* (Cambridge: Abt. Associates Inc., 2013). Based on a review of the field, SROs and law enforcement officials who have contact with students on school campuses may collect the following information for each student: student's name, race, ethnicity, sex, school, grade level, language status, disability status, name of referring staff member, infraction, date of the incident, description of the incident, location, time, student's prior disciplinary history, consequence, date consequence imposed, description of interventions attempted prior and whether the parent appealed any aspect of the disciplinary decision.

151. These were among the top issues of concern in interviews with practitioners in the field, advisory group discussion, and a review of pertinent literature, including Weiler and Cray, "Police at School: A Brief History and Current Status of School Resource Officers," 160–163.

152. Finn et al., *Comparison of Program Activities and Lessons Learned;* Dycus, *Hard Lessons.*

153. Council of State Governments Justice Center, "Officers in Schools."

154. In many jurisdictions, state law allows school districts and/or police agencies to establish qualifications and training requirements for school-based officers. They may also specify policies and procedures for supervision of school-based officers as well as procedures for arresting students on school grounds during school hours. See Council of State Governments Justice Center, "Officers in Schools."

155. Adapted from NASRO triad model, advisory group discussions, and conversations with experts in the field.

156. This list draws from group discussions and research from such sources as the following: Raymond, *Assigning Police Officers to Schools;* Finn et al., *Comparison of Program Activities and Lessons Learned;* Finn, P. et al., *A Guide to Developing, Maintaining and Succeeding with Your School Resource Officer Program* (Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services, 2005).

157. See Table 4 in Reccommendation 2 for SRO training topics.

158. Discussion with advisory group members and review of the literature, including Finn et al., "Chapter 7" and "Chapter 8;" Finn et al., *Comparison of Program Activities and Lessons Learned;* National Association of Resource Officers, "SRO Supervisors and Management Course."

159. Finn et al., *Comparison of Program Activities and Lessons Learned.*

160. Clark, S., "The Role of Law Enforcement in Schools: The Virginia Experience—A Practitioner Report," *New Directions for Youth Development* 129, no. 1 (2011): 89–101.

161. Finn et al., "Chapter 7" and "Chapter 8."

162. Bond, B., "Principals and SROs: Defining Roles," *Principal Leadership* 1, no. 8 (2001): 52–55; Finn et al., *Comparison of Program Activities and Lessons Learned;* Clark, "The Role of Law Enforcement in Schools," 89–101.

163. Finn et al., *Comparison of Program Activities and Lessons Learned;* Finn et al., "Chapter 7" and "Chapter 8."

164. It may be necessary to consider a smaller group if decisions must be made quickly to fill a position.

165. Each state has its own POST requirements for basic academy training. See "International Association of Directors of Law Enforcement Standards and Training," iadlest.org. Some security personnel serving schools are former law enforcement officers with this training and others receive state-level certification training. Depending on the jurisdiction, however, some security officers can work in schools without basic officer training or specialized training for working in schools, and their roles and activities may differ from those of school-based officers.

166. McDaniel, *School Resource Officers;* Weiler and Cray, "Police at School: A Brief History and Current Status of School Resource Officers," 160–163. See also "Basic SRO Course," nasro.org/content/basic-sro; "Advanced SRO Course," nasro.org/content/advanced-sro; "Texas School Safety Center Training Topics," txssc.txstate.edu/events/sble-summits; "National Criminal Justice Reference Service: School Safety," ncjrs.gov/App/Topics/Topic.aspx?topicid=153.

167. "Survey of National Association of School Resource Officers Members;" Council of State Governments Justice Center, School Discipline Consensus Project: Survey of Major Cities Chiefs Association Members (New York: Council of State Governments Justice Center, 2013); Brown, "Understanding and Assessing School Police Officers," 591–604; NASSLEO interviews.

168. Council of State Governments Justice Center, School Discipline Consensus Project, "Survey of National Association of School Resource Officers."

169. *Ibid.;* NASSLEO interviews.

170. H. 12-1345 (Co. 2012).

171. Safe2Tell is a way in which students can anonymously report unsafe or threatening behavior. For more information, visit safe2tell.org.

172. Colorado Department of Law, "Colorado Post Announces New Course Offerings," news release, January 6, 2014.

173. Finn et al., *Comparison of Program Activities and Lessons Learned.* Examples of training providers and resources include: "National Association of School Resource Officers Training," nasro.org/class-training-courses ; "National Criminal Justice Training Center, Fox Valley Technical College: Training and Services," ncjtc.org/training/Pages/Training.aspx; "Corbin & Associates, Inc.: Training Schedule," srotraining.com/training_by_type.html; "School Safety Advocacy Council Training," schoolsafety911.org/training.html; "National School Safety Center, School Safety Leadership Training," schoolsafety.us/services/school-safety-leadership-training. See also Girouard, C., "OJJDP Fact Sheet, School Resource Officer Training Program" (Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, 2001); Finn et al., "Chapter 7" and "Chapter 8;" Raymond, *Assigning Police Officers to Schools.*

174. At this writing, the COPS Office hiring grant program has a strongly recommended but not mandatory SRO training component (a curriculum is in development). The 2013 SRO grantees are offered free scholarships through Community Policing Development (CPD) funds to the 370 SROs and their school administrator partners to attend NASRO training. For more information, see Office of Community Policing Services, *FY2013 COPS Hiring Program School Resource Officer Scholarship Opportunity for NASRO Training* (Washington, DC: Office of Community Policing Services, 2013). For more information, see cops.usdoj.gov/pdf/2013_CHP_SRO_Factsheet3_092613.pdf .

175. For example, in Milwaukee, the police department has developed and revised its own school-based officer training curriculum to ensure that these officers have the skills to be successful in the school environment.

176. Council of State Governments Justice Center, "Survey of National Association of School Resource Officers Members" and "Survey of Major Cities Chiefs Association Members;" and conversations with law enforcement practitioners.

177. With funding from the COPS Office, the VTV Family Outreach Foundation will partner with Virginia Tech's Center for Applied Behavior Systems to develop an SRO curriculum that incorporates the Actively Caring for People (AC4P) framework, "based on behavioral and psychological science" while "[t]he primary objective of the SRO training development is to expand the knowledge base for SROs and those that select, hire, train, and manage them in order to set a national standard for their role in school safety. The long-term outcomes include the creation and enhancement of safe schools that promote a supportive and inclusive climate that address safety issues with both proactive and reactive intervention." "VTV Partners with Virginia Tech to Develop National Training Model for School Resource Officers," 32ncsi.org/news/vtv-partners-with-virginia-tech-to-develop-a-national-training-model-for-school-resource-officers.

178. Adapted primarily from NASRO Basic SRO Course curriculum as well as conversations with other school-based officer practitioners, review of the literature, curricula provided by various agencies, and discussion with experts in the field.

179. In addition to comprehensive curricula, there are also a number of organizations and trainers that provide topic-specific guidance, for example on legal issues. See, e.g., "International Association of Chiefs of Police Juvenile Justice Training and Technical Assistance Program," theiacp.org/juvenilejustice; "Strategies for Youth: Training," strategiesforyouth.org/for-police/training ; "Street Law: Trainings & Events," streetlaw.org/en/events ; as well as several individual law firms and consultants. Also see the Information Sharing section of the report for details on the information-sharing certificate program offered by Georgetown University.

180. Uchida, C.D. et al., *School-Based Partnerships: A Problem-Solving Strategy* (Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services, 2006); Kenney and Watson, *Crime in the Schools: Reducing Conflict;* Rich, Finn, and Ward, *Using School COP.*

181. Briers, A., "School-Based Police Officers: What Can the UK Learn from the USA?," *International Journal of Police Science & Management* 5, no. 2 (2003): 129–142.

182. Fowler et al., *Texas' School to Prison Pipeline.*

183. Conversations with advisory group members and review of the literature; Warners, R.H., "The Field Training Experience: Perspectives of Field Training Officers and Trainees," *Police Chief,* November 2010, policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=2246&issue_id=112010.

184. Kim and Geronimo, *Policing in Schools*.

185. *Ibid.;* see also Council of State Governments Justice Center, "Survey of National Association of School Resource Officers Members."

186. Finn et al., "Chapter 7" and "Chapter 8."

187. GREAT is an evidence-based gang and violence prevention program that is delivered through school-based law enforcement-instructed curricula. For more information visit great-online.org.

188. There are many types of active shooter/emergency response training for law enforcement officers and other first responders. A popular program is Advanced Law Enforcement Rapid Response Training (ALERRT). For more information visit alerrt.org. See also, endnote 3.

