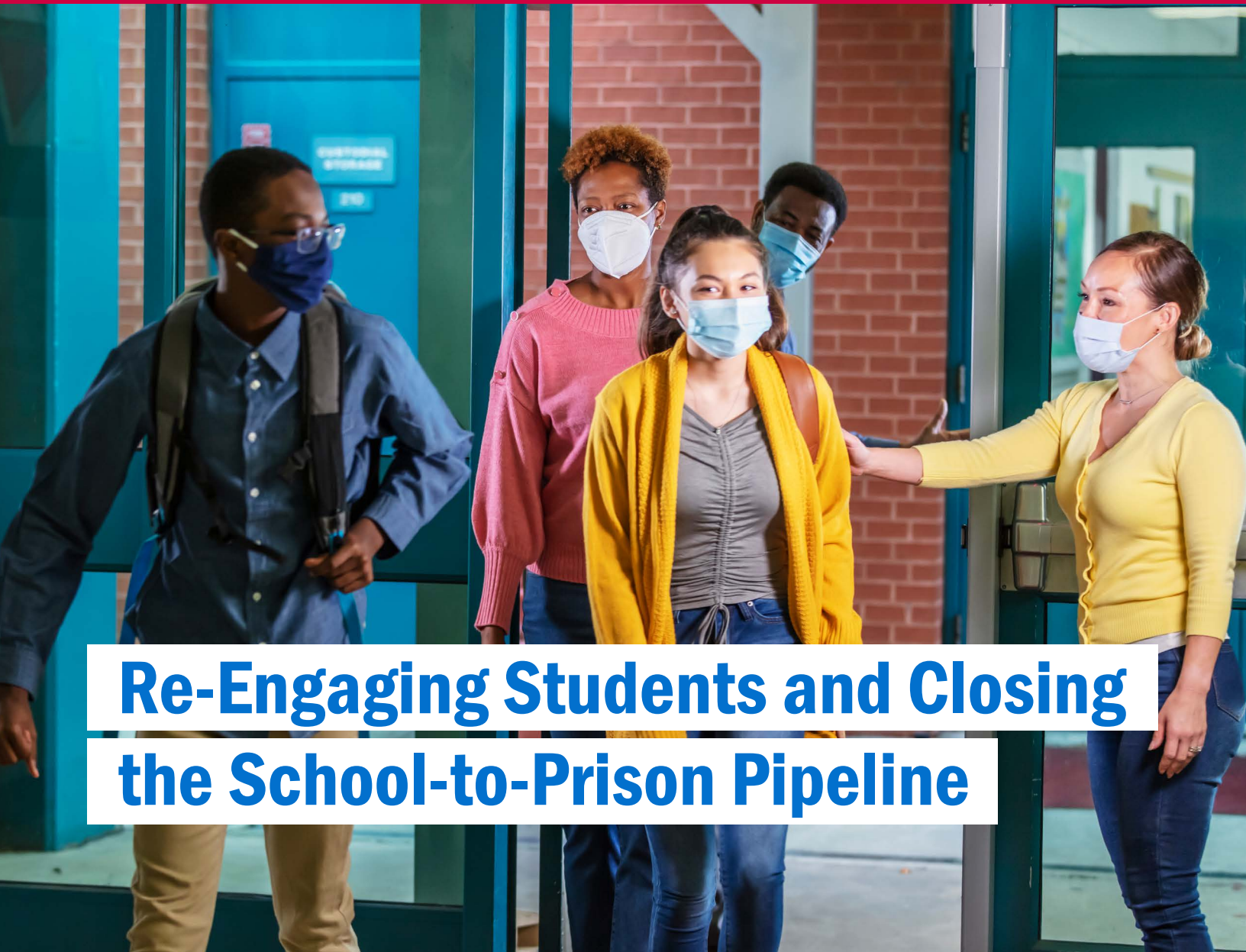


# Back-to-School Action Guide



## Re-Engaging Students and Closing the School-to-Prison Pipeline



**THE  
SENTENCING  
PROJECT**

RESEARCH AND ADVOCACY FOR REFORM



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The Sentencing Project promotes effective and humane responses to crime that minimize imprisonment and criminalization of youth and adults by promoting racial, ethnic, economic, and gender justice.

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# INTRODUCTION

After a year-and-a-half of pandemic-fueled disruptions, the reopening of schools this fall on a (more-or-less) regular schedule marks a moment to celebrate, a chance for the nation's children to get back to normal – or hopefully much better than normal – in their pursuit of learning, growth and achievement.

But it is also a moment of truth – a pivotal turning point for the U.S. education system. This moment is filled with opportunity – a time when educators, advocates, and community leaders might apply the many lessons learned in recent times about how to finally close the school-to-prison pipeline.

Thanks to a \$122 billion infusion of federal funds, schools and communities can invest vast resources in effective new approaches that offer us the power to keep children in school and help them progress along the path to educational success.

However, given the epidemic of disconnection, learning loss, and tragedy American children suffered during the pandemic, the moment will also be fraught with pitfalls. Absent an intentional effort to reject counterproductive zero tolerance discipline strategies and over-policing of public schools, and absent concerted efforts to adopt evidence-based and developmentally-appropriate strategies that engage young people in learning, foster a positive school environment and respond constructively to misbehavior, this could be a year of educational tragedy for millions of our nation's most vulnerable students.

If we don't seize the opportunity, if we instead allow our schools to reopen on autopilot, we are likely to see a year of educational backsliding that needlessly pushes students by the busload out of school and into the justice system. Unless schools and communities rise to the challenge, untold numbers of young people might be thrust quickly into the justice system through unwarranted school arrests stemming from [mis]-behavior that should be not only predictable, but anticipated. Also, given the far higher likelihood of arrest that arises whenever a young person leaves school without a diploma, many more young people could be relegated to the justice system more gradually if schools

sustain their overreliance on suspensions and expulsions and don't make adequate efforts to re-engage and support them.

Worse yet, these failures would exacerbate the gaping racial and ethnic disparities that have long plagued our nation's education and justice systems. And they would deepen the difficulties faced by children with special educational needs, those in poverty, those involved in the child welfare or mental health systems, and those residing in disinvested and under-resourced communities – the very children who have suffered most during the pandemic.

None of these bad outcomes is inevitable, however. Solutions are available to re-engage students in the new school year and to close the school to prison pipeline over time.

**In this report, The Sentencing Project details a wide variety of promising and proven strategies through which schools and community partners can:**

- **Reduce unnecessary arrests at school,**
- **Replace the counterproductive overuse of exclusionary discipline (e.g., suspensions and expulsions),**
- **Improve social and educational climate within schools, and**
- **Provide vulnerable students with the services and supports they need to maintain good attendance, avoid disciplinary problems, thrive academically, and remain on track toward graduation and higher education.**

By embracing these solutions, by making creative and strategic use of relief funds, we can establish a new normal in our education system that fosters success, promotes equity, conforms to best practice, and recognizes the realities of adolescent behavior and brain development, as well as the impacts of trauma.

# ENORMOUS EDUCATION AND YOUTH DEVELOPMENT CHALLENGES

**America's reopened schools are likely to face unprecedented challenges in the new school year as students – many of whom have suffered educationally, psychologically, and socially during the pandemic – return to schools that are themselves confronting serious, longstanding challenges.**

## CHALLENGES FACING AMERICA'S SCHOOL CHILDREN

The covid pandemic sharply limited the amount and quality of instruction provided to public school students nationwide, leading to both lower achievement test scores compared with prior years and a big spike in absenteeism as many students disengaged from the school process.

