

Module Two

THE SCHOOL-TO-COURT PROCESS

Module Description

This module provides an opportunity to provide a clear explanation and discussion of the school-to-court process. This module is particularly focused for individuals and organizations within the system, that is, education, law enforcement, and juvenile court. Participants will discuss and compare practices and policies in their own organization and the goals and challenges of complicated situations. Activities are also an integral part of this module.

Module 2 Competencies

- » Participants understand the role of each organization as related to the school-to-court process.
- » Participants gain a common understanding and agreement on the school-to-court process in their community, particularly as it relates to bias and disproportionality.
- » Participants agree upon strategies to enhance functioning of the school-to-court process in their community to reduce bias and disproportionality.

MODULE 2 THE SCHOOL-TO-COURT PROCESS



One Hour

Supplies for Module 2

- Laptop Computer
- LCD Projector
- Screen
- External Speakers
- Module 2 PowerPoint presentation
- Easel pad with markers and tape
- Handouts:
 - Institutional School-to-court Process diagram
 - School-to-court Process Decision Points Activity

Always remind participants at the beginning of a session and throughout the module that any generalizations made are based on aggregate data and may not necessarily represent individual diversities within the participant.

- I. **In the first segment you explored the general historical experiences and some of the ways assumptions and bias impact outcomes for youth, including in the school-to-court process.**



Refer to the
Glossary of
Terms in
the

Supplemental
Materials, ICYD
Annual
Report, ***Education
and Synthetic Work-
Life Earnings
Estimates*** report of
the US Census, and
National Criminal
Justice Reference
Service (NCJRS) as
sources of these
data.

- A. In the next segment you have an opportunity to provide a clear explanation and discussion of the school-to-court process.
 1. This discussion is particularly focused for individuals and organizations within the system, that is, education, law enforcement, and juvenile court services.
 2. Participants will:
 - a. discuss and compare practices and policies – both formal and informal – in their own organization,
 - b. the goals and challenges of ensuring the process is equitable for minority and non-minority youth, and increase cultural awareness as it relates to the school-to-court process.
- B. There has been discussion of disproportionate minority contact for years and with people of all ages. Why are we focusing on the school-to-court process in our work today?
 1. Data from CJPJ (Division of Criminal and Juvenile Justice Planning) and the Department of Education show that minority youth are over-represented in:
 - a. school removals – meaning in-school/out-of-school suspension, expulsion, and interim setting,
 - b. juvenile arrests, and
 - c. JCS (Juvenile Court Services) referrals (also called complaints).

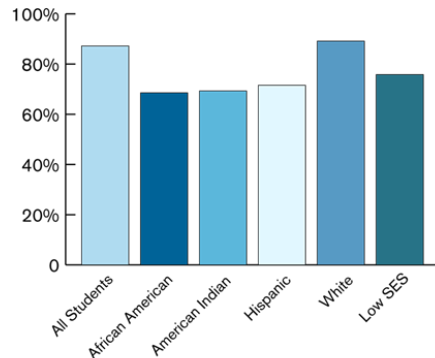
-
2. Such over-representation impacts educational attainment by interrupting school attendance and engagement and, thus, learning.

Show PowerPoint slides:

Charted data on graduation rates education/ earnings, and socio-economics status as determined by eligibility for free and reduced price lunch.

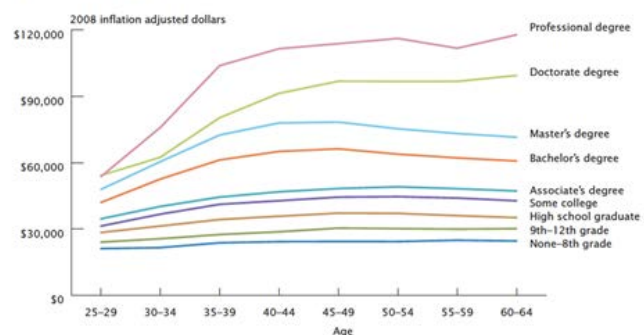
- a. In 2009, only 69 percent of Iowa African American students graduated from high school compared to 89 percent of white students and 75 percent of students classified “low SES.”