189. CPTED is the subject of training on exploring environmental features and making changes to them to reduce the fear of crime and actual crime incidents. For more information, see "Crime Prevention Trough Environmental Design Training Program," ncpc.org/training/training-topics/crime-prevention-through-environmental-design-cpted- . See also "Crime Prevention Through Environmental Design," cpted.net ; Zahm, D., *Using Crime Prevention Through Environmental Design in Problem-Solving* (Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services, 2007); Heinzelmann, F. and Fleissner, D., *Crime Prevention Through Environmental Design and Community Policing* (Washington, DC: U.S. Department of Justice, National Institute of Justice, 1996); Plaster-Carter, S., Carter, S.L., and Dannenberg, A.L., "Zoning Out Crime and Improving Community Health in Sarasota, Florida: 'Crime Prevention Through Environmental Design,'" *American Journal of Public Health* 93, no. 9 (2003): 1442–1445; Crowe, T., *Crime Prevention Through Environmental Design,* ed. 2 (Woburn, MA: Butterworth-Heinemann, 2000); Virginia Crime Prevention Association, *Safety by Design: Creating a Safer Environment in Virginia* (Richmond, VA: Virginia Crime Prevention Association, 2005).

190. See, e.g., "Crisis Intervention Teams (CIT)," nami.org/template.cfm?section=CIT2.

191. For its 40-hour Basic Training class FCPTI selects instructors who are currently involved in SRO work in the field to lead the course. FCPTI also brings in content knowledge experts to lead specific portions of the discussion.

192. Finn et al., *Comparison of Program Activities and Lessons Learned.*

193. *Ibid.*

194. See legal issues discussion in Policy Statement IV, Recommendation 1.

195. See endnote 3 for additional resources on critical incident management, crisis planning, and school safety planning.

196. "Juvenile Justice Training and Technical Assistance Program," theiacp.org/juvenilejustice .

197. "International Association of Chiefs of Police: Juvenile Justice and Child Protection Online Training Portal."

198. "Partnerships for Safe Schools," theiacp.org/portals/0/pdfs/PartnershipsForSafeSchoolsCourseDescription.pdf.

199. Finn et al., *Comparison of Program Activities and Lessons Learned;* Raymond, *Assigning Police Officers to Schools;* Clark, "The Role of Law Enforcement in Schools," 89–101.

200. For example, many urban districts such as Los Angeles Unified School District and Baltimore City Public Schools have their own dedicated police forces within the school district to which school police officers report, while others, such as the Chicago Police Department, have a division within the municipal police department exclusively devoted to school police. Municipal and county agencies may have individuals, units, or other designated liaisons or officers assigned to schools who may be supervised by different positions in the agency (e.g., patrol supervisor, special school unit supervisor).

201. Regardless of structure, efforts should be made to improve supervision of SROs. See, e.g., Thurau and Wald "School-to-Prison Pipeline Symposium, Controlling Partners," 977-1020.

202. Kochel, Laszlo, and Nickles, *SRO Performance Evaluation.*

203. Clark, "The Role of Law Enforcement in Schools," 89-101.

204. List is compiled through a review of existing supervision protocols, discussions with practitioners and experts, and a review of available literature, including: Uchida, *Measuring the Performance of School Resource Officers.*

205. See endnote 150.

206. See, e.g., Kochel, Laszlo, and Nickles, *SRO Performance Evaluation;* Uchida, *Measuring the Performance of School Resource Officers.*

207. New Jersey v. T.L.O., 469 U.S. 325, 341-42 (1985) ("[T]he legality of a search of a student should depend simply on the reasonableness, under all the circumstances, of the search. Determining the reasonableness of any search involves a twofold inquiry: first, one must consider 'whether the action was justified at its inception'; second one must determine whether the search as actually conducted 'was reasonably related in scope to the circumstances which justified the interference in the first place'. Under ordinary circumstances, a search of a student by a teacher or other school official will be 'justified at its inception' when there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. Such a search will be permissible in its scope when the measures adopted are reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.") (emphasis added) (citations omitted) (internal quotation marks omitted). See also, Safford Unified School Dist. v. Redding, 557 U.S. 364 (2009). For a useful resource on school-based and other officers' legal mandates see Juvenile Defense Network, Youth Advocacy Division – Committee for Public Council Services, *School Search and Seizure: An Overview of the Law* (Fall River: Youth Advocacy Division, 2010).

208. See also, Thurau and Wald "School-to-Prison Pipeline Symposium, Controlling Partners," 977–1020; Pinard, M., "From the Classroom to the Courtroom: Reassessing Fourth Amendment Standards in Public School Searches Involving Law Enforcement Authorities," *Arizona Law Review 45*, no. 4 (2003): 1067–1124. For a comprehensive review of the literature as well as analyses of court cases on student searches by officers, see Cavanaugh Jr., M.R., *The "Worst of Both Worlds": Increased Law Enforcement Presence, Reasonable Suspicion, and Searches of Students in Public Schools* (Huntsville: Sam Houston State University, 2012).

209. States and local authorities can also institute a more protective standard. See, e.g., In re: Dominic W., 426 A.2d 432 (Md. Ct. Spec. App. 1981) (citing to Maryland legislature requiring school officials to have probable cause before searching students).

210. Kim and Geronimo, *Policing in Schools.*

211. Pinard, "From the Classroom to the Courtroom," 1067–1124. See, e.g., State v. Tywayne H., 933 P.2d 251, 255 (N.M. Ct. App. 1997) (applying probable cause standard where two police officers providing security at school dance initiated a search and had only minimal contact with school officials); State v. Angelia D.B. In the Interest of Angelia D.B., 564 N.W.2d 682, 690 (Wis. 1997); Patman v. State, 537 S.E.2d 118, 120 (Ga. Ct. App. 2000).

212. New Jersey v. T.L.O., 469 U.S. 325, 340–1 (1985).

213. *Id.* at 343.

214. See, e.g., State v. Serna, 860 P.2d 1320, 1323-25 (Ariz. 1993) (applying reasonable suspicion standard to public high school security personnel employed by the school and considered agents of the principal); T.S. v. State, 863 N.E.2d 362 (Ind. App. 2007) (applying reasonable suspicion standard to police officer employed by school); In re Steven A., 764 N.Y.S.2d 99 (N.Y. App. Div. 2003) (applying reasonable suspicion standard for civilian employed of police department assigned exclusively to school security); State v. Tywayne H., 933 P.2d 251 (N.M. Ct. App. 1997) (applying probable cause standard to law enforcement officers employed by police department and stationed at school dance who acted on their own discretion); Com. V. J.B., 719 A.2d 1058, 1065–66 (Pa. Super. Ct. 1998) (holding police officer to "reasonable suspicion" standard because police officer was employed by school); In re. J.F.M., 607 S.E.2d 304, 307 (N.C. App. 2005) (reasonable suspicion standard applies to situations in which SRO, acting in conjunction with school officials, detains a student on school premises); Pitman v. State, 537 S.E.2d 118, 120 (Ga. 2000) (applied probable cause standard to police officer working on special assignment in school). See generally Pinard, *supra.*

215. See, e.g., T.S., 863 N.E.2d at 371; In re William V., 111 Cal.App.4th 1464, 1469–1471 (2003); State v. D.S., 685 So.2d 41, 43 (Fla. Dist. Ct. App. 1996); People v. Dilworth, 661 N.E.2d 310, 317 (Ill. 1996) (applying reasonable suspicion standard to police liaison officer working full-time at alternative school to handle both discipline problems and criminal activity); J.B., 719 A.2d at 1066 (individualized searches of students by school officials, including school resource officers, are subject to reasonable suspicion standard under the Pennsylvania Constitution). But see State v. Scott, 630 S.E.2d 563 (Ga. 2006) (school resource officer is considered a law enforcement officer, not a school official, for 4th Amendment purposes).

216. S.A. v. State, 654 N.E.2d 791, 795 (Ind. Ct. App. 1995) (reasonable suspicion applies to searches by police officer employed by Indianapolis Public Schools Police Department); Wilcher v. State, 876 S.W.2d 466, 468–69 (Tex. Ct. App. 1994) (upholding search based on reasonable suspicion by officer employed by Houston Independent School District); In Interest of S.F., 607 A.2d 793, 796 (Pa. Super. Ct. 1992) (upholding search, based on reasonable suspicion, by police officer employed by the School District of Philadelphia).

217. See, e.g., Martens v. Dist. No. 22, 620 F. Supp. 29, 31 (N.D. Ill. 1985) (in this civil action, court held probable cause was not required where a sheriff's deputy, who was at the school on an unrelated matter and who encouraged student to cooperate in search, did not assist in developing the facts that motivated the search and did not direct the search); State v. N.G.B., 806 So. 2d. 567, 568 (Fla. Dist. Ct. App. 2002) (holding that reasonable suspicion applied to school resource officer's search even though the officer was "not a school official" and was employed by a law enforcement agency because a teacher initiated the investigation and asked officer to help search a student for drugs).