### Learning Loss

A July analysis by McKinsey & Company found that by the end of the 2020-21 school year, America's school children were, on average, five months behind in math and four months behind in reading compared to what would be expected in a typical school year.<sup>1</sup> Other studies showed that substantially more students were far behind in the spring of 2021 than in prior years, particularly in math.<sup>2</sup> And the pandemic prompted a surge in the share of school children failing one or more academic classes.<sup>3</sup>

### Disengagement

Meanwhile, the shift to remote instruction led to wholesale disengagement from school among a significant swath of the nation's student population. In a national survey of teachers in the Spring of 2020, 52% reported that half or fewer of their students were completing the distance learning activities assigned to them; only 15% of teachers said that all or nearly all students were participating.<sup>4</sup>

### Worsening Disparities

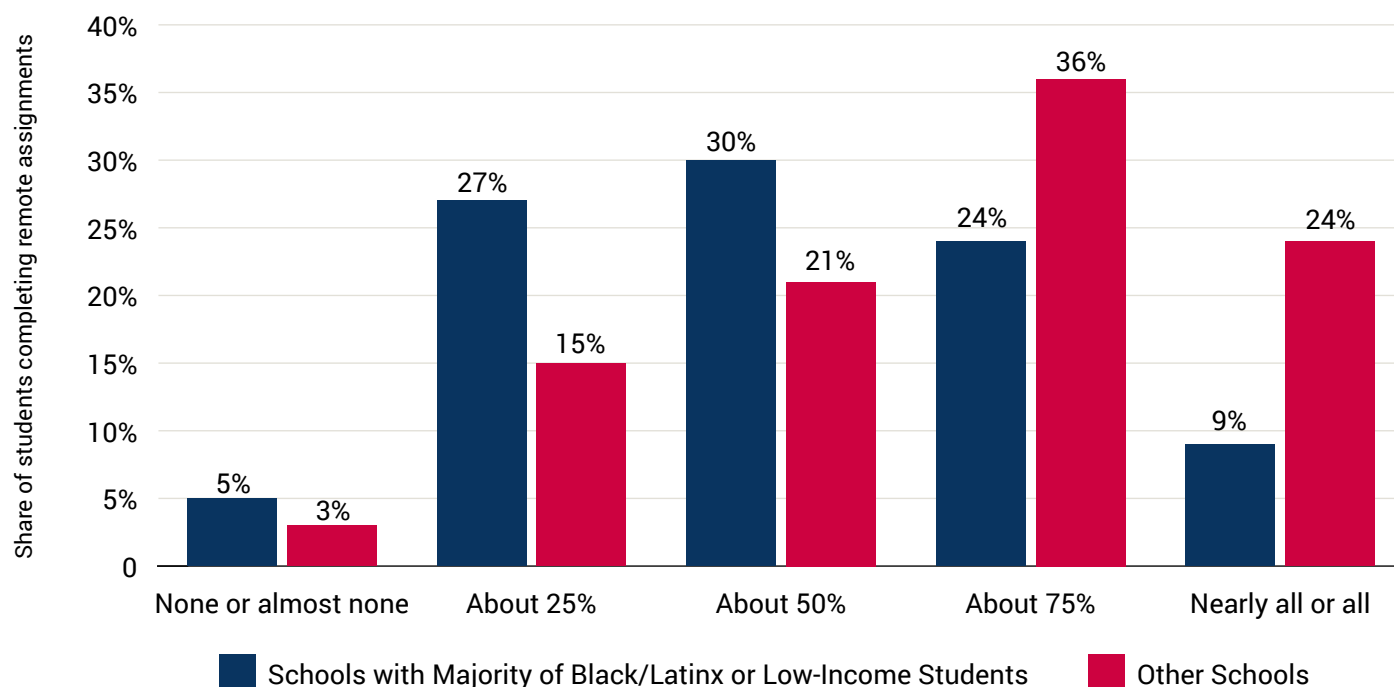
These consequences were felt far more severely by Black and Latinx students than white children, and by those from low-income families.<sup>5</sup> Studies show that children of color were far less likely than white children to receive in-person instruction,<sup>6</sup> and – if relegated to remote instruction – far less likely to have devices and internet access necessary to participate.<sup>7</sup> In the spring of 2021, one-fourth of principals in schools where 50% or more of the students are low-income, or Black or Latinx, reported that half or less of their students had home access to the internet.<sup>8</sup> Children attending schools serving mostly Black or Latinx students saw both a far larger than average drop in the share of students testing at grade level in reading and especially math, and a far larger rise in the share of students two or more grades behind.<sup>9</sup> Also, due to disruptions in the in-person supports and instruction many need, the pandemic disproportionately harmed students with special needs<sup>10</sup> and those who require English language learning support services.<sup>11</sup>

### Spike in Behavioral Health Problems

In addition to these academic challenges, the pandemic caused a serious spike in mental health problems among adolescents nationwide. Compared to pre-pandemic times, young people have become more likely to contemplate or attempt suicide<sup>12</sup> and more likely to visit the emergency room due to mental health problems.<sup>13</sup> Nearly half of parents in a nationwide survey



Figure 1. In Schools Where Most Students are Black or Latinx, or Low-Income, Completion Rates for Distance Learning Were Low in Spring 2020



Source: Rand Corporation, COVID-19 and the State of K–12 Schools: Results and Technical Documentation from the Spring 2020 American Educator Panels COVID-19 Surveys, p.12

in early 2021<sup>14</sup> said their adolescent children had developed a new or worsening mental health condition since the start of the pandemic. Likewise, a large majority of students in a national survey in early 2021 reported that they are “experiencing more problems now than they did in January 2020, before the pandemic began,” and these problems were especially prevalent among youth of color.<sup>15</sup>

For virtually all children, and especially for adolescents, the pandemic interrupted important developmental milestones,<sup>16</sup> as young people were cut off from their peer groups and missed significant life events – everything from getting a first job to earning a driver’s license to going on their first dates. With school buildings closed, many youths were forced to care for younger siblings while trying to handle their own remote school assignments.

Many children endured traumatic experiences during the pandemic. Some were thrown into economic crisis, or faced food insecurity, due to covid-related layoffs. Many youth grieved for loved ones who died or became

seriously ill from the virus. Research shows that such trauma can have serious long-term consequences for young people’s educational progress and their future well-being generally.<sup>17</sup>

Given all of these realities, many experts anticipate unprecedented behavioral difficulties in the re-opening of schools, as well as pervasive attendance problems, as students unaccustomed to attending school and meeting behavioral expectations are forced to follow not only the regular rules of school but also a host of new requirements related to pandemic health safety. For instance, the National Association of School Psychologists wrote last year that; “Under normal circumstances, we would expect approximately 20% of children to experience some social–emotional and behavioral concern throughout their school trajectory—we now expect these rates to **double or triple** after COVID.”<sup>18</sup>

“You’re going to have some discipline problems this year,” Phyllis W. Jordan, the editorial director at Future Ed, an education think-tank at Georgetown University,

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**Phyllis W. Jordan**  
Editorial director at Future Ed

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told *Education Week* in May 2021.<sup>19</sup> “There are going to be kids who have behavioral outbursts, and you’re just going to have kids who are out of practice at being in school who are just not behaving properly,” said Jordan, who previously worked as an education reporter for the *Washington Post* and *Los Angeles Times*. “And the worst thing a school can do is flush them all out with suspensions or harsh discipline. There is going to have to be some attention and training on issues like restorative practices and ways of coping with these issues that kids are going to have.”

## **CHALLENGES FACING SCHOOL SYSTEMS AND THEIR STAFFS**

In addition to all of these difficulties facing children, the adults working in public school systems can (and often do) also contribute to poor outcomes, both individually and through the problematic policies and practices schools sometimes employ. Indeed, all indications suggest that most US schools are not prepared to respond effectively to the current challenge.

