



RESOLUTION REGARDING

JUVENILE COURTS AND SCHOOLS PARTNERING TO KEEP KIDS IN SCHOOL AND OUT OF COURT

WHEREAS, zero tolerance policies are defined as any “philosophy or policy that mandates the application of predetermined consequences, most often severe and punitive in nature, that are intended to be applied regardless of the seriousness of the behavior, mitigating circumstances, or situational context”¹; and

WHEREAS, research indicates zero tolerance and associated policies for school exclusion result in an increased rate of suspensions, expulsions, referrals to the juvenile justice system, and student arrests nationwide, while school violence has generally been stable or declining²; and

WHEREAS, research indicates that zero tolerance and associated policies for school exclusion ultimately result in decreased academic achievement and increased involvement with the juvenile justice system, causing unintended harm to students and placing unnecessary strain on children, families, schools, courts, and society in general³; and

WHEREAS, research indicates zero tolerance-based referrals to the juvenile court and/or student arrests disproportionately impact students of color and contribute to disproportionately high minority contact (DMC) rates⁴; and

WHEREAS, the National Council of Juvenile and Family Court Judges (NCJFCJ) submit education is lifesaving, and that harsh or inappropriate responses to truancy and other school engagement issues – such as suspension or expulsion of students for non-attendance – erode a critical protective factor for our most vulnerable youth and disproportionately impact students from minority status backgrounds and those with disabilities;

BE IT THEREFORE RESOLVED AS FOLLOWS:

NCJFCJ opposes violence, weapons, and drugs/alcohol in schools.

NCJFCJ supports school administration discretion in handling student misbehavior.

¹ Skiba, R., Reynolds, C. R., Graham, S., Sheras, P., Conoley, J. C., & Garcia-Vazquez, E. (2006). Are zero tolerance policies effective in the schools?: An evidentiary review and recommendations. *A Report by the American Psychological Associate Zero Tolerance Task Force*.

² Advancement Project. (March, 2005). *Education on lockdown: The schoolhouse to jailhouse track*.

³ Fabelo, T., Thompson, M. D., Plotkin, M., Carmichael, D., Marchbanks, M. P., Booth, & E. A. (July, 2011). *Breaking schools' rules: A statewide study of how school discipline relates to students' success and juvenile justice involvement*. Council of State Governments Justice Center and The Public Policy Research Institute.

⁴ Department of Education – Office for Civil Rights. (March, 2012). *Civil Rights Data Collection 2009-10*.



NCJFCJ encourages schools to utilize alternatives to student arrests or referrals to juvenile court for behaviors that are best handled by schools.

NCJFCJ supports restorative justice practices and similar interventions that identify and respond to the root causes of school disengagement.

NCJFCJ supports testing and implementing alternatives to zero tolerance policies such as systemic school-wide violence prevention programs, social skills curricula, family engagement, and positive behavioral supports.

NCJFCJ encourages the juvenile justice system and community agencies to work collectively with schools to foster positive relationships with students and to promote attendance and academic success.

NCJFCJ supports reducing school exclusion through judicially led collaborations coupled with intensive training, technical assistance, and public education.

Adopted by the NCJFCJ Board of Trustees at the Spring Meeting, March 21, 2012, Las Vegas, NV.