218. See, e.g., In re D.D., 554 S.E.2d. 346, 352-353 (N.C. Ct. App. 2001).

219. See, e.g., In re Josue T., 989 P.2d 431, 435–38 (N.M. 1999) (reasonable suspicion standard applies to search by SRO at request of school official); D.S., 685 So.2d at 43 (school board police officers who participate in searches initiated by school officials or who act on their own authority need only reasonable suspicion); In Interest of Angelia D.B., 564 N.W.2d at 690–91 (same).

220. See, e.g., State v. McKinnon, 558 P.2d 781, 784-85 (Wash. 1977) (applying "reasonable suspicion" standard for search performed by school principal based on tip from police department because law enforcement "merely relayed information" and did not instigate or direct the search).

221. See, e.g., Patman v. State, 537 S.E.2d at 120 (search conducted by a police officer on special assignment held to "probable cause" standard); State v. Tywayne H., 933 P.2d 251 (N.M. Ct. App. 1997) (law enforcement officers employed by police department and stationed at school dance held to "probable cause" standard).

222. See, e.g., State v. K.L.M., 628 S.E.2d 651, 653 (Ga. 2006) (applying probable cause standard to police officer even though search initiated by school official); A.J.M. v. State, 617 So.2d 1137, 1138 (Fla. App. 1993) (applying probable cause standard to school resource officer, paid by sheriff's office, who conducted search at request of principal). But see State v. N.G.B., 806 So.2d at 569 (disagreeing with A.J.M. v. State).

223. State v. Heirtzler, 789 A.2d 634, 638-41 (N.H. 2001); F.P. v. State, 528 So.2d 1253, 1254 (Fla. App. 1988); D.S., 685 So.2d at 43; M.J. v. State, 399 So.2d 996, 998 (Fla. App. 1981); Picha v. Wielgos, 410 F. Supp. 1214, 1219-21 (N.D. Ill. 1976).

224. See, e.g., Martens, 620 F. Supp. at 32 (school officials had reasonable suspicion to search a student after an anonymous tip from a parent claiming her daughter had purchased marijuana from the student); McKinnon, 558 P.2d at 785 (school officials had reasonable grounds to search a student based on an anonymous tip called into the police department). *But see In re A.T.H.,* 106 S.W.3d 338, 343–45 (Tex. App. 2003) (school security officer's pat-down search of student was not justified at its inception because an anonymous tipster provided the location and physical description of the student, but no knowledge of concealed criminal activity).

225. "Preemptive" school suspension for non-school related allegations is almost always inappropriate absent exigent and articulated safety reasons. It is also usually not allowed in many school jurisdictions by virtue of regulation, statute, or school policy; however reports from the ACLU, the NY Civil Liberties Union and the Civil Rights Project at UCLA note that youth have experienced these actions. Kim and Geronimo, *Policing in Schools;* Mukherjee and Karpatkin, *Criminalizing the Classroom;* Losen and Martinez, *Out of School & Off Track.*

226. For more information on privacy safeguards, see the Information Sharing chapter.

227. "Survey of National Association of School Resource Officers Members."

228. The "Survey of Major Cities Chiefs Association Members" was conducted in September 2013. Thirty-nine respondents representing 19 states and Canada responded to the survey. The information was supplemented by interviews with agencies across the nation and with feedback from NASRO members. Council of State Governments Justice Center, School Discipline Consensus Project: "Survey of Major Cities Chiefs Members."

229. This is in keeping with surveys of SROs conducted in Massachusetts. See Thurau and Wald "School-to-Prison Pipeline Symposium, Controlling Partners," 977–1020.

230. See, e.g., "Memorandum of Agreement: The Safe, Health, Attitudes Require Education (SHARE) Project: Preliminary Memorandum of Agreement between the LEAs, Law Enforcement, Juvenile Justice, Mental Health and Community Partners," promoteprevent.org/sites/www.promoteprevent.org/files/resources/mou_broom_-school%20distrtict%20multi%20agency.pdf.

231. The agreement can be found at ctjja.org/resources/word/JJAC-Model-MOA-June-2011.doc. As of the 2011–2012 school year, nine agencies had implemented the MOU "School/Police Grant Awards 2011 and 2011/2012," ct.gov/opm/lib/opm/cjppd/cjjjyd/programschoolpolice/schoolpolicegrantawards20112011-2012.doc.

232. See "Office of Policy and Management: Juvenile Justice & Youth Development)," ct.gov/opm/cwp/view.asp?a=2974&Q=471720#PYAwards (click School Police Awards for FY 2013/2014).

233. Currently, the Bridgeport MOA is not available online. For more information, see Sullivan, M. and Bleasdale, T., *Memoranda of Understanding and School Resource Officers* (Hartford, CT: Office of Legislative Research, 2014).

234. For more information on Denver's MOU, see "Summary of 2013 Intergovernmental Agreement Between DPS and DPD," b.3cdn.net/advancement/e746ea2668c2ed19b3_urm6iv28k.pdf.

235. See "Collaborative Agreement on School Discipline," .browardprevention.org/wp-content/uploads/2013/10/Collaborative-Agreement-on-School-Discipline.pdf.

236. S.C. Muffler (Assistant General Counsel, Broward Sheriff's Office), in discussions with CSG Justice Center Director for Strategic Initiatives Martha Plotkin, March 26, 2014.

237. For more information on the PROMISE Program, see "PROMISE," browardprevention.org/behavior/promise. For more on the Broward County Civil Citation Program, see "Civil Citation Program," broward.org/HumanServices/CivilCitation/Pages/Default.aspx.

238. Muffler, in discussion with Plotkin.

239. Robinson, M.E. and Zipp-Mclaughlin, A., *At the Intersection of School Safety and Supportive Discipline: Navigating the Roles and Responsibilities of School Resource Officers* (Washington, DC: Safe Supported Learning Webinar, 2013).

240. Texas Association of School Boards, *School-Based Law Enforcement* (Austin, TX: Texas Association of School Boards, 2012); Tex. Educ. Code. Ann. § 37.081 (West 2013).

241. The MOU is available at boarddocs.com/tx/misd/Board.nsf/Meetings/Public/Current5/3708a405356f459f872574dd006935b7/$FILE/102808%20MOU%20MISD%20PD_COM%20PD.pdf.

242. Losen, D., Hewitt, D., and Toldson, I., *Eliminating Excessive and Unfair Exclusionary Discipline in Schools: Policy Recommendations for Reducing Disparities* (Bloomington, IN: Discipline Disparities: A Research-to-Practice Collaborative, 2014).

243. As the Introduction to this report suggests, it is even more difficult to determine how many youth who have been suspended or expelled are coming into contact with officers on the street during school hours or are being victimized while excluded from school. This data would also help reveal the impact of suspensions, expulsions and anti-truancy policies.

244. See, e.g., Rosiak, "Sustaining the SRO Position," 9–11; Finn et al., "Chapter 7" and "Chapter 8."

245. See Birmingham City Schools Collaborative, "Collaborative Agreement," njjn.org/uploads/digital-library/resource_1381.pdf.

COURTS AND JUVENILE JUSTICE

1. Nationally, juvenile arrest rates decreased 31 percent from 2002 to 2011. For more information on juvenile arrest rates across offense types see Puzzanchera, C., "Juvenile Arrests 2011," *Juvenile Offenders and Victims: National Report Series Bulletin,* ojjdp.gov/pubs/244476.pdf.

2. Between 1997 and 2011, the total number of youth detained or committed nationally dropped by 41 percent. See "Easy Access to the Census of Juveniles in Residential Placement: 1997-2011," ojjdp.gov/ojstatbb/ezacjrp/. For the purposes of this report "confinement" refers to juvenile detention facilities (primarily pre-disposition), secure and unsecure residential placements, and post-disposition correctional facilities.

3. See Pew's "Percent Change in Juvenile Commitment by State (1997–2011)" graphic at pewstates.org/uploadedFiles/PCS_Assets/2013/PSPP-Latest-Data-Show-Juvenile-Confinement-Continues-Rapid-Decline-Page-2.pdf and related issue brief at pewstates.org/uploadedFiles/PCS_Assets/2013/PSPP-Latest-Data-Show-Juvenile-Confinement-Continues-Rapid-Decline.pdf. Also see Puzzanchera, "Juvenile Arrests 2011," see page 10 for arrest rates by state.

4. Of the estimated 137,000 petitioned status offense cases in the United States in 2010, youth were detained in nearly 8 percent of cases (10,400). Puzzanchera, C. and Hockenberry, S., *Juvenile Court Statistics 2010* (Pittsburgh, PA: National Center for Juvenile Justice, 2013).