### **A Workforce Under Duress**

In an April 2021 poll of teachers nationwide, 92% reported that they found their jobs more stressful in 2021 than prior to the pandemic.<sup>20</sup> In other polls during the pandemic, alarming numbers of teachers reported

low morale, stress, burnout/fatigue, and anxiety at work.<sup>21</sup> In February 2021, nearly one-fourth of teachers in a nationwide survey said they were likely to leave their jobs by the end of the 2020–2021 school year, far more than in prior years.<sup>22</sup> Meanwhile, enrollment in college teacher preparation programs has fallen steadily in recent times,<sup>23</sup> foretelling a likely teacher shortage in the years to come.<sup>24</sup>

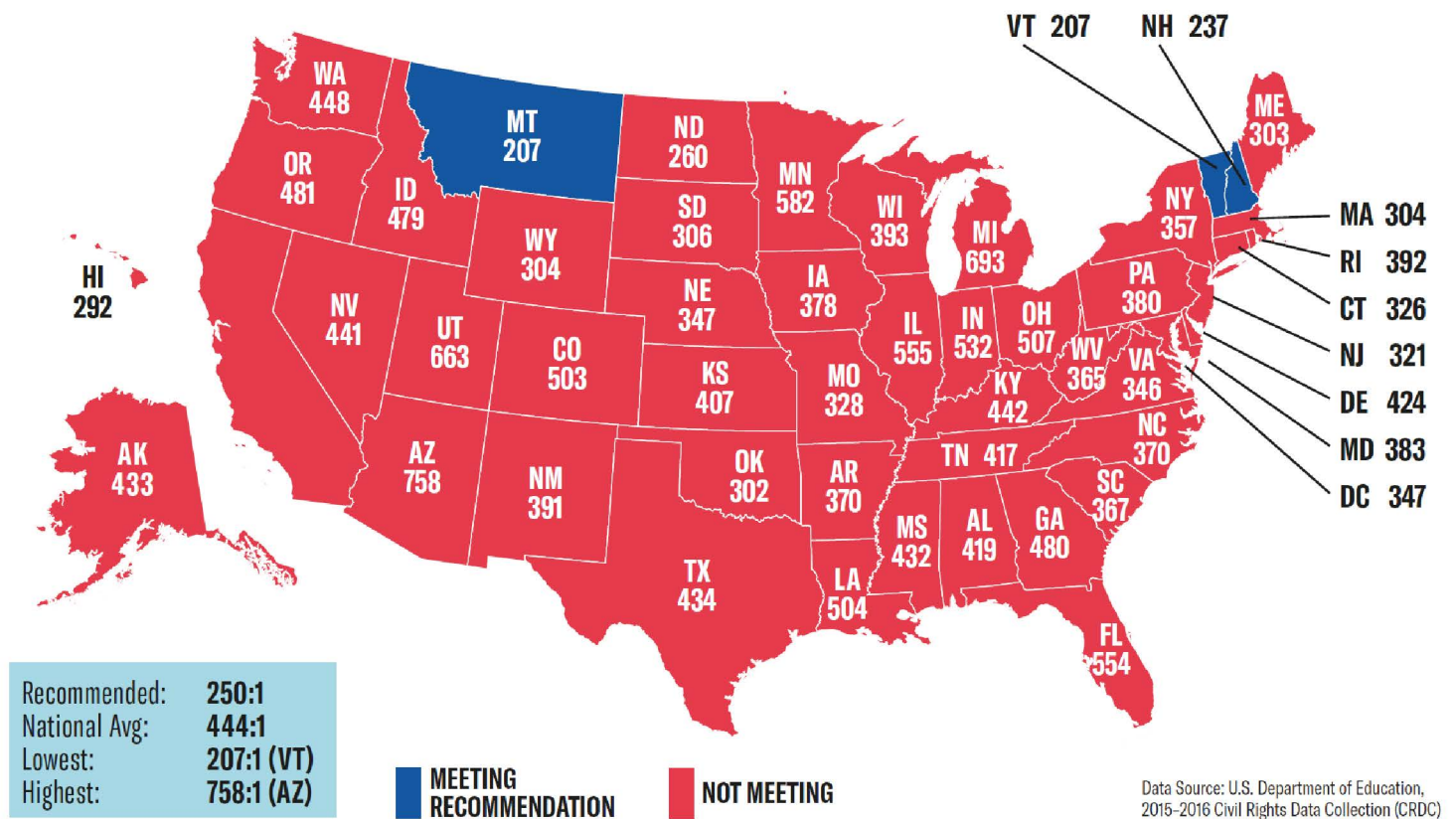
### **A Host of Prevalent Problematic Practices**

Educators throughout the US will be returning to schools that, prior to the pandemic, commonly employed many practices that fueled the School-to-Prison-Pipeline, perpetuated severe disparities, and left many students behind.

#### **Too many police**

Back in 1975, just one percent of schools nationwide had a school resource officer<sup>25</sup> (SRO) stationed on-site to provide security; by 2017-18 that figure had risen to 61%.<sup>26</sup> Yet, there is compelling evidence that the presence of SROs tends to increase the number of youth arrested at school, often for low-level offenses, and that having SROs on campus exacerbates racial and ethnic disparities.<sup>27</sup> The presence of SROs does not protect against school shootings, scholars find, and there is little or no evidence that SROs improve other indicators of school safety.<sup>28</sup>

Figure2. Ratio of Guidance Counselors to Students in U.S. Public Schools



Source: American Civil Liberties Union, [Cops and No Counselors: How the Lack of School Mental Health Staff Is Harming Students](#), 2019. Image of map courtesy of Amir Whitaker of ACLU of Southern California.

## Not enough counselors

By contrast, research has shown that “school staff who provide health and mental health services to our children not only improve their health outcomes for those students, but also improve school safety.”<sup>29</sup> Yet, nearly two million students nationwide attend schools with police officers but no guidance counselors, 6 million attend schools with police but no psychologists, and 10 million attend schools with police but no social workers.<sup>30</sup> Nationwide, the ratio of counselors to students in US schools (1:444) is nearly twice that recommended by experts (1:250). Not a single state meets the recommended ratio of students to social workers, and only four states meet the recommended staffing ratio for school psychologists.<sup>31</sup>

## Drastic Overuse of Arrests

Despite a federal law requiring school districts to report the number of students arrested or referred to law enforcement, the majority of large districts nationwide do not. Therefore, while the latest federal data show that more than 230,000 students were referred to law enforcement in 2015-16,<sup>32</sup> the actual number is likely far higher.<sup>33</sup> More reliable data from state and local school systems find that the majority of arrests are for low-level misdemeanor offenses like disorderly conduct or simple assault (schoolyard fighting), and racial disparities for these kinds of offenses are vast.<sup>34</sup> Research makes clear that getting arrested sharply decreases the likelihood of completing high school and increases the likelihood of future arrests and justice system involvement.<sup>35</sup>



## **Over-reliance on Exclusionary Discipline**

US schools have also seen a troubling increase in suspensions and expulsions since the 1970s, fueled by the nation's embrace of "Zero Tolerance" discipline policies requiring severe consequences for a wide range of misbehaviors at school. Overwhelming research has found that zero tolerance policies cause much more harm than good:<sup>36</sup> getting suspended or expelled sharply increases children's odds of dropping out of school<sup>37</sup> or entering the justice system,<sup>38</sup> and attending a school with high rates of suspension and expulsion is associated with lower graduation rates and worse academic achievement.<sup>39</sup> In the past few years, as awareness of this research has grown, the use of exclusionary discipline has begun to fall.<sup>40</sup> This progress has been highly uneven, however, and the use of exclusionary discipline remains extraordinarily widespread nationwide. American school children lost 11.2 million days of instruction to out-of-school suspensions in the 2017-18 school year, more than 60,000 full school years.<sup>41</sup>

## **Glaring Racial and Ethnic Disparities**

In terms of both arrests and exclusionary discipline, data consistently find glaring disparities. For instance, Black high school students nationwide lost five times as many school days in 2015-16 as their white peers.<sup>42</sup> While national data are not collected reliably, available data and research consistently find that Black and Latinx youth are far more likely than white children to be arrested at school, particularly for less serious offenses. In Florida, for instance, Black girls made up 22% of the total female student population, but 74% of the female students arrested for disorderly conduct.<sup>43</sup>

## **Inadequate Support for Children with Disabilities**

Studies consistently find that children with disabilities are arrested and suspended at far higher rates than other students, despite federal laws prohibiting schools from punishing children for behaviors caused by their disabilities.<sup>44</sup> The covid-19 pandemic has caused particular hardship to students with disabilities.<sup>45</sup> Many school districts were unable to provide youth with disabilities the services they required to participate

successfully in distance learning,<sup>46</sup> and frequent delays were reported for students needing new or updated individualized education plans.<sup>47</sup>

## **Unnecessary Barriers to Re-entry for Returning and Relocating Students**

The education system often does a poor job of enabling youth to return to school after placement into detention or correctional facilities, or into residential treatment centers. Also, homeless youth and those in the foster care system, who tend to be relocated frequently and forced to switch schools, often face serious difficulties in transferring credits from one school to the next.<sup>49</sup>

## **SUMMARY: AN IMPENDING CRISIS**

Given the disruption, lost learning opportunities and psychological stress suffered by students in the first 18 months of the pandemic and schools' continuing reliance on problematic practices in dealing with student behavior, the U.S. education system faces grave risks in the 2021-22 school year. Unless schools tap the resources of community partners and aggressively embrace promising new approaches, many young people will likely be criminalized or excluded from school due to predictable behavior problems, and many will be pushed out of school or left to drift away due to inadequate outreach, encouragement and support.

