



**BOTEC**

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# Capitol City Crime Prevention Study: School Discipline and Youth Violence Reduction in Jackson

# Capitol City Crime Prevention Study: School Discipline and Youth Violence Reduction in Jackson

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The following people were responsible for interviewing participants, documenting their on-site observations, and analyzing hundreds of pages of interview transcripts and tirelessly editing this project. Without their work, the voices of Jackson's youth and the people who work with them could not have been captured in this report.

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## EXECUTIVE SUMMARY

The Mississippi Attorney General's Office commissioned this report in response to concerns about juvenile crime in Jackson. The combined efforts of the Jackson Public Schools, (JPS), the Henley-Young Juvenile Justice Center (HYJJC), and local nonprofits are failing to stop or even slow the movement of young people into the school-to-prison pipeline.

JPS faces both a conduct problem and a discipline problem. Dropout rates are high. The district is not adequately supporting students and the educational process is chronically disrupted by students who will not or cannot comply with basic rules. Students and staff do not feel safe from assault by a relatively small number of young people with serious conduct problems. At the same time, the discipline process still channels too many students into the criminal justice system.

The police department is called upon regularly to solve problems with home and school life. Students and their families who face the greatest challenges are consistently assigned the label "bad kids" and "bad parents," and blamed for the problems without being adequately supported to prevent and manage them. Being labeled greatly reduces the chance a troubled juvenile has to go straight and make a success of life, and steers families into an "us versus them" relationship with the educational and juvenile justice systems.

Jackson's institutions have made positive changes in recent years, moving away from zero-tolerance policies, corporal punishment, and the over-use of arrests by School Resource Officers. But the transition to the Positive Behavioral Interventions and Support system, adopted as a core policy at both JPS and HYJJC, has not gone smoothly, especially in the middle and high schools. Teachers feel the need for a more direct response to the worst actors among the

students, and the underfunded school system has not been able to give PBIS the resources required to make it effective. Young people with the highest needs and the greatest risk for becoming involved in crime are not being adequately served by a system designed to educate, support, and protect them.

School Resource Officers have yet to find a new role to replace their old role as "cops in schools." School Safety Officers, inadequately trained and without peace-officer powers, seem unable to provide the level of security and support required to make the schools safe places in which to teach and learn.

Boredom and lack of supervision is a major challenge. Children and youth who present the most challenging disciplinary cases are left with the fewest options as they are largely excluded from participating in activities with the very institutions designed to provide them with recreational and developmental services in the summer and during after-school hours. Left to their own devices, young people are becoming both victims and perpetrators of violence. Crime has become a perverse form of recreation, and mentorship is left to older teens and adults who "help" their younger peers navigate the world of the streets.

Guns are in demand and easily accessible in high-crime neighborhoods. Young people grow up with guns at home, and teenagers who cannot buy a gun can steal one. To an increasing extent, crime and gun violence has come to seem "normal" behavior for adolescents, especially boys. In certain neighborhoods, everyone knows someone who has been murdered or committed murder.

Children with disabilities, including mental health problems and cognitive limitations, make up a disproportionate share of the juvenile-justice population. Those children are not

helped by the widespread belief that disability status is exploited as an excuse or a source of financial assistance to families, many of them desperately poor.

The current situation features mutual finger-pointing among school officials, juvenile-justice officials, police, community services, churches, and parents. This is counterproductive. There is plenty of blame to go around, but blaming isn't problem-solving.

## THEMES AND FINDINGS

Youth crime is a problem that involves overlapping institutions and complex interactions between social forces including poverty, parenting, mental and physical health, education, peer groups, and experimentation with risk-taking. Adolescents are developing their adult identities, and in this process they are likely to try out multiple versions of themselves, mirroring or reacting against the models they see around them. Adolescents who become involved in crime and entangled in the juvenile justice system live in three "worlds"—the world of home and community, the world of school, and the world of the juvenile justice system. In order to understand how best to prevent crime among at-risk youth in Jackson, it is critical to understand the day-to-day experiences of youth and the adults who work with them in all three of these worlds.

