



FUTURES IN THE BALANCE

Reforms that Keep Youth in School

Referring young people to the legal system can negatively impact their life outcomes as it excludes them from school, disconnecting them from learning and engaging in prosocial activities. There may be times when schools need to seek assistance from law enforcement, but for the vast majority of situations, a variety of levers exist outside of the legal system which schools can use to address youth behavior.

By addressing systemic policies and practices that push students out of schools and into the juvenile court system, superintendents and other administrators can improve school climate for all students, as well as social, emotional, and academic outcomes.

AASA, The School Superintendents Association, in partnership with the Children's Defense Fund, has developed numerous resources to support school efforts to keep young people in schools and out of courts:

- **Framework for Revising School District Codes of Student Conduct**

"[E]xclusionary discipline—suspending or expelling a student from school for a disciplinary reason—should be used sparingly and as a last resort. Measures can and should be taken to build positive school climates, respond to special circumstances of students, prevent student misbehavior, and address violations of school rules in a restorative manner. . . . The district's code of conduct should be used as a tool to communicate principles and practices that go beyond consequences for misconduct and that establish a clear system for positive conduct and a positive school climate. This document seeks to assist communities and educators as they work to build the schools all children deserve."

- **School Discipline Resource Guide**

"Many schools and school districts have been reforming their discipline policies and practices to include alternative approaches that promote positive academic and behavioral outcomes for all students and that eliminate harsh and exclusionary discipline practices that push students out of school." This document includes links to resources "about organizations and supports for positive school discipline policies and practices."

- **Restorative Justice Practices in Schools – Overview and Resource Guide**

"A restorative approach often requires a cultural shift for the entire school community; educators must shift to see students as persons deserving of the opportunity to correct their wrongdoings and to learn from their mistakes, rather than as children in need of reprimand; and students must shift to be more accountable for their behavior and willing to come together with the person they harmed or were harmed by to make amends. While this approach may be more time and energy consuming [upfront] than traditional approaches to discipline, it has the potential to significantly strengthen school climate. It is rooted in positive relationships and behaviors and helps create a supportive environment where students thrive personally and academically." The resource guide provides links to resources to help school administrators learn more about restorative practices in schools.

- **Positive Behavioral Interventions and Supports (PBIS) – Overview and Resource Guide**

"Rather than waiting for students to misbehave and punishing them, PBIS uses a proactive approach to teach and model appropriate behaviors, and reinforce positive expectations for behavior through affirmations and rewards." The overview provides information about PBIS's tiered support framework, and the resource guide provides links to resources to help school administrators learn about implementing PBIS in their districts.

Additional resources from other organizations and individuals focused on advocating for youth and strengthening communities:

- Students, Police, and the School-To-Prison Pipeline
- Keeping Kids In School and Out of Courts: A Collection of Reports to Inform the National Leadership Summit on School-Justice Partnerships
- Taking Restorative Practices School-wide: Insights from Three Schools in Denver
- Breaking the School-to-Prison Pipeline: The Crisis Affecting Rochester's Students and What We Can Do to Fix It
- You Can't Fix What You Don't Look At: Acknowledging Race in Addressing Racial Discipline Disparities
- Civil Rights Principles for Safe, Healthy, and Inclusive School Climates, endorsed by the Children's Defense Fund and other national advocacy organizations
- Sample Memorandum of Understanding Between the School District and Police Department

Juvenile court system reforms that support keeping youth in school and out of the court system:

- Expanding the use of diversion
 - Supporting the significant expansion of the use of diversion from the juvenile court system, this publication is a research brief published by The Annie E. Casey Foundation.
- Limiting offenses for which youth can be prosecuted
 - Utah's 2017 juvenile justice reforms included removing low-level, school-based offenses from juvenile court jurisdiction.
- Creating school-justice partnerships
 - Some localities created agreements between the school system, law enforcement, courts, and others to find alternatives to referring youth to court for some offenses. They also collaborated to create additional resources for youth and families available outside of the court system.
 - Examples of school-based diversion programs are described, starting on page 15.
- Providing effective and freely available resources in the community that address behavioral issues
 - Los Angeles County is transitioning its youth justice system from one focused on punitive responses into a rehabilitative, health-focused and care-first system. The report includes aspects specific to Los Angeles County (budgets, staffing, etc.) but it outlines a framework that could be drawn on for implementation in other jurisdictions.
 - The approach for transforming their county's youth justice system begins on page 35. New proposed healing and safety centers are described on pages 48-49.
- Establishing or increasing the minimum age for prosecuting youth in the juvenile court system
 - In 29 states, it is legal to prosecute a five-year-old in juvenile court. Most states have failed to set a minimum age of juvenile court jurisdiction or have set the minimum age far too low.

Keep youth in school and out of the legal system.

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