# AN UNPRECEDENTED OPPORTUNITY

While the dangers facing the US education system are daunting, the current moment is even more noteworthy for the immense opportunities available to schools and communities nationwide. If they heed the lessons of best-practice research and invest available federal resources wisely, schools and communities can foster the success of returning students and engineer an overdue shift away from ineffective and inequitable practices that have long plagued our education and justice systems.

## ENCOURAGING DEVELOPMENTS

Today's educational landscape features many encouraging developments and many assets that can be used to create a new ethos of effective and inclusive education; engage and support all students; and offer constructive and age-appropriate responses to predictable adolescent misbehavior.

### A Massive Infusion of Federal Funds

The \$1.9 trillion American Rescue Plan approved by Congress and signed by President Biden in March 2021 included a provision allocating \$122 billion for the Elementary and Secondary School Emergency Relief Fund. These dollars, which are targeted to support state and local education agencies in their efforts to “reopen K-12 schools safely” and to “equitably expand opportunity for students who need it most,”<sup>50</sup> come on top of the \$68 billion in K-12 education funding included in earlier stimulus packages enacted in 2020.<sup>51</sup>

These \$122 billion, to be spent over three years (more than \$40 billion per year), represent the largest infusion of federal funding for elementary and secondary education in U.S. history. By contrast, the biggest ongoing federal funding program for elementary and secondary education, known as Title I, allocates \$16 billion to local education agencies each year.<sup>52</sup>

The new law instructs states and local school districts to focus on the needs of the most vulnerable students, the very young people at greatest risk for entering the

justice system, and it offers public school officials extraordinary flexibility to address the educational harms of the pandemic in almost any way they see fit. The law includes a provision to ensure that relief funds are not used to cover costs that would ordinarily be paid with existing funds, and it requires local education agencies to spend at least 20% of the funding to address learning loss among students impacted by the pandemic using strategies with at least some evidence of effectiveness or research-based rationale.<sup>53</sup>

But beyond these modest requirements, school districts can spend the federal money on a vast variety of activities to address needs arising from the pandemic. In other words, over the next three years education officials across the nation will have at their disposal a previously unimaginable influx of financial resources which they can allocate toward virtually any approach they can reasonably describe as promising, either to help vulnerable students return successfully to school or to support other changes that promote the long-term well-being of student populations who have not been served successfully in the past.

The challenge facing school leaders and their community partners will be to employ those dollars wisely – to make the most of the time-limited opportunity by funding efforts that employ the most promising approaches, to implement them effectively, and to do so in a way that cements lasting changes and leads to long-term progress for the neediest students.

### Momentum for Change on School Discipline and Policing

While attention to the school-to-prison pipeline has been growing nationwide for more than a decade, the conversation has taken on a new urgency since May 2020 when the murder of George Floyd sparked a nationwide movement to protest police brutality and promote reform in policing practices

In June 2021, Education Week identified 33 school districts nationwide that have ended the use of SROs

**Table 1. School Districts That Have Eliminated School Resource Officers Since June 2020**

State	School District	State	School District
Arizona	Phoenix Union High School District	Massachusetts	Public Schools of Brookline
	San José Unified School District		Easthampton Public Schools
California	Alum Rock Union School District		Somerville Public Schools
	San Mateo-Foster City School District		Worcester Public Schools
	Claremont Unified School District	Michigan	East Lansing Public Schools
	East Side Union High School District		Hopkins Public Schools
	Hayward Unified School District		Ypsilanti Public School District
	Mountain View-Los Altos Union High School District	Minnesota	Minneapolis Public Schools
	Oakland Unified School District		Saint Paul Public Schools
	Pajaro Valley Unified School District	New York	Plattsburgh City School District
	Pomona Unified School District		Rochester City School District
	Sacramento City Unified School District	Oregon	Salem - Keizer Public Schools
	San Francisco Unified School District		David Douglas School District
	San Rafael City Schools		Eugene School District 4J
	Santa Rosa City Schools		Parkrose School District 003
	West Contra Costa Unified School District		Portland Public Schools (OR)
Colorado	Boulder Valley School District	Vermont	Burlington School District
	Denver Public Schools		Champlain Valley School District
Illinois	Oak Park & River Forest High Schools		Montpelier Roxbury Public School District
Iowa	Des Moines Public Schools	Virginia	Alexandria City Public Schools
Maine	Portland Public Schools (ME)		Arlington Public Schools
	Waterville Public Schools		Charlottesville City Schools
Maryland	Montgomery County Public Schools	Washington	Seattle Public Schools
		Wisconsin	Madison Metropolitan School District
			Milwaukee Public Schools

Sources: Online Map of the Police-Free Schools Movement, A Project of Girls for Gender Equity, available at <https://www.google.com/maps/d/u/0/viewer?mid=13LZTvaTKvFjYDkk12ZBwOG6u0ygqWLdw&ll=47.04807027016173%2C-109.34883255&z=4>; Riser-Kositsky, M & Sawchuk, S., "Which Districts Have Cut School Policing Programs?," Education Week, June 4, 2021, available at <https://www.edweek.org/leadership/which-districts-have-cut-school-policing-programs/2021/06>; and other media reports.

or other armed police since May 2020.<sup>54</sup> The list included large school systems in all regions of the country such as Oakland; Des Moines; Alexandria, Virginia; Denver; Milwaukee; and Seattle. Since that list went to press, several more school districts have voted to remove police from their school buildings including San Jose, California<sup>55</sup> and Arlington, Virginia.<sup>56</sup>

In addition, many other school districts have curtailed or modified their school policing programs recently to reduce the number of SROs or limit their roles in response to community concerns. Los Angeles County<sup>57</sup> cut 133 SRO positions, removed all officers from being stationed on campuses, banned the use of pepper spray on students and reallocated \$25 million to an initiative to improve the educational experiences of Black students. Continuing a reform movement that has cut school arrests from more than 6,000 arrests in 2010<sup>58</sup> to 1,000 in 2018-19,<sup>59</sup> Chicago's school board voted in August 2020 to cut funding for SROs from \$33 million to \$12 million.<sup>60</sup> Seventeen Chicago high schools voted to remove their SROs in 2020, and another 22 voted to remove one or more SROs in 2021 after the school board began allowing local school councils to reallocate \$50,000 in flexible funding for each school resource officer removed to support alternative approaches to school safety.<sup>61</sup> In 2020, Phoenix terminated its \$1.2 million SRO program and reallocated the funds to support alternative approaches to school safety selected by students, parents and school staff.<sup>62</sup>

In addition, the use of exclusionary discipline has begun to decline nationwide, benefiting youth in all demographic groups, both at the elementary and secondary school levels, including youth with disabilities. Nationwide, the suspension rate fell 23% from 2011-12 to 2017-18, the last year for which data are available.<sup>63</sup>

### Engaged and Capable Community Partners.

The pandemic has strengthened partnerships between schools and community organizations to engage and assist vulnerable students and families facing pandemic-related needs. All over the nation, community-based organizations have provided assistance to youth and

their families thrown into crisis by the pandemic, and partnered with schools to promote school attendance. Detroit launched a door-to-door campaign where parent volunteers visited the homes of students who had not been showing up to class.<sup>64</sup> In Brooklyn, NY, staff of a local community development organization provided all manner of assistance to students and their families at a local public school – distributing groceries, filing food stamp applications, providing rental assistance, organizing masked summer camp – in addition to operating its usual after school learning programs.<sup>65</sup>

A growing body of research finds that strong connections to community organizations, especially when community partners are invited inside the school building and become part of the educational fabric, lead to better academic outcomes. Based on this research, a task force at the Brookings Institution called in 2021 for “transformation of U.S. schools into community schools” that bring “together educators, communities, and families to support every student every day.”<sup>66</sup> The panel called the community school approach “a proven solution that addresses educational inequities and leapfrogs our school system toward a new way of teaching and learning that honors local assets and helps students develop the competencies and skills they need to thrive in work, life, and citizenship.”

