School Justice Partnership Toolkit: Overview

A Step-By-Step Guide to Implementing a School Justice Partnership

April 25, 2018
Agenda

- Background
- SJP Workgroup and Toolkit Development
- Toolkit Overview
Brief Background

- NC Commission on the Administration of Law and Justice
- Issued final report March 2017
- Recommended “Raise the Age” as a top priority
- Identified SJP as an integral component of successful RTA implementation
Juvenile Justice Reinvestment

“Raise the Age” legislation – S.L. 2017-57 § 16D.4.(aa)

Authorized the Director of the NC Administrative Office of the Courts (NCAOC) to:

- “[p]rescribe policies and procedures for chief district court judges to establish school-justice partnerships with local law enforcement agencies, local boards of education, and local school administrative units with the goal of reducing in-school arrests, out-of-school suspensions, and expulsions.”
Implementation Plan

- CDCJ Leadership training at UNC SOG Sept. 2017
- NCAOC established the SJP Workgroup Oct. 2017
- Toolkit development began Dec. 2017
- NCAOC Director adopted policy on SJP May 2018
- Toolkit Completion May 2018
NCAOC Policy on SJPs

- Requires chief district court judges to act as “conveners.”
- As conveners, CDCJs will gather the relevant stakeholders and chair meetings but are equal participants in the process.
- Other Key Stakeholders
  - Juvenile Justice Personnel
  - Law Enforcement Officials
  - School Administrators
  - School Administrative Units
  - Parents and Family Partners
The Toolkit
What’s Inside?

Introduction
- Overview of SJP core principles and goals
- Data on School-Based Offenses
- Research on exclusionary discipline
- Research on effective school discipline strategies
- Tools for handling disruptive students
- Information about existing SJPs in NC
- Research on the impact of SJPs
- Contacts for technical support

Step-by-Step Guide
- Start to finish implementation guide
- Tools and Templates
  - model agreement
  - sample timelines
  - sample meeting invitation
  - sample meeting agendas
  - recommended focus acts
  - graduated response matrix
  - data collection plan
  - sample media advisory and press release
The Main Goals

- To keep kids in school and out of court by reducing school pathways to the justice system
  - Suspension
  - Expulsion
  - School-based referrals to court

- To reduce the harmful effects of exclusionary discipline practices
  - Disparate impact
  - Lower academic achievement
  - Higher Recidivism
  - Negative economic impact
  - Permanent criminal record
School-Based Offenses

Percentage of School-Based Complaints

Source: North Carolina Department of Public Safety
School-Based Offenses

Percentage of School-Based Referrals by Classification of Offense

Source: North Carolina Department of Public Safety
Disparate Impact

- Exclusionary discipline practices disproportionately impact certain groups of students:
  - Youth of Color
  - Black Students
  - Students with Disabilities
  - Male Students
Racial Disparities

Youth of Color
- 2.5 times more likely to be referred to juvenile court than white youth
- 1.5 times more likely to be placed in secure confinement than white youth

Black Students
- 4 times more likely to be suspended or expelled than white students
- Receive 57% of out-of-school suspensions and 64% of expulsions while being only 26% of student population
Other Disparities

Students with Disabilities

- More than twice as likely to be suspended
- Receive 24% of STS and 22.5% of LTS while being only 13% of student population

Male Students

- Are roughly half of the student population but receive 73% of STS and 80% of LTS
There is a Better Alternative

- The Toolkit offers evidence-based strategies that keep kids in school and improve outcomes
- Successful strategies include:
  - Classroom Management Strategies
  - Positive Behavior Intervention and Supports (PBIS)
  - The School Responder Model
  - Restorative Justice
  - School-Based Diversion

“It is easier to build strong children than to repair broken men.” Frederick Douglass
A Successful Model

- New Hanover County launched its program on November 2, 2015
  - 47% decrease in referrals in first year
- Other counties have followed:
  - Brunswick County
  - Greene County (March 2018)
  - Lenoir County (March 2018)
  - Wayne County (April 2018)
Step-By-Step Guide

- Step 1: Convener Recruits Team Leader
- Step 2: Convener and Team Leader Get Educated and Gather Data
- Step 3: Convener and Team Leader Develop a Draft Action Timeline
- Step 4: Convener and Team Leader Identify SJP Team Members
- Step 5: Convener and Team Leader Hold SJP Kickoff Meeting
- Step 6: Hold SJP Team Work Meetings
- Step 7: Draft and Finalize the Interagency Agreement and Hold Signing Ceremony
- Step 8: Train for Success
- Step 9: Monitor Progress
- Step 10: Continue to Grow and Adapt
Step 1:

Convener Recruits a Team Leader

- **Role of the Team Leader**
  - Keep the conversation going outside of meetings
  - Keep people excited and engaged
  - Actively work with stakeholders to develop consensus solutions