Iowa Public High School NGA Adjusted Cohort Graduation Rates
Graduating Class of 2009



- b. According to a September 2011 report from the US Census Bureau, educational attainment has a greater relationship to median earnings later in life than demographic factors, including race/ethnicity, gender, or age.

Median Annual Earnings by Age and Educational Attainment
(Full-time, year-round workers)



Source: U.S. Census Bureau, American Community Survey, 2006-2008.

3. Taken together, these two facts tell us that all attempts to facilitate educational attainment must be made, especially for our most at-risk youth.



Ask participants to briefly provide

examples from their experience that relate to the disruption in learning opportunities for students who are removed or have complaints filed. For example, if a student comes to school having just had a loud, angry argument with her mother, will that student be as attentive to algebra? Would it stand to reason that that person might be somewhat disruptive?

4. Any action that presents an obstacle to learning should be closely examined for justification and equity.
 - a. Due to the impactful nature of youth involvement in the justice system (and the potential long-term impact of criminal records), any decisions eventually leading to such involvement must be examined closely.
 - b. This module looks critically at the school-to-court referral process to identify major decision points, best practices, and primary points where cultural understanding is critical.

Prepare a chart or other note-taking means visible to all participants in the room. Create headings: “Schools,” “Law Enforcement,” and “Juvenile Court Services.” As participants speak, write down their comments under the headings.

It’s important to distinguish between a goal related to juvenile DMC and a mission of an organization.

II. We’ve seen the impact of DMC on youth learning and the data on the impact on their later lives. Let’s have a discussion now about our organizational missions and their relationship to DMC.

- A. How would you describe your district or department’s goals as they relate to juvenile disproportionality?
- B. How does that directly relate to the overall district/department mission?

Expect discussion to include the goal/mission that they want students to succeed in school and beyond. If this does not come out, ask follow up questions to learn the perspectives: What does your organization feel is its responsibility for helping kids succeed? Is cultural understanding a central premise within your organization?

Review the comments written on the chart for each type of organization. Mark those that agencies have in common.

Be aware that discussions about whether goals and practices align are sometimes challenging for staff.

- C. As we now look at the items we've written here, what do you see that are common elements across each type of organization? Remember we're talking about goals for DMC and organizational missions.
1. Anything related to learning and education?
 2. Anything related to long-term success, well-being and community participation?
 3. Anything related to community and safety?
 4. Anything related to economic well-being and success?
- D. In practice, does it feel as if each institution is working towards the same goal?
- E. As related to cultural understanding and DMC, which of the common elements of these goals and missions become essential for the school-to-court process to be successful?



Cue Video:
Marilyn
Lantz



Only allow
up to 5
minutes for
discussion.



Handout
and
PowerPoint
slides.

Refer participants to the data removals from Iowa Department of Education and data from NCJRS for arrests and complaints. Note that removals and complaints reflect numbers of incidents and not numbers of individuals.

III. We are going to play a short video before moving into a discussion of the school-to-court process.

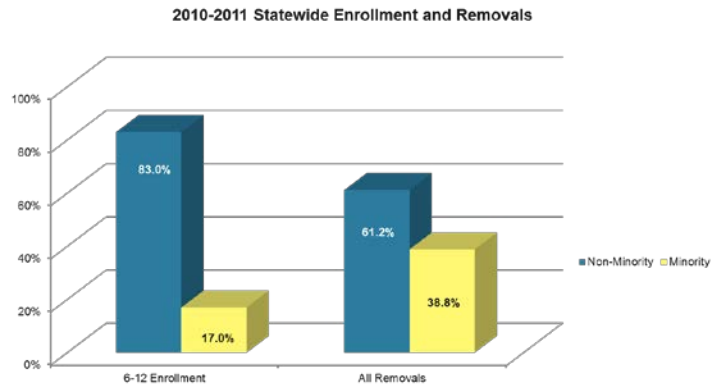
A. What messages came through to you from these comments?

B. Are these common perceptions about the process?

IV. The data show us that minority youth statewide and in our most populous counties come into the school discipline and juvenile justice systems at a higher rate than their non-minority peers.