In their efforts to put federal relief funds to optimum use, school systems and their community partners can draw upon a wealth of new knowledge regarding what works (and doesn't work) to address or prevent problem behavior, and to improve outcomes for youth most at risk of school failure or entry into the justice system.

# AN ABUNDANCE OF PROMISING STRATEGIES

## REFORMING SCHOOL DISCIPLINE AND CLOSING THE SCHOOL-TO PRISON PIPELINE

To close the school-to-prison pipeline and more effectively address misbehavior at school, a number of strategies are effective in minimizing arrests, reducing the use of exclusionary discipline, and improving the school climate in ways that enhance safety and foster student success.

### Minimizing arrests

Schools and communities throughout the nation have experimented with a wide variety of strategies in recent times to minimize the use of arrests as a response to common and non-dangerous misbehavior at school. From these efforts, several key lessons are apparent:

#### End police presence inside schools

Research suggests that eliminating or vastly reducing the number of School Resource Officers (SROs) and other law enforcement officers stationed within schools will boost student success without compromising safety. This strategy should be especially beneficial if resources previously spent for SROs are redirected to other more constructive uses. Fortunately, dozens of jurisdictions nationwide have voted over the past year to eliminate or scale back the number of school resource officers and other law enforcement personnel stationed in their schools. Because this trend is so new, there is no direct evidence yet to show the effect of removing officers in terms of school safety or student outcomes. However, the extensive research that is available on SROs makes clear that their presence does not protect against school shootings, and findings are mixed about their impact on other indicators of school safety.<sup>67</sup>

There is substantial evidence, however, that the presence of SROs tends to increase the prevalence of arrests and the use of exclusionary discipline, exacerbating racial and ethnic disparities. Moreover, the presence of SROs is associated with reduced academic achievement and lower graduation rates.<sup>68</sup> In a 2020 review of the research, University of Delaware Sociologist Aaron Kupchik found “strong evidence of unintended harmful

consequences that come with policing programs [inside schools], including thrusting students into the criminal justice system and perpetuating racial inequality.”<sup>69</sup>

#### Create school-justice partnerships to minimize arrests

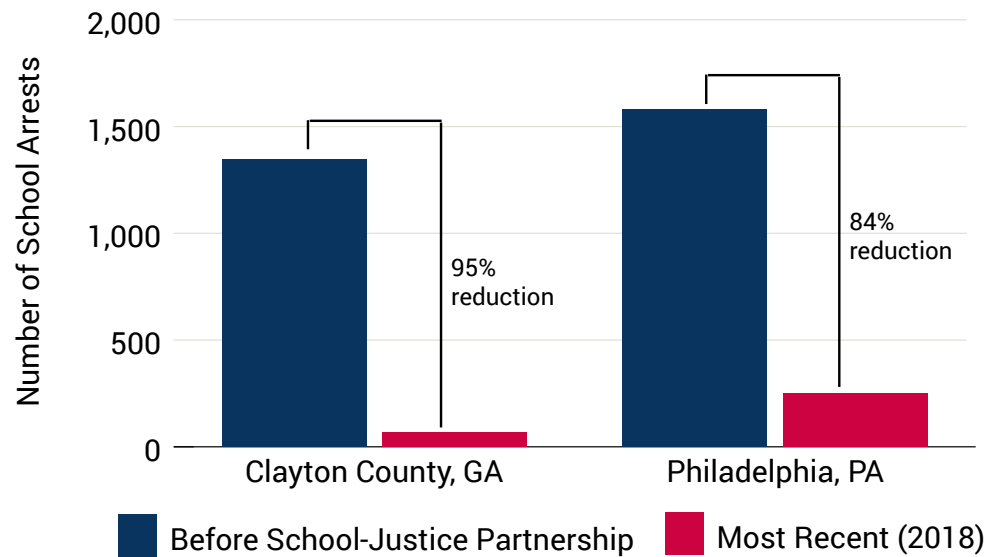
A number of jurisdictions nationwide have sharply reduced school arrests in recent years through community partnerships in which local stakeholders negotiated and signed agreements precluding arrests for specific offenses and devised a continuum of less-punitive alternative responses to misbehavior. Clayton County, Georgia, an Atlanta suburb, has cut school arrests by 95% since 2003 (from 1,345 in 2003 to just 69 in 2018) after local leaders in public education, law enforcement, the courts, and other community stakeholders negotiated and signed an agreement precluding arrests for an extensive list of low-level offenses and devised a continuum of less-punitive alternative responses to misbehavior instead.<sup>70</sup> Judge Steven Teske and other leaders in Clayton County have conducted training on their model in dozens of communities, and replication efforts have been launched in numerous jurisdictions across the country. Also, the National Council of Juvenile and Family Court Judges has promoted the “Teske Model” nationwide through its School-Justice Partnership Project.<sup>71</sup>

In Philadelphia, school arrests have plummeted 84% from 2013-14 to 2018-19 after former Deputy Police Chief Kevin Bethel brokered an agreement to preclude arrests for many routine misbehaviors and instead to refer youth to community youth development agencies funded by the city’s Department of Human Services.<sup>72</sup>

In Broward County, Florida, community leaders agreed in 2013 to stop referring youth accused of 13 offenses to juvenile court.<sup>73</sup> Instead, these youth spent several days at an alternative program focused on behavior and self-awareness. The arrest rate for students in county schools soon fell by more than 50%.<sup>74</sup> In all of these sites, the keys to success have been to forge consensus on behaviors that will no longer be subject to arrest, and to identify more therapeutic alternative responses that will be used instead.



Figure 3. Reducing Arrests at School Through School-Justice Partnerships



Source: Personal Communication with Judge Steven Teske, July 13, 2021; "Philadelphia Police School Diversion Program," online fact sheet. Drexel University Juvenile Justice Research & Reform Lab.

### Develop an emergency mental health response to students' behavioral episodes

Having emergency-response mental health professionals, not law enforcement officers, respond to students' behavioral episodes offers another promising strategy for reducing school arrests. For instance, Connecticut's School-Based Diversion Initiative connects students at risk of arrest for disruptive behaviors to mental health providers in their communities. The model, which also trains school staff on mental health and helps schools reduce reliance on suspensions and expulsions, has enabled participating schools to reduce juvenile court referrals by 34%. The model has been adopted in 48 schools statewide, and has been exported to schools in several other states as well.<sup>75</sup> In Summit County (Akron), Ohio, the "Responder" program assigns case managers from the County's juvenile court to assess and work with youth exhibiting behavioral and attendance issues in school. Youth who successfully complete the Responder program are referred back to court less than half the rate as similar youth who do not complete the program.<sup>76</sup> The National Center for Youth Opportunity and Justice (previously known as the National Center for Mental Health and Juvenile Justice) has promoted this model<sup>77</sup> for many years, and has published numerous publications and tools<sup>78</sup> to support its implementation.