In this qualitative study of youth crime in Jackson, BOTEC researchers interviewed over fifty people, including the children themselves, their parents, and adult professionals from community institutions, schools, and the juvenile justice system.

The following major findings emerged from the research process:

- 1) **A circle of institutional blame is slowing the improvement of school discipline, youth violence prevention, and the promotion of a positive school**

**climate.** Adults working within different institutions (schools, juvenile justice, community services, and churches) often blame other institutions for crime, violence, school dropout, and other social ills involving youth. Within the school and juvenile justice systems, individuals often blame people at different levels of the system or in different facilities, along with crime and other social ills endemic in the culture.

- 2) **There is strong belief that a small, "hard-core" group is responsible for the majority of disciplinary issues.**
- 3) **The transition from zero-tolerance policies to Positive Behavioral Intervention and Supports (PBIS) has been interrupted by nostalgia for "the way it used to be."** Many participants expressed nostalgia for a past with more structured and formal relationships between adults and children, believing that since corporal punishment was common in that era, reinstituting it would reduce or eliminate disciplinary infractions and crime.
- 4) **There are ineffective school-police partnerships in Jackson.** There is a belief that School Resource Officers are essentially non-entities and School Safety Officers provide little to no help with disciplinary action and are not engaged with students.
- 5) **There is perceived exploitation of disability status.** Many educators and officials believe that youth and their families exploit disability status as a way to avoid punishment or to provide income for a family through public benefits.
- 6) **There is pervasive boredom and lack of engagement with positive activities in Jackson.** Youth, especially those at highest risk, do not have enough opportunities to engage in positive, motivating, interesting activities. Many participants believe that involvement in crime stems from a need

to be involved with other youth, to find excitement, and simply to have something to do.

- 7) **Crime, violence, and the use of fire-arms have become normalized.** Crime and violence are pervasive in Jackson and perceived as normal by youth and adults alike. Young people have easy access to guns through their families and/or the illegal market.
- 8) **There is a perception that the juvenile justice system is failing to deter**

**crime or rehabilitate offenders.** Most participants in the study believe that arrest and incarceration are not effective deterrents to crime, and that involvement in the juvenile justice system as it currently exists is not serving a rehabilitative purpose.

- 9) **Students and their families become stigmatized by labels.** At-risk youth and their parents are often labeled as “bad.” Parents of children who get in trouble at school or with the law are blamed for their children’s behavior.



## INTRODUCTION

During the initial phase of the work in which BOTEC and the Mississippi Attorney General's Office focused the research goals for the school discipline and youth violence reduction component of the Capitol City Crime Prevention study, we agreed to address a few specific questions.<sup>1</sup> The research tasks that came from that process focus on the actual experience of students, parents, school staff, and other key players with direct personal knowledge of school discipline and the adjudication and incarceration of at-risk youth. Specifically, we researched and analyzed qualitative data gleaned from interviews with all the above stakeholders in order to answer the following questions:

- 1) How are students, teachers, School Resource Officers (SROs), principals, and families experiencing school discipline on a day-to-day basis? In particular, how is the change from zero-tolerance policies to PBIS affecting these experiences?

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1. BOTEC Analysis researchers were initially asked to analyze and evaluate the effectiveness of School Resource Officers (SROs) and the effect of zero-tolerance policies in schools in Hinds County on academic achievement and students' relationships with educational institutions. BOTEC was also asked to survey and identify behavioral interventions and alternatives to out-of-school suspensions for zero-tolerance infractions for at-risk youth and survey or identify community resources currently unavailable or needed to address crime prevention for at-risk youth. Our researchers discovered that Jackson Public Schools (JPS) had formally changed its disciplinary policies to a Positive Behavioral Intervention and Support (PBIS) model before this study was undertaken, thus making an evaluation of the current measures in effect for those policies and their effect on academic achievement nonviable. JPS had also written a new district-wide Code of Conduct and hired a full-time PBIS specialist to help implement a district-wide system of addressing behavior and discipline, making the analysis of zero-tolerance policies impractical.