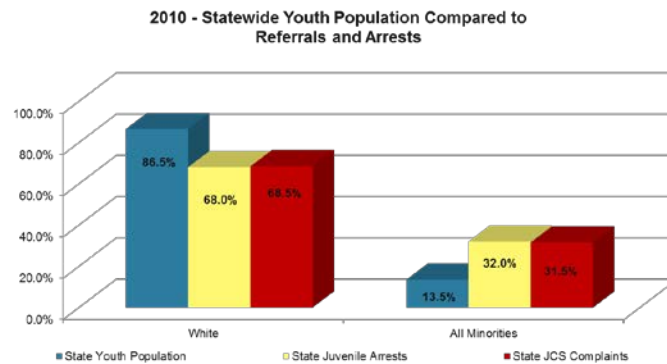
A. The rates of removals, arrests, and referrals of minority students to Juvenile Court Services are each more than double their enrollment.

B. For instance, school removal data show that, statewide, minority students account for 17% of 2010 enrollment but 39% of removals.



Source: Iowa Department of Education, Basic Educational Data Survey (BEDS)

C. In looking at referrals and arrests, minority youth comprise more than 30% of referrals and arrests, but only 13% of the youth population.



Sources: Iowa Department of Education, Basic Educational Data Survey (BEDS)
 FBI's Uniform Crime Reporting, Juvenile Arrests
 Iowa's Justice Data Warehouse



Handout and PowerPoint slides.

Show on the screen the School-to-Court Referral Process Decision Points Diagram. This document may also be printed for participants and included in training materials.



Have participants break into groups of

no more than four with someone from a school, a law enforcement agency, and a juvenile court staff in each group to the extent possible. Others should fill in the groups appropriately.



Hand out the “School-to-Court Process

Decision Points Activity” to guide the small group discussions.

- V. Let’s look at our policies and practices to get a better idea of how this process works in your day-to-day experience.
 - A. The example provided is generalized for the purposes of discussion.
 - B. Everyone in the room has something to add to the conversation.
 - C. While laws are the framework for the process, individual actions and responses and organizational culture all impact the process, as well.

To spur group discussion, you may need to provide participants with an example.

As participants work in small groups, walk around and listen in on discussions. It is expected that there will be different experiences, practices, and perceptions heard in the discussions. This will help you guide the report-outs.

Prepare to write on the chart or other note-taking means visible to all participants in the room. As groups report, write down their comments under the headings “#1 Incident,” “#2 Removal,” “#3 Arrest,” and “#4 JCS Referral.”

1. In your groups, use the activity sheet to guide discussion of each decision point.
2. If your group cannot answer the guidance question or don't agree on the answer, do your best to answer based on your experience within the process.
3. You will be given 15 minutes to complete your discussions of each decision point.
4. We will then come together to report out.

VI. Let's talk about each of these decision points, starting with the incident.

Be sure to acknowledge each comment in some way.

Mark those items where cultural understanding may impact best practice.