### REDUCING THE USE OF EXCLUSIONARY DISCIPLINE

Increasingly, experts agree that zero tolerance policies and heavy reliance on exclusionary discipline (suspensions, expulsions) are both detrimental and discriminatory – with youth of color and those with special education needs targeted disproportionately. As a result, the use of suspensions in recent years has begun to decline nationwide. However, this progress has been highly uneven, and – as noted above – the use of exclusionary discipline remains extraordinarily widespread nationwide (more than 11 million schools days lost per year to suspensions<sup>79</sup>), with immense racial and ethnic disparities.<sup>80</sup>

Effective strategies to lower the number of suspensions and expulsions include:

#### Rewriting the school discipline code

Many jurisdictions in recent years have substantially reduced suspensions and expulsions by rewriting their school discipline codes. Changes to Chicago's discipline code in 2012 and 2014, combined with efforts to employ restorative justice principles and promote social and emotional learning, helped cut out-of-school suspensions by 76% and expulsions by 59%.<sup>81</sup> A major revision of

Baltimore's schools school discipline code in 2008 likewise helped spark dramatic reductions in exclusionary discipline: from a high of 26,000 suspensions in 2004 to 6,600 in 2013.<sup>82</sup>

### **Expanding therapeutic responses to misbehavior**

Reducing exclusionary discipline also requires schools to provide developmentally-appropriate responses – or ideally a continuum of them – to address misbehavior. These can include simple warnings or required apology letters, behavior workshops, counseling, restorative justice conferences, or referral to wraparound programs offering a comprehensive array of support for children and their families.

In **Clayton County, Georgia**, students typically receive only a modest response to any first incident (write an apology letter, perhaps only a warning), while for a subsequent infraction students may be told to attend a workshop related to their behavior (anger management, substance abuse, etc.). For youth who are persistently disruptive, Clayton County has developed a system of care offering more intensive assessment to identify and address any underlying issues that children (and their families) may be grappling with.

In **Cleveland**, the local school system established student support teams – including a teacher, administrator and mental health professional – to work individually with young people who exhibit warning signs such as chronic truancy or behavioral referrals. Combined with other new efforts to improve the school climate and promote social and emotional learning, the support teams helped Cleveland cut behavioral incidents by half district-wide and reduced out of school suspensions by 60%.<sup>83</sup>

In **Broward County, Florida**, when local leaders agreed in 2013 to stop referring students to court for 13 behaviors that previously resulted in court referrals, they created a new program – PROMISE – where youth work with counselors, examine the reasons for their misbehavior and learn new skills. Less than 10% of students referred to PROMISE were committing a new offense as of 2016, and school arrests in the county fell 63%.<sup>84</sup>

### **Embracing Restorative Justice and other approaches to improve school climate**

Schoolwide implementation of Restorative Justice and Positive Behavior Interventions and Supports (PBIS), as well as teaching Social and Emotional Learning, can enhance safety and foster academic success.

- **Restorative Justice**

In 2020, an evaluation study found that in 15 Baltimore City public schools where Restorative Justice (RJ) was implemented on a school-wide basis in 2018, suspensions fell 44% in one year.<sup>85</sup> Large majorities of staff in schools adopting Restorative Justice reported that the project had improved school climate (72%), mutual respect among students (69%), and student respect for staff (64%). Studies of Restorative Justice in other jurisdictions have sometimes produced more mixed results, and have highlighted the need for rigorous and careful implementation.<sup>86</sup> Yet, a recent review of Restorative Justice in schools concluded that while research remains limited, the preliminary evidence suggests that “RJ has positive effects on exclusionary discipline rates, discipline disparities, and school climate.”<sup>87</sup>

- **Positive Behavior Interventions and Supports**

PBIS is a multi-tiered school-wide intervention model designed to foster a positive school climate, support learning, and limit the need for and use of exclusionary discipline. PBIS has been adopted by more than 25,000 schools nationwide,<sup>88</sup> including more than 3,000 high schools,<sup>89</sup> and several evaluation studies have found that, when implemented rigorously, PBIS significantly lowers suspension rates and yields a host of other positive outcomes.<sup>90</sup>

- **Social and Emotional Learning (SEL)**

A wealth of research indicates that young people's long-term success relies heavily on the development of key attitudes, work habits and

social skills, such as determination to succeed, interest in and connection to school, and ability to cooperate and work with peers.<sup>91</sup> Social and Emotional Learning programs aim to help school children develop these skills and attitudes, sometimes through off-the-shelf curricula and other times through more organic learning opportunities emerging through their school lessons – or through opportunities to serve or contribute to their class, school, or community. Many studies have found that students exposed to effective SEL instruction improve on key social and emotional skills and attitudes, and achieve better grades and more long-term success than youth who do not receive this instruction.<sup>92</sup>

### **Hiring additional counselors and mental health professionals**

Research suggests that schools can improve safety and student well-being by expanding their staff of guidance counselors and mental health professionals – or by bringing in community providers. Shortages of counselors, social workers and psychologists persist in schools nationwide despite evidence that, as a 2019 report from the American Civil Liberties Union found, “mental health providers improve school climate and other positive outcomes for students.”<sup>93</sup> Moreover, this study found that “school staff who provide health and mental health services to our children not only improve the health outcomes for those students, but also improve school safety,” and “schools that employ more [mental health staff] see improved attendance rates, lower rates of suspension and other disciplinary incidents, lower rates of expulsion, improved academic achievement and career preparation, and improved graduation rates.”<sup>94</sup>

## **IDENTIFYING AND SUPPORTING STUDENTS AT RISK FOR FAILURE OR DROPOUT**

Many promising and proven strategies are also available to re-engage and support vulnerable students who face elevated risks of dropping out or failing in the coming school year. By adopting these approaches, schools and communities might not only avert an epidemic of students leaving school during 2021-22, but also take a huge step toward erasing longstanding disparities in

the education and justice systems while ushering in a new era of opportunity for children too frequently left behind in pre-pandemic times.

### **Identifying students at high risk of school failure**

Education scholars in recent years have made enormous progress in pinpointing the early warning signs that predict when children are at extreme risk for school failure. Specifically, they found that half of all children who eventually drop out of school show problems in attendance (less than 80% attendance), behavior (unsatisfactory behavior mark in at least on class), or course completion (failing English or math) by the eighth grade, and 80% exhibited one of these signs by the 9th grade.<sup>95</sup> Sixth graders who exhibited any of these indicators had a more than 75% likelihood of dropping out of school.<sup>96</sup> These research findings provide educators an invaluable tool: by collecting and analyzing data regarding these early warning indicators, public school systems can identify youth at high risk of failure who require extra support and assistance in order to succeed.

### **Tapping community resources**

Increasingly, education and youth development experts recognize that schools must address the needs of the whole child, and often their family, in order to ensure success.<sup>97</sup> Especially for children in vulnerable populations – racial and ethnic minorities, low-income, or with special needs due to disabilities or involvement in the child welfare system – schools must partner with community organizations and outside service providers, and they must tap the energy and talents of community residents interested to support children’s success. Toward this end, several strategies show significant promise.

### **Embrace the community school model**

By forging partnerships with and providing funding for community organizations to operate programs and provide crucial supports and services for vulnerable students and their families, community schools provide: (1) integrated assistance (i.e., wraparound services) to help children and their families access needed social, medical/dental and human services; (2) expanded learning opportunities during non-school hours; (3)

support family and community engagement in school activities; and (4) involve parents and community members in decision-making around issues of common concern. A recent review of research on community schools concluded that “well-implemented community schools lead to improvement in student and school outcomes and contribute to meeting the educational needs of low-achieving students in high-poverty schools.”<sup>98</sup> A 2020 evaluation of community school effort in New York City by the RAND Corporation found that community schools “had a positive impact for students across a range of outcomes” including attendance, credit accumulation, and disciplinary incidents.<sup>99</sup> Based on this promise, a task force assembled by the Brookings Institution issued a white paper in early 2021 calling for “transformation of U.S. schools into community schools,” with a particular focus on the 4% of school districts nationwide that educate 40% of US children and face the greatest concentration of student needs.<sup>100</sup>

### **Recruit volunteers from the community**

Several of the most promising strategies to engage vulnerable students, and to help them succeed, require active involvement from community volunteers to tutor or mentor vulnerable students, and to reach out to children and families and promote consistent attendance at school. Therefore, ideally as part of their efforts to embrace the community school model, schools should partner with neighborhood-based organizations to bring in volunteers, cultivate their connection to the school community, and provide them with necessary training, supervision, and support. In these efforts, schools may wish to link with local AmeriCorps programs, which may supervise large numbers of paid volunteers participating in this longstanding federal service program.<sup>101</sup> The American Rescue Plan included an additional \$1 billion dollars to support expansion of AmeriCorps during the pandemic recovery, and these volunteers might be good candidates to serve in school-based service projects.<sup>102</sup>