Photo Credit: Lynne Reznick Photography

- 2) How are youth, their families, and the staff at correctional institutions including the Henley-Young Juvenile Justice Center experiencing incarceration on a day-to-day basis?
- 3) Outside of the school or criminal justice milieu, how are at-risk youth, their families, and the adults who interact with at-risk youth in Jackson, experiencing life in the community and on the street?
- 4) How are these three 'worlds'—schools, the criminal justice system, and the community—working together in order to serve at-risk youth and prevent crime or failing to do so? Are the actions of adults in each of these contexts serving to rehabilitate or criminalize youth?

In order to answer these questions, BOTEC researchers traveled to Jackson several times to interview key players in all three "worlds." The team visited schools, the Juvenile Justice Center and Youth Court, the Oakley Youth Development Center, the Hinds County Sheriff's Department, numerous churches in South and West Jackson, and the Hinds

County Adolescent Opportunity Program, a post-incarceration program for teenagers aimed at supporting them as they re-enter home and school.<sup>2</sup> Researchers traveled to the poorest neighborhoods in Jackson and met families coping with youth in crisis, and to the Youth ChalleNGe program at Camp Shelby, a military-style program for students who have dropped out of school.<sup>3</sup> In all, researchers

conducted over 50 individual interviews and focus groups and collected field notes from visits to all of these locations. Throughout the process, researchers focused on capturing the experiences and thoughts of at-risk youth and the people who serve them. This report provides research-based context for each area of study, presents an analysis of the data we collected, and details specific policy recommendations informed by academic research, case studies, national best practices, the data we gathered, and the specific social, political, and economic context of Jackson.

2. "Mental Health Intensive Adolescent Opportunity Program," *Mississippi Department of Human Services*, <http://www.mdhs.state.ms.us/get-help-for-a-delinquent-teen/community-services-and-programs/mental-health-intensive-adolescent-opportunity-program>
3. "About Us," *Mississippi National Guard Youth Challenge Academy*, <http://msyouthchallenge.org/about-us/>



# BACKGROUND/INSTITUTIONAL CONTEXT

The primary institutions of interest in this study are the Jackson Public Schools (JPS) and the Henley-Young Juvenile Justice Center (HYJJC). The following sections provide key history and background for these two institutions.

## THE JACKSON PUBLIC SCHOOLS

### 1. Educational Outcomes

JPS is the second largest school district in the state, serving roughly 30,000 students in grades K-12. Its students are 97% African American, and more than 90% of all students qualify for free or reduced lunch.<sup>4</sup> Jackson public schools are seriously underfunded by the state. According to the Parents Fund, a nonprofit grassroots network of parents, educators, and public school supporters, the Jackson Public School District's MAEP (Mississippi Adequate Education Program) allocation is underfunded by approximately \$11,625,606 for the 2015-16 school year, roughly 8% of the JPS total proposed budget for 2015-16.<sup>5,6</sup>

The district's stated vision is "to become a top-ranked learning community that graduates

productive, caring citizens who are prepared to succeed in a global society."<sup>7</sup> However, the district as a whole was given a "D" rating in 2014 by the state of Mississippi, based on national accountability measures.<sup>8</sup> As the charts below make clear, JPS is failing many of its students. The dropout rate is too high: close to a third of JPS students are not graduating from high school. Academic achievement, as measured by standardized tests, is dangerously low. Among students with disabilities (identified by having an Individual Educational Program), the numbers are even worse: according to data reported on JPS's District Report for 2012-13 (the most recent year for which data are available), only 12.3% of students with disabilities graduated from high school in five years.<sup>9</sup> This statistic is particularly significant when considering students at risk for criminal behavior and incarceration, since youth with disabilities are more than three times as likely to be incarcerated than are their peers without disabilities.<sup>10</sup>

4. This metric is used nationally to measure poverty levels among students in public schools.

5. "Legislators Representing the Jackson Public School District," *The Parents' Campaign*, <http://www.msparents.org/component/content/article?id=184>

6. "Jackson Township Board of Education 2015-2016 Tentative Budget Expense Summary," *Jackson Public School District*, Last modified Mar. 18, 2015, <http://www.jacksonsd.org/www/jacksonsd/site/Hosting/BOARD/2015BudgetArchive/TentativeBudget.pdf>