5. *Ibid.*

6. See "State Truancy Laws," truancyprevention.org/truancy-state-laws.

7. In Texas, the juvenile probation officials conduct intake processes for the court system. The Texas Juvenile Justice Department, The *State of Juvenile Probation Activity in Texas: Calendar Year 2011* (Austin: Texas Juvenile Justice Department, 2013), 28.

8. Florida Department of Juvenile Justice, *Delinquency in Florida's Schools: A Seven-Year Study (FY 2004–05 through FY 2010–11)* (Tallahassee: Florida Department of Juvenile Justice, 2011), 4.

9. Krezmien, M.P. et al., "Juvenile Court Referrals and the Public Schools: Nature and Extent of the Practice in Five States," *Journal of Contemporary Criminal Justice* 26, no. 3 (2010): 273–293. The study focused on school referrals to juvenile courts in five states from 1995 to 2004. See Ibid. at 283.

10. Altschuler, D. et al., "Symposium: The Intersection of Juvenile Justice and Poverty," (symposium at Georgetown University Journal on Poverty Law and Policy, Washington, DC, March 26, 2009).

11. See a summary of In re Gault, 387 U.S. 1 (1967), at "Facts and Case Summary: In Re Gault," uscourts.gov/educational-resources/get-involved/constitution-activities/sixth-amendment/right-counsel/facts-case-summary-gault.aspx.

12. For more information on the juvenile justice process, see OJJDP's Case Flow Diagram at "Case Flow Diagram," ojjdp.gov/ojstatbb/structure_process/case.html.

13. See Models for Change Juvenile Indigent Defense Action Network (JIDAN) resources at "Juvenile Indigent Defense Action Network (JIDAN)," modelsforchange.net/about/Action-networks/Juvenile-indigent-defense.html?utm_source=%2faction%2findigent&utm_medium=web&utm_campaign=redirect.
See also Fabelo, T., Reynolds, C., and Tyler, J., *Improving Indigent Defense: Evaluation of the Harris County Public Defender* (New York: Council of State Governments Justice Center, 2013); Models for Change, *Innovation Brief: Raising the Standards of Juvenile Indigent Defense* (Philadelphia: Juvenile Law Center, 2011).

14. Carmichael, D., Whitten, G., and Voloudakis, M., *Study of Minority Over-Representation in the Texas Juvenile Justice System* (College Station, TX: Public Policy Research Institute, Texas A&M University, 2005); Children's Defense Fund, *School Suspension: Are They Helping Children? A Report* (Cambridge, MA: Washington Research Project, 1975); Losen, D.L. and Gillespie, J., *Opportunities Suspended: The Disparate Impact of Disciplinary Exclusion from Schools* (Los Angeles: Civil Rights Project at UCLA, 2012); Texas Appleseed, *Texas' School-to-Prison Pipeline: Dropout to Incarceration: The Impact of School Discipline and Zero Tolerance* (Austin: Texas Appleseed, 2007); Texas Appleseed, *Texas' School-to-Prison Pipeline: School Expulsion: The Path from Lockout to Dropout* (Austin: Texas Appleseed, 2010); Office of Juvenile Justice and Delinquency Prevention, *In Focus: Disproportionate Minority Contact* (Washington, DC: Office of Juvenile Justice and Delinquency Prevention, 2012).

15. Sweeten, G., "Who Will Graduate? Disruption of High School Education by Arrest and Court Involvement," *Justice Quarterly* 23, no. 4 (2006): 462–480.

16. Hirschfield, P., "Impact of Juvenile Justice Involvement on Educational Outcomes," (Ph.D. dissertation., Northwestern University, 2003).

17. Aizer, A. and Doyle Jr., J., *Juvenile Incarceration, Human Capital and Future Crime: Evidence from Randomly-Assigned Judges* (NBER Working Paper 19102) (Cambridge, MA: National Bureau of Economic Research, 2013).

18. States have different laws regarding mandatory reporting of youth offenses on school campuses. For example, Virginia's law requires school officials to report to law enforcement (not juvenile court) a wide array of offenses, but does not require law enforcement to file charges. VA. CODE ANN. § 22.1-279.3:1 (2013). Under CAL. EDUC. CODE § 48902 (Deering 2013), school administrators

must notify law enforcement following certain student offenses including assault crimes committed with a deadly weapon, firearm, or by force likely to produce great bodily injury.

19. For an example of a "summons in lieu of transport" program see the Shelby County Juvenile Court cooperative program between the Memphis Schools, Memphis Police Department and the Juvenile Court in United States Department of Justice Civil Rights Division, *Investigation of the Shelby County Juvenile Court* (Washington, DC: U.S. Department of Justice, 2012), 6.

20. See endnote 14, Carmichael, D., Whitten, G., and Voloudakis, M., Study of Minority Over-Representation in the Texas Juvenile Justice System (College Station, TX: Public Policy Research Institute, Texas A&M University, 2005); Losen, D.L. and Gillespie, J., Opportunities Suspended: The Disparate Impact of Disciplinary Exclusion from Schools (Los Angeles: Civil Rights Project at UCLA, 2012); Texas Appleseed, Texas' School-to-Prison Pipeline: Dropout to Incarceration: The Impact of School Discipline and Zero Tolerance (Austin: Texas Appleseed, 2007) Office of Juvenile Justice and Delinquency Prevention, In Focus: Disproportionate Minority Contact (Washington, DC: Office of Juvenile Justice and Delinquency Prevention, 2012). See also "Juvenile Justice Information Exchange: Resources," jjie.org/hub/racial-ethnic-fairness/resources/; "OJJDP's DMC Virtual Resource Center," nttac.org/index.cfm?event=dmc.modelResource; Davis, J. and Sorensen, J. R., "Disproportionate Minority Confinement of Juveniles: A National Examination of Black-White Disparity in Placements, 1997–2006," *Crime & Delinquency* 59, no. 1 (2013): 115–139; Snyder, H.N., *Juvenile Arrests 2006* (Washington, DC: Office of Juvenile Justice and Delinquency Prevention, 2006).

21. Nicholson-Crotty, S., Birchmeier, Z., and Valentine, D., "Exploring the Impact of School Discipline on Racial Disproportion in the Juvenile Justice System," *Social Science Quarterly 90*, no. 4 (2009): 1003–1018; Fabelo et al., *Breaking Schools' Rules: A Statewide Study on How School Discipline Relates to Students' Success and Juvenile Justice Involvement* (New York: Council of State Governments Justice Center, 2011); Leone, P.E., Drakeford, W., and Meisel, S.M., "Special Education Programs for Youth with Disabilities in Juvenile Corrections," *Journal of Correctional Education* 53, no. 2 (2002): 46–50. See also forthcoming (August 2015) OJJDP-funded Texas A&M study that links all education records in the state of Texas from 1999 to 2011 with juvenile justice records to investigate the extent to which school discipline involvement predicts juvenile justice contact.

22. Hunt, J., and Moodie-Mills, A., *The Unfair Criminalization of Gay and Transgender Youth: An Overview of the Experiences of LGBT Youth in the Juvenile Justice System* (Washington, DC: Center for American Progress, 2012). See also Mitchum, P. and Moodie-Mills, A.C., *Beyond Bullying: How Hostile School Climate Perpetuates the School-to-Prison Pipeline for LGBT Youth* (Washington DC: Center for American Progress, 2014); Irvine, A., "'We've Had Three of Them': Addressing the Indivisibility of Lesbian, Gay, Bisexual and Gender Non-Conforming Youths in the Juvenile Justice System," *Columbia Journal of Gender and Law* 19, no. 3 (2010): 676–701.

23. The 2013 survey of state court administrators was conducted for the CSG Justice Center Consensus Project. The Justice Center collaborated with the National Center for State Courts (NCSC) to survey state court administrators involved with the Conference of State Court Administrators (COSCA).

24. See the National Council of Juvenile and Family Court Judges' (NCJFCJ's) project to engage juvenile court judges on issues related to school discipline and juvenile justice involvement at ncjfcj.org/ncjfcj-launch-new-project-keep-kids-school-and-out-court. The project, Judicially Led Responses to Eliminate Pathways to the Juvenile Justice System (School Pathways Project), is a three-year effort (October 2012–September 2015) and is supported by OJJDP, Atlantic Philanthropies, Open Society Foundation, and Public Welfare Foundation.

25. For recommendations and examples related to school-justice partnerships see New York City School-Justice Partnership Task Force, *Keeping Kids In School and Out of Court: Report and Recommendations* (New York: New York City School-Justice Partnership Task Force, 2013). Additional resources are available on the NY Courts School-Justice Partnership at nycourts.gov/ip/justiceforchildren/school-justice.shtml.