### **Promote law enforcement strategies that divert youth from justice involvement**

Instead of arresting youth who skip school or engage in low-level misbehaviors and referring them to court, or issuing truancy tickets or citations, law enforcement

**Several of the most promising strategies to help vulnerable students succeed require active involvement from community volunteers to tutor or mentor students, and to reach out to children and families and promote consistent attendance at school.**

officers in some jurisdictions instead steer youth to supportive services and reconnect them with school. In Cambridge, Massachusetts, for instance, police have partnered with the public schools, area youth centers, and mental health experts on an ambitious initiative aimed at minimizing arrests, keeping youth out of court and connecting youth with positive activities or needed counseling or social services. Officers assigned to the Cambridge police department’s Youth and Family Services Unit receive extensive training on adolescent development and conflict resolution, and must follow strict protocols when dealing with youth incidents.<sup>103</sup> In the first five years of the program, youth arrests fell more than 70%.<sup>104</sup> In Portland, Oregon, as well as many other sites participating in the Annie E. Casey Foundation’s Juvenile Detention Alternatives Initiative, police officers are instructed not to bring youth to detention for truancy and a variety of other low-level offenses. Instead, police officers bring youth to a “Reception Center,” overseen by a local nonprofit agency, where counselors review the situation, interview the young person and his or her family, and steer the young person to relevant resources in the community.<sup>105</sup>

### **Investing in promising interventions to boost student success**

Working with these volunteers and community partners, schools can adopt a number of promising strategies to engage and support students at risk of failure or dropout. Promising approaches include:

## Intensive tutoring

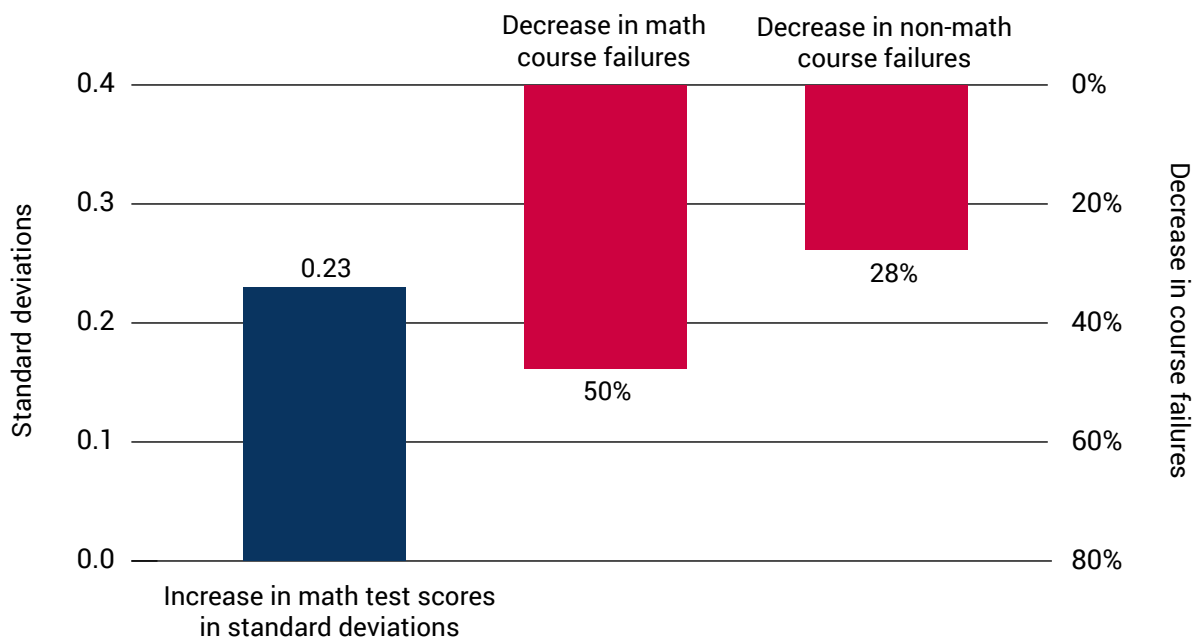
In April 2021, a coalition of leading education reform organizations sent a letter to the U.S. Department of Education singling out “targeted, intensive tutoring” as a critically important strategy to accelerate learning among students who are behind in their studies.<sup>106</sup> The letter was written one month after publication of a groundbreaking random assignment study finding that intensive tutoring doubled or tripled the rate of math learning among 9th and 10th students in some of Chicago’s most disadvantaged public high schools.<sup>107</sup> Combined with previous studies documenting significant benefits from well-crafted tutoring programs, the new study leaves little doubt that intensive tutoring offers a powerful weapon in the battle to help students recover from the widespread learning loss caused by the covid-19 pandemic – and for any students who fall behind.<sup>108</sup> As the authors of the new study put it, the powerful benefits available through intensive tutoring signify that it is never “too late or too difficult to

substantially change the academic outcomes of children who are struggling academically even once they have reached adolescence.”<sup>109</sup> In March 2021, the Education Trust published a helpful guide to intensive tutoring detailing the research, offering implementation insights, and posing strategic questions for local leaders interested in developing intensive tutoring programs.<sup>110</sup>

## Attendance promotion

Increasingly, education scholars have determined that chronic absenteeism, defined as missing more than 10% of school days for any reason (excused or unexcused), is a critical factor in children’s educational success. “Missing even some school can have negative impacts, especially for students who live in or near poverty. Missing a lot of school, at any time, throws students completely off track to educational success,” concluded one report from Johns Hopkins University.<sup>111</sup> As a result, the report continued, “one of the most effective strategies for closing the achievement gap

Figure 4. Impact of Intensive Math Tutoring on Math Test Scores and Course Failures



In a randomly controlled study involving 2,700 students in Chicago public high schools who were behind in math, those receiving a 50-minute math tutoring session each school day sharply improved their math skills and reduced course failures not only in math but in all subjects.

Source: [Improving Academic Outcomes for Disadvantaged Students: Scaling Up Individualized Tutorials](#), The Hamilton Project, March 2016.



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**“One of the most effective strategies for closing the achievement gap will be a concerted effort to enable and ensure that high-poverty students attend school regularly.”**

**Balfanz, R. & Byrnes, V.**

***The Importance of Being in School: A Report on Absenteeism in the Nation's Public Schools.***

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will be a concerted effort to enable and ensure that high-poverty students attend school regularly.” A 2020 Attendance Playbook documented a number of effective strategies to improve attendance.<sup>112</sup> These included schoolwide strategies such as gentle reminders (postcards, text messages, phone calls) to parents and occasional home visits from teachers; and offering free breakfasts. For students who are already missing school regularly, providing “success mentors” – community volunteers, older students, or school staff – to meet regularly with students at school has substantially increased attendance in a variety of jurisdictions.<sup>113</sup>

### **Promoting vulnerable students’ social and emotional learning at school**

Scholars at the Chicago Crime Lab have published two random assignment studies showing powerful benefits from a school-based intervention called “Becoming a Man.”<sup>114</sup> In the program, high school students from disadvantaged neighborhoods meet weekly in a group to learn cognitive behavioral skills, participate in experiential group exercises, and talk about their concerns. The studies found that BAM improved participants’ school outcomes, raised graduation rates by 19%, and cut the likelihood of violent crime arrests by half. Since 2015, the BAM program has expanded to serve 8,000 students per year in Chicago, and replication efforts are underway in Boston, Los Angeles and Seattle. Other programs aiming to boost the social and emotional skills of vulnerable students have also

shown strong results.<sup>115</sup> Given these promising outcomes, schools seeking to help vulnerable youth remain in school and avoid the justice system should consider replicating BAM or similar models.