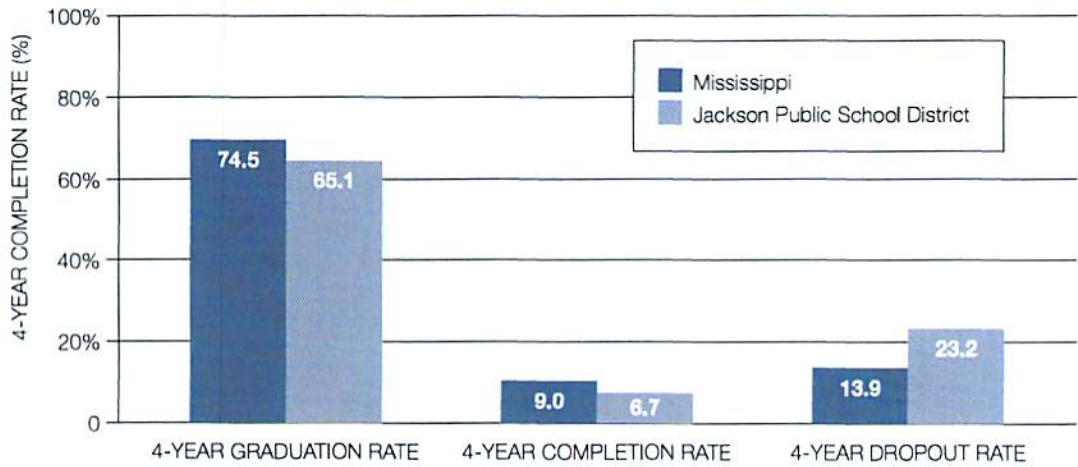
7. "Jackson Public Schools," *Jackson Public School District*, <http://www.jackson.k12.ms.us/content.aspx?url=/page/jpsgoals&>

8. "District Report Card: No Child Left Behind 2012-2013," *Jackson Public School District*, [http://www.jackson.k12.ms.us/about/2013\\_testscores/2013\\_district\\_report\\_card.pdf](http://www.jackson.k12.ms.us/about/2013_testscores/2013_district_report_card.pdf)

9. Ibid.

10. Quinn, Mary Magee et al. (2005). "Youth With Disabilities in Juvenile Corrections: A National Survey." *Council for Exceptional Children*. 71(3): 339-345, [http://www.helpingganguyouth.com/disability-best\\_corrections\\_survey.pdf](http://www.helpingganguyouth.com/disability-best_corrections_survey.pdf)

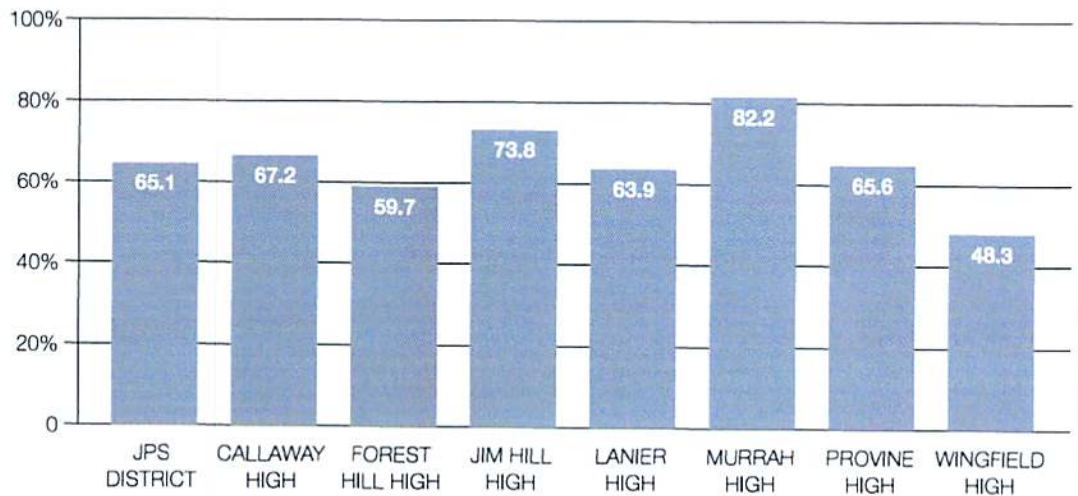
### 2014 High School Graduation/Completion/Dropout Rate (%)



Notes: 4-year completion rate (%) refers to students who "complete" high school without graduating—they cannot receive a diploma because they have not passed the state exam.