26. See the University of Washington's forthcoming (2016) OJJDP-funded study that investigates the quality and accessibility of education for juvenile justice-involved youth, with a particular focus on short-term detention facilities.

27. See, e.g., Domenici, D. and Forman, Jr., J., "What It Takes to Transform a School Inside a Juvenile Facility: The Story of the Maya Angelou Academy" in *Justice for Kids: Keeping Kids Out of the Juvenile Justice System*, ed. N. Dowd (New York: NYU Press, 2011).

28. Stephens, R.N. and Arnette, J.L., *From the Courthouse to the Schoolhouse: Making Successful Transitions* (Washington, DC: U.S. Department of Justice, 2000), 1, 4.

29. In Texas, school districts may directly refer students to juvenile court under the following circumstances: when a student is expelled (Tex. Fam. Code Ann. § 52.041 (2013)); when a student commits felony level criminal mischief, whether or not there is an expulsion (Tex. Educ. Code Ann. § 37.007(b)); when a student is expelled from a disciplinary alternative education program (DAEP) (Tex. Fam. Code Ann. § 52.041 and Tex. Educ. Code Ann. § 37.010(b)); or, when a student commits truancy under Tex. Fam. Code Ann. § 51.03(b)(2), but only after certain truancy prevention measures have been tried and failed (Tex. Educ. Code Ann. § 25.0915).

30. See, e.g., the work of Judge Judith Kaye on school-justice partnerships. Judge Kaye organized a New York State school-justice partnership summit, with recommendations released in May 2013; New York City School-Justice Partnership Task Force, *Keeping Kids In School and Out of Court*. A national summit was held in Fall 2012 as well (web tools are available at school-justicesummit.org/about/about.cfm). See also, Ending the School to Prison Pipeline: Hearing Before the Senate Subcomm. on Constitution, Civil Rights, and Human Rights (December 2012) (Judge Steve Teske's testimony pps 29-33 and 71-79 at gpo.gov/fdsys/pkg/CHRG-112shrg86166/pdf/CHRG-112shrg86166.pdf).

31. Examples in this report of offenses for which police may intervene come from advisory group discussions and include offenses defined in state statutes as delinquent acts. Some of these statutory offenses have been ill defined, such as "disruption of class"

or "interference with or disruption of an educational institution." See, e.g., Texas Appleseed, *Ticketing & Arrest Data Update;* D. Lieberman, "Schoolhouse to Courthouse," *New York Times,* December 8, 2012; Dahlberg, R.L., *Arrested Futures: The Criminalization of School Discipline in Massachusetts' Three Largest School Districts* (New York: ACLU, 2012).

32. Shubik, C. and Kendall, J., "Rethinking Juvenile Status Offense Laws: Considerations for Congressional Review of the Juvenile Justice and Delinquency Prevention Act," *Family Court Review* 45, no. 3 (2007): 384–398. See the Vera Institute's Status Offense Reform Center at statusoffensereform.org.

33. Kirk, D.S. and Sampson, R.J., "Juvenile Arrest and Collateral Educational Damage in the Transition to Adulthood," *Sociology of Education 86*, no. 1 (2013): 36–62.

34. Carmichael, Whitten, and Voloudakis, *Study of Minority Over-Representation in the Texas Juvenile Justice System; Fabelo et al., Breaking Schools' Rules;* Aizer and Doyle Jr., *Juvenile Incarceration, Human Capital and Future Crime.*

35. Referral source information for each state is available on the National Juvenile Court Data Archive State Variable List Guide at ojjdp.gov/ojstatbb/njcda/asp/guide.asp.

36. The OCR data collection for the 2011–12 school year was collected from every public school and school district in the country. The school- and district-level data collected by the OCR was posted in March 21, 2014 on the U.S. Department of Education Office of Civil Rights website at ocrdata.ed.gov.

37. See, e.g., the work of Judge Judith Kaye on school-justice partnerships. Judge Kaye organized a New York State school-justice partnership summit, with recommendations released in May 2013: New York City School-Justice Partnership Task Force, *Keeping Kids In School and Out of Court.*

38. See "Texas Juvenile Justice Department: Statistics," tjjd.texas.gov/statistics/statisticsdetail.aspx.

39. See Florida data on delinquency in schools (number of arrests received by the Department of Juvenile Justice for offenses that are identified as occurring at school) at djj.state.fl.us/research/reports/delinquency-in-schools.

40. Some research is looking into estimating the cost of referring a youth to juvenile courts, as well as the cost to police and courts of cases dismissed, although these costs are difficult to estimate and thus not recommended in this report as a mandatory data indicator for juvenile courts.

41. See Henry, D.A., *Pathways to Juvenile Detention Reform: Reducing Unnecessary Delay-Innovations in Case Processing* (Baltimore: Annie E. Casey Foundation, 1999).The cost per day of pre-adjudication detention varies widely across local facilities and states. For guidance on how to calculate average costs of detention see National Juvenile Justice Network, *Fiscal Policy Center Toolkit: How to Calculate the Average Costs of Detaining a Youth* (Washington, DC: National Juvenile Justice Network, 2013). Also see Justice Policy Institute, *The Costs of Confinement: Why Good Juvenile Justice Policies Make Good Fiscal Sense* (Washington, DC: Justice Policy Institute: 2009).

42. Holman, B. and Ziedenberg, J., *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Congregate Facilities* (Washington, DC: Justice Policy Institute, 2011).

43. This table is based on Texas Legislative Budget Board 2010 internal analysis of disciplinary propensity across Texas school districts.

44. See Conditions for Learning and Targeted Behavioral Interventions chapters for discussions on alternative strategies for managing student behavior.

45. Data for Figure 2 was provided by Hon. Steven Teske in January 2013. Data included counts of Clayton County juvenile court cases that came from schools from 1995 to 2012.

46. Judge S. Teske (Judge, Jonesbro, GA), in discussion with C. Reynolds, March 25, 2014.

47. Cornell, D., *The Virginia Model for Student Threat Assessment* (paper presented at the Public Entity Risk Institute Conference, Fairfax, Virginia, October 2007). In 2002, the U.S. Secret Service and U.S.Department of Education released *Threat Assessment in Schools: A Guide to Managing Threating Situation and Creating Safe School Climates* (see full report at secretservice.gov/ntac/ssi_guide.pdf). Cornell's Virginia Threat Assessment Model draws on and is consistent with the guidelines put forward by the Secret Service and U.S. Department of Education. Cornell's model, however, further refined the federal guidelines through rigorous field testing with teachers and administrators in Virginia.

48. See Senator Whitmire's bill, S.B. 1114, 83d Leg. Sess. (Tx. 1114) at capitol.state.tx.us/BillLookup/Text.aspx?LegSess=83R&Bill=SB1114. SB 1114 put an end to the ticketing of students for Class C misdemeanor offenses on school campuses including disruption of class, disorderly conduct, disruption of transportation, truancy, and simple assaults. See also Texas Appleseed, Texas' School-to-Prison Pipeline: Ticketing, Arrest & Use of Force in Schools: How the Myth of the "Blackboard Jungle" Reshaped School Disciplinary Policy (Austin: Texas Appleseed, 2010).

Parents in certain states may also be penalized for a student's truancy. In Michigan, for example, if a student receives a truancy citation and fails to appear in court, or if a youth is persistently truant, a parent may be charged with a misdemeanor for failure to comply with compulsory school attendance laws. See, e.g., T. Perkins, "First Reading of Truancy Ordinance Targeting Parents with Kids Passes; More 'Teeth' Promised," MLive, March 1, 2014. Also see overview of Michigan Attendance Laws (Mich. Comp. Laws Serv. § 380.1571–380.1599 (2013)) at michigan.gov/documents/compulsoryattendance_23182_7.pdf.

49. See South Carolina's Truancy Law, State Board Regulation 43–274, which requires three unlawful absences, evidence of an intervention plan, and documentation of non-compliance before a truancy petition may be filed with the court.

50. See, e.g., the International Association of Chiefs of Police (IACP) youth-focused policing resource center program directory at iacpyouth.org/ProgramDirectory.aspx; and OJJDP exemplary diversion programs at ojjdp.gov/pubs/jaibgbulletin/exemp.html.