### **Building quality after school and summer programs**

Finally, there is substantial evidence that vulnerable students can benefit from participation in positive youth development opportunities operated by community partners during non-school hours, and from well-crafted summer school programs that adhere to best practice. Although some research on the impact of afterschool programs has yielded disappointing outcomes,<sup>116</sup> a preponderance of studies find that carefully-conceived and well-run programs that are intensive and combine academics with fun activities tend to improve young people’s attendance, social skills, and academic achievement. Likewise, the research on summer learning programs also yields mixed findings. Some summer programs do not yield measurable or lasting benefits ; however, many other studies find that summer learning programs can and do boost students’ success when they last at least five weeks with three hours per day of academic instruction, limit class size to 15 students or fewer, maintain strong attendance rates, mix engaging enrichment activities in addition to academics, and employ both certified teachers (for academic instruction) and engaging and knowledgeable activity leaders, preferably from the community.<sup>119</sup>

# AN ACTION AGENDA

**To meet the challenges and seize the opportunities of this pivotal moment, states and local school systems must partner with their communities to pursue a two-track approach focused on (a) re-engaging adolescents and helping them to catch up on their studies and succeed in the coming school year; and (b) closing the school-to-prison pipeline over time by fundamentally revamping schools' long-term approaches to addressing student misbehavior and fostering success equitably for all students.**

## IMMEDIATE HELP FOR VULNERABLE STUDENTS

The first focus must be an all-out effort to re-engage and support children returning to school after more than a year of pandemic-fueled isolation, learning loss, missed adolescent development opportunities and in some cases trauma. Working with community partners, school systems must pull out all the stops to identify and reach out to students who have disconnected from school and others who are at high risk of dropout or failure. They must also put an immediate halt to exclusionary discipline: students have already missed enough school.

Specifically, these efforts should focus on four priorities.

### 1. Identify students at highest risk for disengagement or failure in the new school year

- Determine which students did not engage consistently in remote learning during 2020-21 or did not consistently attend in-school instruction, including those whose families have lost their housing during the pandemic.

- Analyze available data to identify children at high risk for failure or dropping out using early warning indicators related to attendance, behavior and academic progress.
- 2. Mobilize the community to locate and engage these students and promote their success
  - Forge partnerships with community organizations with the capacity to help schools connect with and engage young people and provide needed support and assistance to these youth and their families.
  - With those community partners, recruit and train a large cadre of volunteers to engage, support, mentor, and tutor students identified as vulnerable.
  - Adopt and aggressively implement school-wide strategies such as Restorative Justice, Positive Behavior Interventions and Supports (PBIS) and Social & Emotional Learning (SEL) that, when implemented rigorously, have demonstrated capacity to significantly reduce disciplinary incidents and increase student achievement.

### 3. Vastly restrict exclusionary discipline and arrests at school

- Given the huge loss in learning during the pandemic and the increase in children's stress and anxiety, leaders in education and the justice system should prohibit arrests during the new school year and rule out suspensions and expulsions as a consequence for all but the most serious misbehavior involving danger to self or others.
- Instead, from the very first day of the 2021-22 academic year, schools should address students' predictable problem misbehavior with counseling, restorative justice processes and other alternative responses – while keeping youth out of the justice system.
- Schools and juvenile courts must also refrain from filing truancy charges against youth with poor attendance. With the help of community partners, schools should instead work with these young people to identify and address barriers to school participation.

### 4. Make racial and ethnic equity a top priority

- If they are not doing so already, schools must begin collecting and analyzing data to gain understanding about how and why the pandemic worsened the education system's already grave disparities. How did children from various racial and ethnic groups differ in the type of instruction offered, attendance and participation, completion of assigned lessons. How did children from low-income families differ on these measures, or children attending schools with high concentrations of low-income students? What can be learned from surveys of parents and children about how students with different race, ethnicity, or income level experienced school since the pandemic began in March 2020? What actions must be taken immediately and in the long-term to remedy the disparities identified?
- Review school system policies and practices to examine how they might have contributed to the

very unequal outcomes exacerbated during the pandemic, and to examine options for revamping longstanding practices that perpetuate racial and ethnic disparities. Consider new strategies that might enhance the opportunities and success rates of students most severely harmed through disruptions caused by the pandemic.

- Identify gaps in current programs and services for young people with emotional and behavioral issues and other special needs, and adopt new strategies to ensure that – as required under the federal Individuals with Disabilities Education Act – these young people (and their families) receive the support they need to participate fully in school. As necessary, use federal relief funds to pay community providers to offer needed services that are beyond the capacity of existing school district programs and personnel.

## PERMANENT SHIFT TO PRIORITIZE OPPORTUNITY, NOT PUNISHMENT

The second core goal for school systems and their community partners should be to use the current opportunity – the enormous sum of federal funds, and the heightened national focus on racial equity – to spark a permanent shift in discipline and other education practices. Now is the time to close the school-to-prison pipeline and to institutionalize effective alternative strategies that foster students' success and address behavior problems constructively. Here the key priorities must be to:

### Permanently close the school-to-prison pipeline

- Minimize arrests in the long-term by eliminating or vastly reducing the presence of SROs and other law enforcement personnel stationed in schools, and by creating school-justice partnerships to ensure that youth are not arrested at school except in dangerous, extreme situations.
- Reduce the use of exclusionary discipline by rewriting the school discipline code to minimize suspension and expulsions.

- Adopt Restorative Justice as the guiding principle for addressing school discipline issues, and craft a continuum of therapeutic and developmentally appropriate responses to misbehavior.
- Provide supportive in-school programming to boost social and emotional learning among vulnerable students and increase their odds of future success
- Provide intensive assistance to help re-enroll children whose families lost housing during the pandemic and those who were previously unenrolled due to placements into residential care, group homes, and incarceration. Schools should make sure these youth receive credit for all courses they completed while studying in an alternative setting.

### Embrace the community school model

- Forging close connections with community organizations and residents and making school buildings a hub for a wide array of services and enrichment activities not only enhance the quality of life for students and their families; by enhancing the school climate, embracing a community school approach also leads to better academic outcomes for school children. A prestigious panel of experts wrote earlier this year that the pandemic has created a “once-in-a-century opportunity to reimagine school in ways that nurture the gifts and talents of every child and family.”<sup>120</sup>
- Further improve school climate by investing the time and resources necessary to institutionalize school-wide strategies like PBIS and Social and Emotional Learning, in addition to Restorative Justice.
- Connect youth to high quality positive youth development programming in the community during afterschool and weekend hours, and in summer.

### Help Vulnerable Students Succeed

- Not just in 2021-22 but also in every subsequent year, school systems must partner with community organizations and invest in proven and promising strategies to re-engage students who are chronically absent.
- Offer intensive tutoring and other promising interventions to help students who are falling behind academically accelerate their learning, catch up with their peers, and strengthen their commitment to attending and thriving in school.

# CONCLUSION

In addition to all of the death, misery, and disruption the covid-19 virus has inflicted, the pandemic has wreaked havoc on the educational progress and healthy maturation of America's school population: so much learning loss, so much disengagement, so many lost opportunities for adolescents to participate in the essential rites of passage that allow them to transition successfully into adulthood.

Even more worrisome is the certainty that the setbacks suffered by children and adolescents thus far in the pandemic will become permanent anchors on their futures if our nation fails to re-engage students in school and help them recover lost learning – or worse yet, if we arrest or push students out of school for predictable behavioral problems as they return to classrooms.

Fortunately, as detailed in this report, the current moment has presented America's schools and communities with an immense, historic opportunity not only to avert these disastrous outcomes in the short-term, but also to initiate a deeper transformation in our nation's schools for the long-term. Using the federal relief funds and our ever-expanding knowledge base, we have all the tools and resources we need to dismantle the counterproductive discipline regimes of the past and adopt a new model that responds constructively to misbehavior and fosters success for all students.

This opportunity requires schools to embrace community partners as never before. It requires community organizations, as well as parents and community residents and their advocates, to have a seat at the table in discussions about how schools work with students and families, and how they ensure success for vulnerable student populations (children of color, low-income children, children with special needs) who often have not been effectively served until now.

If schools and communities work together, if they heed the evidence and act strategically, a terrible crisis can give rise to historic opportunity.

**Using the federal relief funds and our ever-expanding knowledge base, we have all the tools and resources we need to dismantle the counterproductive discipline regimes of the past and adopt a new model that responds constructively to misbehavior and fosters success for all students.**



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# Back-to-School Action Guide: Re-Engaging Students and Closing the School-to-Prison Pipeline

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