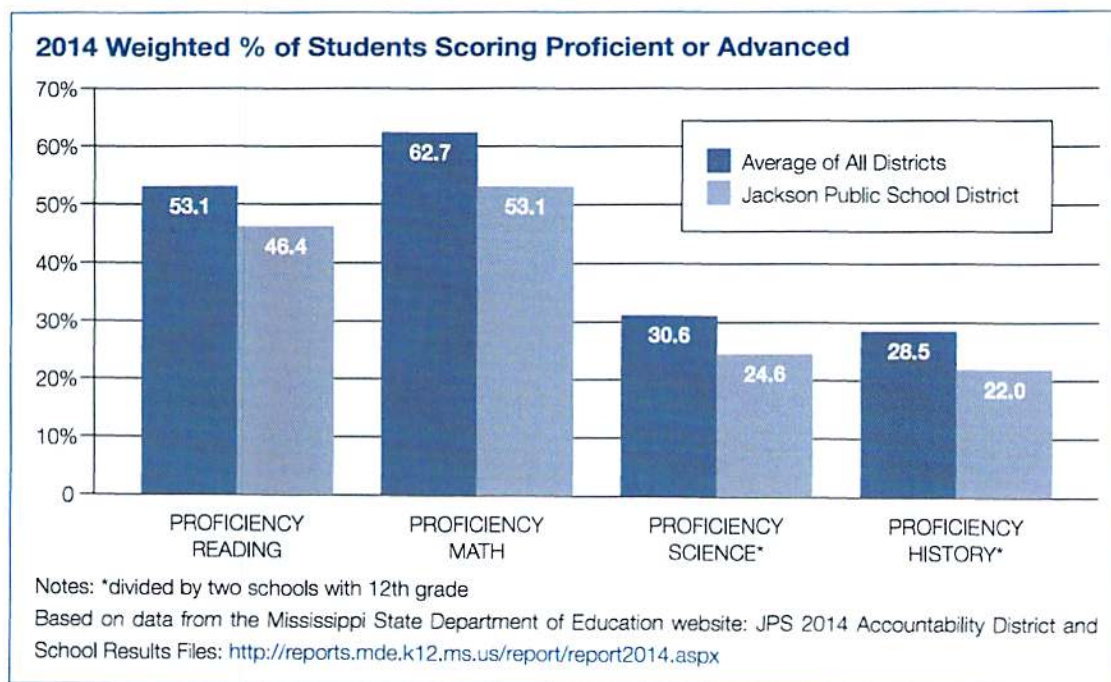
Based on data from the Mississippi State Department of Education website: JPS 2014 Accountability District and School Results Files: <http://reports.mde.k12.ms.us/report/report2014.aspx>

### 2014 4-Year Graduation Rate (%)



Note: Based on data from the Mississippi State Department of Education website: JPS 2014 Accountability District and School Results Files: <http://reports.mde.k12.ms.us/report/report2014.aspx>





## 2. Legal History

The Jackson Public School district has been mired in more than its fair share of high profile legal challenges in recent years; such issues as special education violations<sup>11</sup> and gender and racial discrimination.<sup>12</sup> Perhaps the most transformative lawsuit came in 2011. JPS was sued by Plaintiff A.M., a sixteen-year-old student who had just completed his 8th grade year at the Capitol City Alternative School (a school that enrolls students who are expelled or receive more than ten days of out-of-school suspension). A.M. represented a class action lawsuit including all students

at CCAS. According to the complaint, A.M. and other students, including some as young as nine years old, were routinely taken to the gym, handcuffed to a stair railing, and left there for hours at a time. This form of punishment resulted from infractions as minor as violations of the dress code. It is possible that this case added to a movement away from zero-tolerance policies at JPS.