51. See Fla. Stat. § 1006.13 (LexisNexis 2013).

52. Fla. Stat. § 985.12 (LexisNexis 2013).

53. See Roberts, T., *Civil Citation* (Tallahassee, FL: Florida Department of Juvenile Justice, 2012).

54. See a map of Florida Civil Citation implementation by county at djj.state.fl.us/docs/probation-policy-memos/counties-with-cc-as-of-feb-2013.pdf?Status=Master&sfvrsn=2. For more information on Florida's civil citation initiative see the civil citation webpage at djj.state.fl.us/partners/our-approach/florida-civil-citation. See also the Civil Citation Dashboard, an interactive database that includes information on use of civil citations by state and county broken down by race, gender, and case type (community or school-based); civil citation offenses; and dispositions of youth eligible for civil citation who were instead arrested at public.tableausoftware.com/views/CC_DASHBOARD/CivilCitationByMonth?:embed=y&:display_count=yes.

55. See annual SHAPE outcome and evaluation studies at scsk12.org/uf/shape/?Letter=S. For more information on SHAPE, visit Annie E. Casey's Juvenile Detention Alternative Initiative (JDAI) Inter-Site Conference (April 2013) slides on the program at jdaihelpdesk.org/intersiteconference2013/Disrupting%20the%20School%20to%20Prison%20Pipeline%20-%20Memphis%20TN%20(2013%20Conference).pdf.

56. See the Shelby County Schools SHAPE MOU at neglected-delinquent.org/sites/default/files/20101122_SHAPEMOU.pdf.

57. For more information on Montgomery County (MD) Teen Court, see "Teen Court," montgomerycountymd.gov/sao/other/TeenCourt.html and "Montgomery County Teen Court," mdtca.org/mdtca-members/montgomery-county-teen-court/.

58. See Vincent, G.M., *Screening and Assessment in Juvenile Justice Systems: Identifying Mental Health Needs and Risk of Reoffending* (Washington, DC: Technical Assistance Partnership for Child and Family Mental Health, 2012); Hammond, S., *Mental Health Needs of Juvenile Offenders* (Denver: National Conference of State Legislators, 2007); American Academy of Child and Adolescent Psychiatry, *Recommendations for Juvenile Justice Reform* (Washington, DC: American Academy of Child and Adolescent Psychiatry, 2001). For additional resources, see "The Center for the Promotion of Mental Health in Juvenile Justice," promotementalhealth.org; "UCLA Center for Mental Health in Schools Clearinghouse: Topic: Juvenile Justice Systems-Mental Health Needs," smhp.psych.ucla.edu/qf/juvenilejustice.htm. For an example of an intake-based diversion program focused on the needs of youth with identified mental health issues, see Texas' Front-End Diversion Initiative Manual at modelsforchange.net/publications/372.

59. The National District Attorneys Association, *National Prosecution Standards: Third Edition with Revised Commentary* (Alexandria, VA: National District Attorneys Association, 2009), 65.

60. For more information see Models for Change, *Juvenile Diversion Guidebook* (Washington, DC: Models for Change, 2011).

61. Dembo, R. and Gulledge, L.M., "Truancy Intervention Programs: Challenges and Innovations to Implementation," *Criminal Justice Policy Review 20*, no. 4 (2009): 437–456; Center for Children Youth and Justice, *Updated Literature Review on Truancy: Key Concepts, Historical Overview, and Research Relating to Promising Practices – with Particular Utility to Washington State* (Seattle: Center for Youth and Justice, 2011).

62. Center for Children Youth and Justice. *Updated Literature Review on Truancy.*

63. *Ibid.*

64. For more information on the Stark County, Ohio Diversion Program, see the overview at starkcountyohio.gov/uploads/81/99/81992a7b3a9d741f732d8654c0e0c9fe/court-programs.pdf.

65. Byer, J.L. and Kuhn, J., "A Model Response to Truancy Prevention: The Louisville Truancy Court Diversion Project," *Juvenile and Family Court Journal 54*, no. 1 (2003): 59–67; Coalition for Juvenile Justice, *Positive Power: Exercising Judicial Leadership to Prevent Court Involvement and Incarceration of Non-Delinquent Youth* (Washington, DC: Coalition for Juvenile Justice, 2012).

66. For more information on BIPs, see the Targeted Behavioral Interventions chapter.

67. 34 CFR § 300.530(e)(3).

68. Bear, G.C., Quinn, M.M., and Burkholder, S., *Interim Alternative Educational Settings for Children with Disabilities* (Bethesda, MD: National Association of School Psychologists, 2001); see also "Regulations by Section: Subpart E-Procedural Safeguards: Discipline Procedures," specialed.us/discoveridea/searchregs/300subpartE/Esec300.529.htm.

69. "Regulations by Section: Subpart E-Procedural Safeguards: Discipline Procedures."

70. "Sharing Information (FERPA)," rems.ed.gov/docs/Training_SD07_FERPA_SharingInfo.pdf.

71. For more information, see Information Sharing chapter, which discusses FERPA and HIPAA compliance.

72. Visit the Virginia Comprehensive Services Act at csa.virginia.gov.

73. Much of the information about this program was gained in an interview with Mary V. Kealy, Ed.D. Assistant Superintendent (September 18, 2013) with CSG Justice Center Senior Research Associate Rebecca Cohen.

74. See, e.g., loudoun.gov/Archive/ViewFile/Item/2806.

75. For more information, see "Resolution to Establish a Countrywide Foster Youth Student Information System (FYSIS in Los Angeles County)," educationcoordinatingcouncil.org/SATF_DOCS/SATF_Legal/Data-Sharing%20Resolution%20%2810-18-2012%29.pdf.

76. Vincent, G.M., Guy, L.S., and Grisso, T., *Risk Assessment in Juvenile Justice: A Guidebook for Implementation* (Washington, DC: Models for Change, 2012).

77. *Ibid.*

78. *Ibid.*

79. For more information on protections for youth, see Rosado, L.M. and Shah, R.S., *Protecting Youth from Self-Incrimination when Undergoing Screening, Assessment and Treatment within the Juvenile Justice System* (Philadelphia: Juvenile Law Center, 2007)

80. *Ibid.*

81. *Ibid.*

82. For more information on Florida's use of screening and assessment tools, see "Positive Achievement Change Tool (PACT)," djj.state.fl.us/partners/our-approach/PACT.

83. See Models for Change, *Juvenile Diversion Guidebook.*

84. For more information, see Coalition for Juvenile Justice, *Positive Power.*

85. For additional examples of diversion programs involving community and family participation see the Global Youth Justice's web resource that includes 500 websites related to juvenile justice diversion programs nationwide at globalyouthjustice.org/Youth_Websites.html.

86. See H.B. 6978 (Conn. 2005).

87. For more information on Connecticut's FSCs, see the 2010 overview prepared by the state's judicial branch at statusoffensereform.org/wp-content/uploads/2013/12/Family-Support-Centers-Serving-Families-with-Service-Needs-in-Connecticut.pdf; see also the Coalition for Juvenile Justice (CJJ) write-up of FSCs at Coalition for Juvenile Justice, *Positive Power*, 9–10.

88. For more information on the New York City Adjustment Program see Hamilton, A., "Case Closed," *Child Welfare Watch* 22 (2012): 6–7. Other cities have similar community-based programs, such as Chicago. See, e.g., VanNatta, M. and Jaba, M., "We're In It for the Long Haul": Alternatives to Incarceration for Youth in Conflict with the Law (Chicago: Project NIA, 2013).

89. "OJJDP's Census of Juveniles in Residential Placement: 1997–2011," ojjdp.gov/ojstatbb/ezacjrp/asp/display.asp.

90. National Council on Crime and Delinquency, *And Justice for Some: Differential Treatment of Youth of Color in the Justice System* (Oakland: National Council on Crime and Delinquency, 2007); Huizinga, D. et al., *Disproportionate Minority Contact in the Juvenile Justice System: A Study of Differential Minority Arrest/Referral to Court in Three Cities* (Washington, DC: U.S. Department of Justice, 2007); The Sentencing Project, *Disproportionate Minority Contact* (Washington, DC: Sentencing Project, 2014); Leone, P. and Weinberg, L., *Addressing the Unmet Educational Needs of Children and Youth in the Juvenile Justice and Child Welfare Systems* (Washington, DC: Center for Juvenile Justice Reform, 2010).

91. Sprague, C., *Judges and Child Trauma: Findings from the National Child Traumatic Stress Network/National Council of Juvenile and Family Court Judges Focus Groups* (Los Angeles: National Child Traumatic Stress Network, 2008). See finding that 75 percent of youth in the juvenile justice system have experienced traumatic victimization.

92. Leone, Drakeford, and Meisel, "Special Education Programs," 46–50.

93. The Texas Juvenile Justice Department, *The State of Juvenile Probation Activity in Texas: Calendar Years 2009 & 2010* (Austin: Texas Juvenile Justice Department, 2011), 22.

94. "Detention Centers," djj.state.fl.us/programs-facilities/detention-centers/leon.