Cue Video:
David
Gleiser

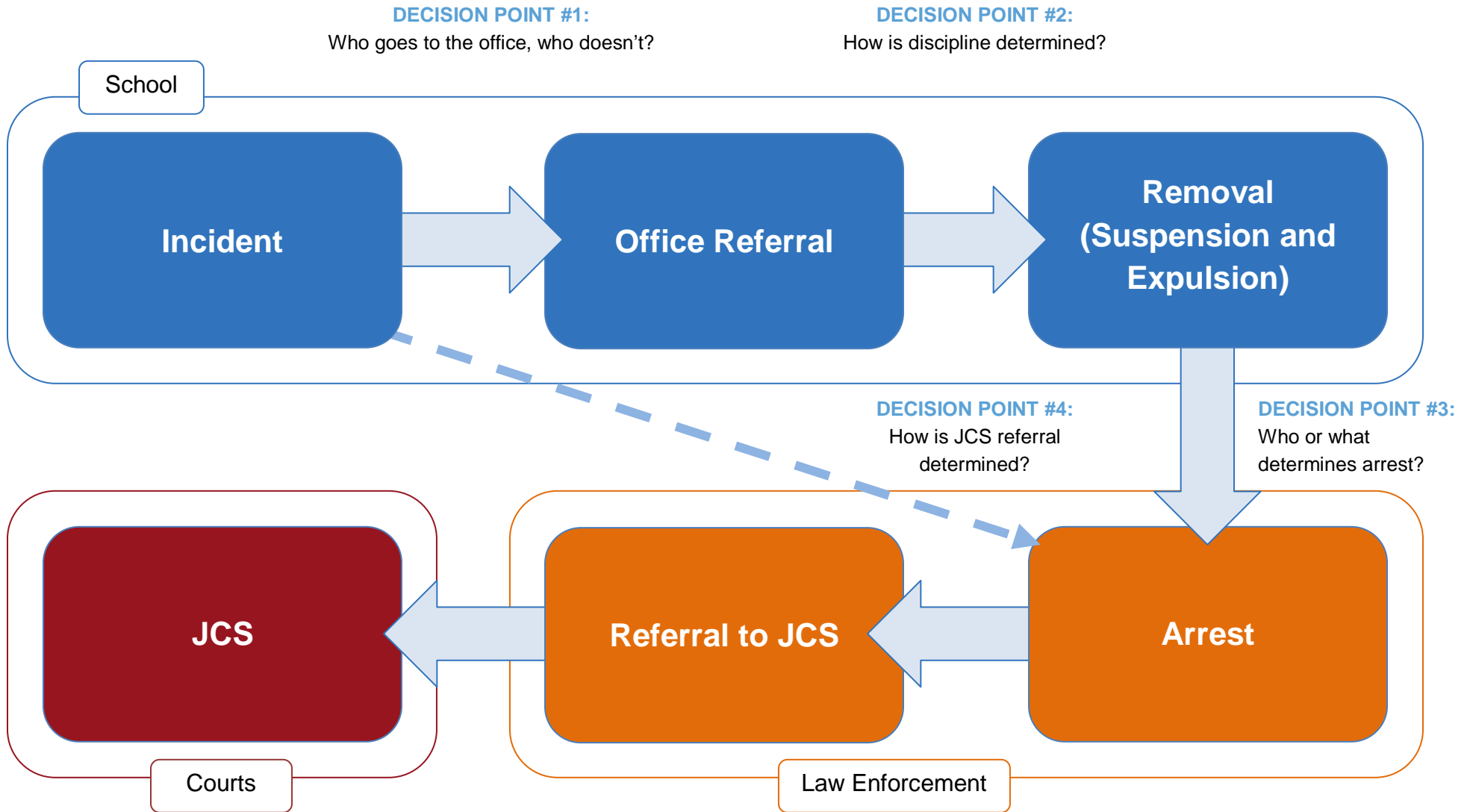
For further discussion, consider deeper discussions about the misconceptions of practice across institutions. In other words, respective organizations may have assumed incorrectly that another organization uses a particular practice.

- A. Go through each decision point and identify the following visibly for all participants to see:
 - 1. decision factors,
 - 2. best practices, and
 - 3. some areas that can be improved.
- B. Where cultural understanding is critical to best practice, we will note that item and return to it in Module 4.

VII. As we wrap this discussion of the student-to-court process, let's listen to the comments of David Gleiser in Woodbury County

INSTITUTIONAL SCHOOL-TO-COURT PROCESS

GENERALIZED EXAMPLE FOR DISCUSSION



SCHOOL-TO-COURT DECISION POINTS ACTIVITY

Decision Point #1: The Incident

What are likely decision factors for office referral at the time of incident?

What is best practice in responding to an incident?

How does response need to improve?

Decision Point #2: Discipline for Actions

What are the likely decision factors for removal or other discipline?

What is best practice in determining discipline?

How does this area need to improve?

Decision Point #3: Arrest

How is it determined that a crime has been committed?

What is best practice in determining whether arrest is warranted?

How does this area need to improve?

Decision Point #4: Juvenile Court Services Referral

What are the likely decision factors for making a referral to Juvenile Court Services?

What is best practice in determining Juvenile Court Services referral?

How does the referral process need to improve?

MODULE 2 SUPPLEMENTAL ACTIVITY

For additional focus on the school to court referral process, delve deeper into the misconceptions participants have regarding decision points throughout the process. Questions to encourage additional discussion are as follows.

1. Did anything surprise you from your table discussions?
2. What is ONE thing about the school to court process that you didn't know before?
3. Will that new knowledge change your procedures?
4. Does any POLICY need to change based on your discussions today?
5. What needs additional follow-through after this training is done and people go home?