Capitol City Alternative School.

Photo Credit: Michelle Barry

11. Le Coz, Emily, "Federal lawsuit on JPS special ed violations settled," *Clarion Ledger*, Oct. 24, 2014, <http://www.clarionledger.com/story/news/2014/10/23/federal-lawsuit-jps-special-ed-violations-settled/17816563/?from=global&sessionKey=&autologin=>
12. Balou, Howard, Former JPS administrator to proceed with lawsuit," *MS News Now*, June 9, 2015, <http://www.msnewsnow.com/story/29281142/former-jps-administrator-to-proceed-with-lawsuit>



### 3. Policy Changes

#### Zero-Tolerance Policies and Positive Behavioral Intervention and Support (PBIS)

Zero-tolerance policies focus on a strict protocol of immediate, mandatory consequences for all disciplinary infractions by students. According to the National Association of School Psychologists (NASP) these policies “address drug, weapons, violence, smoking and school disruption in efforts to protect all students’ safety and maintain a school environment that is conducive to learning.” In Jackson we found that some teachers and administrators are still in favor of ZTP for reasons similar to those described on the NASP resource page on discipline strategies:

*“Some teachers favor zero-tolerance policies because they remove difficult students from school; administrators perceive zero-tolerance policies as fast-acting interventions that send a clear, consistent message that certain behaviors are not acceptable in the school.”<sup>13</sup>*

However, research indicates that, as implemented, zero-tolerance policies are ineffective in the long run and are related to a number of negative consequences.<sup>14</sup> According to a report entitled “Handcuffs on Success: The Extreme Disciplinary Crisis in Mississippi,” co-sponsored by the ACLU of Mississippi, the NAACP, the Mississippi Coalition for the Prevention of Schoolhouse to Jailhouse, and the Advancement Project, zero-tolerance policies are instrumental in driving students out of school, and ultimately contribute to the

school to prison pipeline.<sup>15</sup> Incidents from the JPS are described in this report as egregious examples of the failure of such policies. Of particular concern is the fact that during the 2010–2011 school year, JPS ranked second in the state for referrals to juvenile detention centers, with a rate of 24 referrals for every 1000 students, or 720 total referrals during that year. According to the Jackson Police Department, “only 4% of the misconduct that led to arrests on school grounds during the 2010–2011 was for behavior that actually posed a serious threat to students, staff, and the school...in fact, the most prevalent reason...was the highly subjective and vague offense of ‘disorderly conduct.’”<sup>16</sup>

*... zero-tolerance policies are instrumental in driving students out of school, and ultimately contribute to the school to prison pipeline.*

For several years, Jackson Public Schools has been implementing PBIS (Positive Behavioral Intervention and Support) as its core strategy for coping with discipline. In contrast to zero-tolerance policies, PBIS replaces the emphasis on harsh consequences for bad behavior or infractions of school rules with positive reinforcement for good or desirable behavior. As its name implies, PBIS is based on intervention when students have behavior problems and providing support for students who struggle most with behaving well in school. For PBIS to work, entire schools must embrace the approach, all teachers and staff

13. “Zero Tolerance and Alternative Strategies: A Fact Sheet for Educators and Policymakers,” NASP Resources, [http://www.nasponline.org/resources/factsheets/zl\\_fs.aspx](http://www.nasponline.org/resources/factsheets/zl_fs.aspx)

14. Ibid.

15. “Handcuffs on Success: The Extreme School Discipline Crisis in Mississippi Public Schools,” *Mississippi State Conference of the NAACP*, January 2013, <http://naacpms.org/wp-content/uploads/2013/01/Handcuffs-on-Success.pdf>

16. Ibid.

must be trained in and understand how to implement PBIS, and a school-based team must be in place to monitor each school's progress and fidelity of implementation. PBIS experts are quick to point out that PBIS is not a system or a program that can be bought or adopted, but a way of thinking about and responding to student behavior that is based on social-emotional learning. Nationwide, PBIS has proven to be effective as a means for decreasing exclusionary discipline (suspension and expulsion) and improving school climate.<sup>17</sup>

Although PBIS has been in place as a district-wide policy in JPS for several years, most participants in the study at all levels acknowledge that the program has not been implemented as thoroughly, and with as much fidelity, as it should be. Currently, the district employs one full-time PBIS specialist, who was hired in the 2013–14 school year. In addition, the district-wide Code of Conduct was completely overhauled to reflect PBIS structures and policies, and was adopted in 2013–14. Reaction to these major changes in discipline policy has been mixed.