95. "Statewide Detention Admissions by: All Data is by State Fiscal Year," jud.ct.gov/statistics/juvdet/Juv_Det_yearly.pdf.

96. Brooks, C.C. and White, *C., Curriculum for Training Educators of Youth in Confinement* (Washington, DC: U.S. Department of Justice, 2000).

97. Domenici and Forman, Jr., "What It Takes to Transform a School Inside a Juvenile Facility."

98. According to ESEA, high quality includes a Bachelor's degree, full certification, and evidence of competence in subject area.

99. Discipline is often not a major issue in juvenile justice classroom settings due in large part to the increased presence of security and restrictions on student movement around a classroom or campus, yet concerns about safety are ever-present.

100. There is a need for more research on how to structure and implement teacher incentive pay more effectively. A 2012 RAND study found no evidence that teacher incentive programs based on student growth (on standardized assessments) improved student outcomes. Springer, M.G. et al., *No Evidence That Incentive Pay for Teacher Teams Improves Student Outcomes: Results from a Randomized Trial* (Santa Monica, CA: RAND Corporation, 2012).

101. See Texas Juvenile Justice Department budget rider (2012-2013 GAA, rider 21, V-37-38, b.) at tjjd.texas.gov/about/LAR2014-2015.pdf.

102. For further recommendations on improving education in juvenile correctional facilities, see Juvenile Law Center, *Recommendations to Improve Correctional and Reentry Education for Young People* (Philadelphia: Juvenile Law Center, 2013).

103. Domenici and Forman, Jr., "What It Takes to Transform a School Inside a Juvenile Facility."

104. For more information on engaging instruction, see the Conditions for Learning chapter.

105. Domenici and Forman, Jr., "What It Takes to Transform a School Inside a Juvenile Facility."

106. For examples of state-aligned curriculum and assessments adjusted for the needs of youth in juvenile correctional facilities, see Los Angeles County Office of Education, *Juvenile Court Schools & Community Day Schools* (Downey, CA: Los Angeles County Office of Education, 2012).

107. For examples of short-term project and theme-based learning approaches in juvenile correctional facilities, see "Maya Angelou Schools: Our Programs," seeforever.org/maya-angelou-public-charter-schools/maya-angelou-academy-at-new-beginnings/our-programs.

108. "Open Educational Resources Commons," oercommons.org.

109. P. Fariborz, "Oregon Leads the Way on Youth Offender Education," Council of Juvenile Correctional Administrators, November 14, 2013, cjca.net/index.php/blog/400-oregon-leads-the-way-on-youth-offender-education.

110. For more information on the Pennsylvania PACTT program visit pacttalliance.us.

111. See Hammond, *Mental Health Needs of Juvenile Offenders;* American Academy of Child and Adolescent Psychiatry, *Recommendations for Juvenile Justice Reform.* For additional resources see "The Center for the Promotion of Mental Health in Juvenile Justice"; "UCLA Center for Mental Health in Schools Clearinghouse: Topic: Juvenile Justice Systems-Mental Health Needs."

112. "American Correctional Association: Standards & Accreditation," aca.org/standards.

113. See "Financial Aid for Postsecondary Students: Accreditation in the United States," ed.gov/admins/finaid/accred/accreditation_pg6.html#NationallyRecognized.

114. For New England Commission standards visit cis.neasc.org/downloads/Standards_only_sa.pdf. For Middle States Commission standards visit msa-cess.org/Customized/uploads/Accreditation/Standards%20for%20Accreditation-Schools%20_2010_.pdf. For North Central Commission standards, Southern Association of Colleges and Schools, and Northwest Commission standards, visit advanc-ed.org/webfm_send/288. For Western Accrediting Commission for Schools visit acswasc.org/about_criteria.htm#wasccriteria.

115. Elementary and Secondary Education Act, 20 U.S.C § 1401 (2013).

116. 20 U.S.C § 1431.

117. Tex. Educ. Code Ann. §§ 30.101, 30.104, 30.106.

118. Texas Legislative Budget Board, *Guide to Performance Measure Management 2012 Edition* (Austin: Texas Legislative Budget Board, 2012).

119. ESEA funds for improving basic programs operated by LEAs at "Financial Aid for Postsecondary Students: Improving Basic Programs Operated by Local Educational Agencies (Title I, Part A)," ed.gov/programs/titleiparta/index.html.

120. "Financial Aid for Postsecondary Students: Improving Teacher Quality State Grants," ed.gov/programs/teacherqual/hqt.html.

121. "Part B of IDEA: Services for School-Aged Children," nichcy.org/laws/idea/partb.

122. "The Carl D. Perkins Vocational and Technical Education Act, Public Law 105-332," ed.gov/offices/OVAE/CTE/perkins.html.

123. See Tex. Educ. Code Ann. § 28.025(a) (high school diploma programs); Tex. Educ. Code Ann. § 39.025 (end of course assessments).

124. See the CSG Justice Center's *Juvenile Justice White Paper* (forthcoming) and "Starting a Reentry Initiative," csgjusticecenter.org/reentry/issue-areas/starting-a-reentry-initiative.

125. The Sentencing Project, *Youth Reentry* (Washington, DC: Sentencing Project, 2012); Richardson, T., DiPaola, T., and Gable, R.K., "Former Juvenile Offenders Re-enrolling Into Mainstream Public Schools" (paper presented at the 43rd annual meeting of the Northeastern Educational Research Association, Rocky Hill, CT, October 18, 2012); Sweeten, G., Bushway, S., and Paternoster, R., "Does Dropping Out of School Mean Dropping into Delinquency?," *Criminology* 47, no. 1 (2009): 47–91.

126. Abrams, L.S., "From Corrections to Community: Youth Offenders' Perceptions of the Challenges of Transition," *Journal of Offender Rehabilitation* Vol. 44, no. 2/3 (2006): 31–53.

127. Centers for Disease Control and Prevention, *School Connectedness: Strategies for Increasing Protective Factors Among Youth* (Atlanta: U.S. Department of Health and Human Services, 2009).

128. See "NYC Students: Promising Practices in Educational Re-entry," nyls.edu/documents/P4%20-%20Lisante%20PPT.pdf.

129. Florida law requires that school districts and juvenile justice departments develop agreements on the delivery of educational services in juvenile confinement settings, including the development of transition plans and timelines for the transfer of credits and records. See Fla. Stat. § 1003.53 (LexisNexis 2013).

130. Maine education code related to reintegration teams can be found at mainelegislature.org/legis/statutes/20-A/title20-Asec1055.html.

131. Askew, W. et al., *Kept Out: Barriers to Meaningful Education in the School-to-Prison Pipeline* (Washington, DC: Georgetown Law, 2012).

132. National Juvenile Justice and Delinquency Prevention Coalition, *Recommendations for the Administration: Opportunities for Juvenile Justice & Delinquency Prevention Reform* (Washington, DC: National Juvenile Justice and Delinquency Prevention Coalition, 2013); Nellis, A. and Wayman, R., *Supporting Youth Reentry from Out-of-Home Placement to the Community* (Washington, DC: Sentencing Project, 2009).

133. Feierman, J., Levick, M., and Mody, A., "The School to Prison Pipeline . . . And Back: Obstacles and Remedies for the Re-Enrollment of Adjudicated Youth," *New York Law School Law Review* 54, no. 1 (2009): 1115–1129.

134. See Information Sharing chapter for more information on FERPA provisions related to the transferring of school records between agencies.

135. A Maine Department of Education Diploma is equivalent to (and has the same legal status as) a high school diploma awarded by a public high school. Maine law on education disruption can be found at maine.gov/education/disruption/law.html.

136. Procedures for the reenrollment of youth reentering from juvenile justice can be found at doe.virginia.gov/support/student_family/re-enrollment/procedures_released_custody.pdf.

137. See Cal. Educ. Code § 48645.5.

138. Under Utah's coordinated state structure the State Education Agency oversees the education of all youth in the state regardless of where students receive their education (juvenile justice facility, state hospital, etc.). The state statute that establishes a coordinating council for the education of persons under 21 in state custody is Utah Code Ann. § 53A-1-403 (LexisNexis 2013). See also Utah Admin. Code r. 277-709.

INFORMATION SHARING

1. For U.S. Department of Education guidance on safeguarding student data privacy visit ed.gov/policy/gen/guid/fpco/ferpa/safeguarding-student-privacy.pdf. The U.S. Department of Education also launched a technical assistance center with resources and trainings on data privacy issues, which can be found at ptac.ed.gov.

2. For more information on state longitudinal data systems and where each state is on their development and implementation visit dataqualitycampaign.org.