- **Potential Team Leaders**
  - Juvenile court judge
  - Youth advocate
  - JCPC member
Step 2:

Convener and Team Leader Get Educated and Gather Data

- Get educated about SJPs
  - Read the Toolkit!
  - Review resources from the National Council of Juvenile & Family Court Judges
- Gather local school-related data
  - Recent data on school-based offenses is provided in the Toolkit
  - Other sources include NCDPI and the Juvenile Justice Section at NCDPS
- Gather information about existing programs for youth in your community
Step 3:

Convener and Team Leader Develop a Draft Action Plan / Timeline

- A sample implementation timeline is provided in the Toolkit
- For each month, the timeline specifies:
  - Planning tips
  - Goals
Step 4: Convener and Team Leader Identify SJP Team Members

**Essential Team Members**
- Chair, Board of Education
- Superintendent of Schools
- School Administrators and Support Services
- Chief District Court Judge
- District Attorney
- Law Enforcement (Sheriff, SRO Supervisor, etc.)
- Chief Court Counselor
- Department of Social Services
- Mental Health Professionals
- Parents or Family Partners

**Recommended Team Members**
- City or County Officials
- Deputy Superintendent of Schools
- School Safety Lead
- Probation Officer
- Public Defender
- Member of the Clergy
- Professor of Education
Step 5:

Convener and Team Leader Hold SJP Kickoff Meeting

- Identify a “neutral” facilitator
- Prepare an agenda
  - Toolkit includes sample agendas
- Secure speakers
  - For example, Judge Corpening or other judges who have convened SJP teams
- Prepare a meeting invitation
  - Toolkit includes sample invitation
Step 6:

Hold SJP Team Work Meetings

- Identify “Focus Acts”
  - Minor misconduct that will not immediately be referred to court
  - Determined by local SJP teams
- Develop clear guidelines defining the role of law enforcement in schools
- Identify responses to student misconduct
- Develop Graduated Responses (sample included)
- Develop Quality Control Measures (data collection plan included)
# Recommended Focus Acts

**Criminal Offenses that will not trigger filing of juvenile or criminal charge**

<table>
<thead>
<tr>
<th>Simple Assault</th>
<th>Injury to Personal Property</th>
<th>Resisting, Delaying, or Obstructing an Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Communicating Threats</td>
<td>Misdemeanor Damaging a Non-Government Computer</td>
<td>Possession of Weapons Other Than Firearms and Explosives on School Grounds</td>
</tr>
<tr>
<td>Misdemeanor Larceny</td>
<td>Misdemeanor Littering</td>
<td>Misdemeanor Possession of a Controlled Substance</td>
</tr>
<tr>
<td>First-degree trespass</td>
<td>Disorderly Conduct</td>
<td>Misdemeanor Possession of Drug Paraphernalia</td>
</tr>
<tr>
<td>Second-degree trespass</td>
<td>Disorderly Conduct in a Public Building</td>
<td>Possession of Marijuana Paraphernalia</td>
</tr>
<tr>
<td>Injury to Real Property</td>
<td>Throwing Objects at Sporting Events</td>
<td>Purchase, Possession or Consumption of Alcohol by a Minor</td>
</tr>
<tr>
<td>Defacing a Public Building, Statute, or Monument</td>
<td>Simple Affray</td>
<td>Purchase or Receipt of Cigarettes or Tobacco Products by a Minor</td>
</tr>
</tbody>
</table>

---

*Source: NCCourts.org*
Law Enforcement Roles

- **School Resource Officer (SRO)**
  - Improve school safety and educational climate at the school
  - Stay on campus
  - Charge less
  - Support positive response to discipline

- **Non-SRO**
  - Coordinate with School Administrators
  - Determine necessity of action
  - Follow custody protocols
Graduated Response Model

- **GOAL**
  - Ensure all appropriate school and community based interventions have been pursued before involving law enforcement.

- **GOAL**
  - What is underlying cause of behavior?
    - Academic, mental health, social?
  - What if we fail to notice?
## Graduated Response Model

**Determine Level of Intervention**

<table>
<thead>
<tr>
<th>Level</th>
<th>Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Administrator</td>
<td>• Noncriminal violation of student Code of Conduct</td>
</tr>
<tr>
<td></td>
<td>• Criminal Offense (Non-Focus Act)</td>
</tr>
<tr>
<td>School Principal</td>
<td>• Criminal Offense (Focus Act)</td>
</tr>
<tr>
<td>School Resource Officer (SRO)</td>
<td>• Criminal Offense (Focus Act)</td>
</tr>
<tr>
<td></td>
<td>• May issue 2 Warning Notices prior to filing charges</td>
</tr>
<tr>
<td></td>
<td>• May decide exceptional circumstances require filing charges</td>
</tr>
</tbody>
</table>
# Graduated Response Model