3. America COMPETES Act, H.R. 5116, 111th Cong. (2011).

4. FERPA regulations can be found at ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=11975031b82001bed902b3e73f33e604&rgn=div5&view=text&node=34:1.1.1.1.33&idno=34. More information about FERPA, including specific guidance, can be found on the U.S. Department of Education Family Policy Compliance Office's website at ed.gov/fpco. See also Pinkus, L. et al., *Complying with FERPA and Other Federal Privacy and Security Laws and Maximizing Appropriate Data Use* (Washington, DC: Data Quality Campaign, 2013).

5. 2011 FERPA amendments can be found at gpo.gov/fdsys/pkg/FR-2011-12-02/pdf/2011-30683.pdf.

6. The term "law enforcement unit" can apply to a single school-based officer.

7. The Model Notification of Rights under FERPA for Elementary and Secondary Schools is available at ed.gov/policy/gen/guid/fpco/pdf/ferparights.pdf.

8. Once a student reaches 18 years of age or attends a post-secondary institution, he or she becomes an "eligible student," and all rights formerly given to parents under FERPA transfer to the student. The guidance regarding the safety exception can be viewed at ed.gov/policy/gen/guid/fpco/pdf/ferpa-disaster-guidance.pdf.

9. Information on the Uninterrupted Scholars Act, S. 3472, 112th Cong. (2012), can be found at gpo.gov/fdsys/pkg/BILLS-112s3472enr/pdf/BILLS-112s3472enr.pdf.

10. For a review of state data security laws, see Data Quality Campaign, Education Counsel LLC, and Nelson Mullins Riley & Scarborough LLP, *Using Data to Improve Education: A Legal Reference Guide to Protecting Student Privacy and Data Security* (Washington, DC: Data Quality Campaign, 2011), available at dataqualitycampaign.org/files/State%20Security%20Laws_CHART_02%2021%20for%20posting.pdf. For a

review of state-by-state youth consent laws, see English, A. et al., *State Minor Consent Laws: A Summary, 3rd Edition* (Chapel Hill, NC: Center for Adolescent Health & the Law, 2010).

11. HIPAA Privacy Rules can be reviewed at "The Privacy Rule," hhs.gov/ocr/privacy/hipaa/administrative/privacyrule/index.html.

12. Personal Representatives information can be found in 45 C.F.R § 164.502(g) (2013), available at hhs.gov/ocr/privacy/hipaa/understanding/coveredentities/personalreps.html.

13. 42 CFR Part 2 regulations may be reviewed at ecfr.gov/cgi-bin/text-idx?c=ecfr&rgn=div5&view=text&node=42:1.0.1.1.2&idno=42. See also, Gudeman, R., "Federal Privacy Protection for Substance Abuse Treatment Records: Protecting Adolescents," *Journal of the National Center for Youth Law 43*, no. 3 (2003): 28–29.

14. For more information on the Child Abuse and Prevention and Treatment Act visit acf.hhs.gov/programs/cb/resource/capta2010.

15. Legal Center for Foster Care and Education, *Solving the Data Puzzle: A How-to-Guide on Collecting and Sharing Information to Improve Educational Outcomes for Children in Out-of-Home Care* (Chicago: Legal Center for Foster Care and Education, 2008).

16. School climate data is also disaggregated, so there must be rules for excluding the release of information when it is still possible to identify particular students. For example, when the number of individuals in a subgroup is small (e.g., there are only three White students), this data are not reported out by race.

17. Case example taken from the Education Development Center's PromotePrevent website, which provides information-sharing scenarios.

18. Daggett, L.M., *Sharing Student Information with Police: Balancing Student Rights with School Safety* (paper presented at the American Bar Association 2012 Educational Law Symposium and Fall Meeting, Kansas City, Missouri, October 4–7, 2012); National Association of Resource Officers, *To Protect & Educate: The School Resource Officer and the Prevention of Violence in Schools* (Hoover, AL: National Association of Resource Officers, 2012); Smith, B.W., "Schools Need Better Understanding of Police Role in Student Disciplinary Matters," *School Law Advisory* (2000); Daggett, L.M., "Book 'Em? Navigating Student Privacy, Disability, and Civil Rights and School Safety in the Context of School-Police Cooperation," *Urban Lawyer* 45, no. 1 (2013): 203–233.

19. See 34 C.F.R. § 99.8(a)(1).

20. L.S. Rooker to J.S. Bresler and M.S. Molinaro, February 15, 2006, available at ed.gov/policy/gen/guid/fpco/ferpa/library/montcounty0215.html; see also 34 C.F.R. § 99 summary, available at gpo.gov/fdsys/pkg/FR-1995-01-17/pdf/95-1000.pdf. For another USED decision letter regarding the sharing of education records with SROs and third parties, see L.S. Rooker to J. Watkins, February 21, 2008, available at promoteprevent.org/sites/www.promoteprevent.org/files/resources/sro_decision_fco_indian_creek_1_0.pdf. The inclusion of this information does not suggest that officers should be more involved in disciplinary matters. As the report recommendations suggest, officers may conduct a broad range of activities within a school but are encouraged to arrest only for serious offenses and not to get involved in classroom management.

21. Schools should be careful not to use information about events that have happened in the community to exclude students from school. For example, in some cases there have been reported inaccuracies to gang databases and/or information about an incident (such as self-defense), or other circumstances that resulted in charges being dismissed against students; also see the School-Police Partnerships chapter.

22. See, e.g., the guidance provided in Medaris, M.L., Campbell, E., and James, B., *Sharing Information: A Guide to the Family Educational Rights and Privacy Act and Participation in Juvenile Justice Programs* (Washington, DC: Office of Juvenile Justice and Delinquency Prevention, 1997).

23. See 34 C.F.R. § 99.38.

DATA COLLECTION

1. "See "Fifty-State Survey of State Education Agencies' Online School Disciplinary Data," csgjusticecenter.org/youth/school-discipline-consensus-project/online-school-disciplinary-data/#.UqlBpfS1yM4.

2. CRDC data for Austin Independent School District (AISD) was verified by Andri Lyons, Assistant Director of Student Services and Discipline, AISD.

3. See Elementary and Secondary Education Act, 20 U.S.C. § 4112 (2013).

4. Individuals with Disabilities Education Act, 20 U.S.C. § 1412(a)(22) (2013); communication with Dan Losen (director, Center for Civil Rights Remedies, a project of the UCLA Civil Rights Project), in discussion with CSG Justice Center Research Associate Rebecca Cohen.

5. The 50-state survey tool can be accessed at csgjusticecenter.org/youth/school-discipline-consensus-project/online-school-disciplinary-data/#.UqlBpfS1yM4.

6. Individual student data is aggregated for use at the school, district, and federal levels. For student-level data to be shared between agencies serving students, or with researchers, data must be appropriately de-identified or otherwise protected under federal privacy laws.

7. See the Targeted Behavioral Interventions chapter for additional information on early warning system data that can be used to identify locations where incidents are occurring.

8. School-based offense codes are not the same as law enforcement offense codes. Those used in schools may include codes for criminal offenses, but also include non-criminal behavioral infractions and violations of the student code of conduct. School-based offense codes allow schools to keep track of both major and minor incidents over time.

9. U.S. department of Education's Office for Civil Rights Data Collection data definitions can be accessed at ocrdata.ed.gov/DataDefinitions.

10. 10 For more information on the U.S. Department of Education's Office for Civil Rights Data Collection see "Civil Rights Data Collection," ocrdata.ed.gov.

11. In the 2009–10 CRDC, all districts with more than 3,000 students, state-operated facilities for students who are deaf or blind, and state-operated long-term secure juvenile justice facilities were included in the sample.

12. See the Institute of Education Sciences (IES) definition of a longitudinal data system at "Traveling Through Time: The Forum Guide to Longitudinal Data Systems," nces.ed.gov/forum/ldsguide/book1/ch_2_1.asp.

13. For more information on each state's progress in developing longitudinal data systems, see the Data Quality Campaign's website at dataqualitycampaign.org.

14. For publicly available Texas school discipline reports, see "Discipline Data Products," ritter.tea.state.tx.us/adhocrpt/Disciplinary_Data_Products/Disciplinary_Data_Products.html.

15. Information on CALPADS (California's expanding data system) is available at cde.ca.gov/ds/sp/cl.

16. See survey items in "Appendix: Scale Item Stems" in Konold, T. et al., "Multi-Level Multi-Informant Structure of the Authoritative School Climate Survey"*j387*

17. (forthcoming).

18. *Ibid.*

19. See e.g., "One-Page Research Summaries" of key findings from Virginia Secondary School Climate Study at "Virginia Secondary School Climate Study," curry.virginia.edu/research/projects/virginia-secondary-school-climate-study.