## Levels of Intervention

<table>
<thead>
<tr>
<th>Level</th>
<th>Types of Behavior</th>
<th>Intervention Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>Classroom (Teacher or School)</td>
<td>• In classroom, passive and non-threatening&lt;br&gt;• Dress code violations&lt;br&gt;• Minor acts of disobeying classroom expectations&lt;br&gt;• Not meeting academic expectations&lt;br&gt;• Late to class&lt;br&gt;• Refusing to do work</td>
<td>• Redirection&lt;br&gt;• Journaling/Reflection&lt;br&gt;• Re-teaching, tutoring, differentiation&lt;br&gt;• Modifying seating arrangements&lt;br&gt;• Contacting parents&lt;br&gt;• School climate initiatives&lt;br&gt;• Referral to appropriate support personnel</td>
</tr>
<tr>
<td>School Administration (School or District)</td>
<td>• Outside of classroom&lt;br&gt;• Repeated behavior violations&lt;br&gt;• Truancy&lt;br&gt;• Late to school&lt;br&gt;• Fighting&lt;br&gt;• Sexting/social media (other than communicating threats)</td>
<td>• Time in office&lt;br&gt;• suspension&lt;br&gt;• Redirection&lt;br&gt;• Detention&lt;br&gt;• Loss of privileges&lt;br&gt;• Reparations&lt;br&gt;• Parental conferences&lt;br&gt;• Referral to appropriate support personnel</td>
</tr>
</tbody>
</table>
## Graduated Response Model

### Levels of Intervention

<table>
<thead>
<tr>
<th>Level</th>
<th>Type of Behavior</th>
<th>Intervention Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>School-Based Team (District or Community)</td>
<td>• Repeated school rule violations&lt;br&gt; • Failure in classes&lt;br&gt; • Difficulty with behavior in multiple school settings&lt;br&gt; • Excessive absenteeism</td>
<td>• Use the problem solving method (PSM)&lt;br&gt; • Functional Behavioral Assessment (FBA)&lt;br&gt; • Family Involvement Team and plan (FIT)&lt;br&gt; • Response to Instruction (RTI) referral&lt;br&gt; • Personal Education Plans (PEP)&lt;br&gt; • McKinney–Vento considerations (homelessness)&lt;br&gt; • In-school suspension&lt;br&gt; • Out of school suspension should be avoided when possible&lt;br&gt; • Expulsion</td>
</tr>
<tr>
<td>Law Enforcement</td>
<td>• Most serious&lt;br&gt; • Violations of law&lt;br&gt; • Emergency situation</td>
<td>• Verbal warning&lt;br&gt; • Written warning&lt;br&gt; • Student conference&lt;br&gt; • Teen court&lt;br&gt; • Community services&lt;br&gt; • Criminal or juvenile charges</td>
</tr>
</tbody>
</table>
Step 7:

Draft and Finalize the Interagency Agreement and Hold Signing Ceremony

- Identify a team member to draft the Agreement
- Set a timeline for completion of draft and review by SJP team
- Schedule public signing ceremony
  - Toolkit contains draft media advisory and press release
  - Contact NCAOC for assistance notifying media
The Interagency Agreement

- Formalizes the agreement of the parties regarding responses to Focus Acts
- Clarifies the role of law enforcement in schools
- Implements graduated responses to minor misconduct
- Many agreements prohibit referral to court for Focus Acts, unless a student has:
  - committed 3 or more Focus Acts in same school year; AND
  - received a “Warning Notice” and graduated response
Step 8:

Train for Success

- Develop a training plan for all key stakeholders that includes:
  - Overview of SJP
  - Specific content of the Interagency Agreement
  - Roles and responsibilities of each party
  - Policy and procedure for responding to school-based misconduct
  - Equity training and education (to reduce disparate impact)
  - Data collection and information sharing
Step 9:

Monitor Progress

- Assign a Progress Monitoring Team to:
  - Provide regular oversight, data collection, and analysis
  - Prepare annual report of activities and make recommendations for improvements
- Entire SJP team should meet annually to review data, analysis, and recommendations of Progress Monitoring Team
Step 10: Continue to Grow and Adapt

- Education, Training, and Evaluation is an ongoing process
- Grow and adapt based on best practices, evolving trends, and lessons learned from other jurisdictions
Technical Assistance

- The NCAOC is committed to successful statewide implementation of SJP.
- Local SJP teams may contact the NCAOC at SJP@NCCOURTS.ORG or visit SJP.NCCOURTS.ORG for additional resources and support.
Thank You

J.H. Corpening, II
Chief District Court Judge, 5th District
Julius.h.corpening@nccourts.org

LaToya B. Powell
Assistant Legal Counsel, NCAOC
LaToya.B.Powell@nccourts.org