On May 6, 2015, an event at Wingfield High School celebrated the achievements of one district school, which had lowered “discipline problems by 94 percent between 2013 and 2014 without kicking students out of school.”<sup>18</sup> On the same day, however, members of the Jackson Federation of Teachers (JFT) argued that the rosy picture of massive improvements in a year was one-sided. The JFT presented a survey of its members that revealed that two-thirds of over one thousand respondents felt that their work environments were out of control

daily or weekly. JFT members requested school officials participate in a working group with teachers to revise discipline policies. Members expressed doubts about the efficacy of PBIS—especially at the high school level—and half of the respondents reported that they had received no training in the methods necessary to implement PBIS. Despite these challenges, half of those who responded indicated that they believed PBIS was effective.<sup>19</sup>

While many point to middle and high schools as the settings where disciplinary procedures are put to the test, some JPS elementary administrators and teachers felt that a faithful implementation of PBIS in the lower schools would yield noticeable results in the upper grades. Per the district, “school PBIS programs define expectations and put systems and supports in place to meet the needs of each student.” Routines and habits, such as those demanded in PBIS-adherent schools like Casey Elementary promote more socially adjusted middle school students who have never known anything else.<sup>20</sup> Principal Coleman, whose school recently received a PBIS support grant, was quoted in the JPS news room archives as saying “we will use the grant to support our rewards programs that encourage positive behavior. When behavior is under control, teachers and students can focus better on teaching and learning.”<sup>21</sup>

PBIS is admittedly a major shift from what many teachers, especially veterans have been

17. For a comprehensive bibliography of research studies on PBIS, including its use in juvenile justice settings, see <http://www.pbis.org/research>.

18. Nave, R.L. “Defining Effective School Discipline in JPS,” *Jackson Free Press*, May 13, 2015, <http://www.jacksonfreepress.com/news/2015/may/13/defining-effective-school-discipline-jps/>

19. Nave, R.L. “Defining Effective School Discipline in JPS,” *Jackson Free Press*, May 13, 2015, <http://www.jacksonfreepress.com/news/2015/may/13/defining-effective-school-discipline-jps/> and Royals, Kate, “JPS teacher group: Threats, assaults occur too often at school,” *The Clarion-Ledger*, May 6, 2015

20. BOTEK Interview with Casey Elementary Principal Leslie Coleman, Apr. 2015.

21. “Casey Elementary Receives \$2,500 PBIS Grant,” *Jackson Public School District*, Feb. 14, 2014, <http://www.jackson.k12.ms.us/content.aspx?url=/page/press&nid=1710>

accustomed to. Many JPS teachers also exhibit what educators refer to as "initiative fatigue:" an attitude of cynicism toward new programs or approaches stemming from years of such programs and "quick fixes" for various educational problems being adopted (in a top-down process), then abandoned when the "next big thing" comes along. In addition, not all JPS schools deal with the same level of behavioral challenges. Some schools are designated for competitive-admissions programs such as the IB (International Baccalaureate) and the APAC (Academic and Performing Arts Complex).<sup>22</sup> Other schools face more challenging student populations, especially schools in the poorest and most violent neighborhoods, where students are more likely to experience trauma and physical danger on a daily basis. All of these factors must be considered when looking at statements about PBIS among JPS staff.

#### **4. Security and the Use of School Safety Officers and School Resource Officers**

Security at JPS schools is visible and resembles, in some instances, that of jails. For example, several schools are surrounded by high fences topped with barbed wire, and high school entrances are protected by officers and equipped with metal detectors.

JPS schools currently operate with two distinct categories of officers devoted to school safety. SROs (School Resource Officers) are armed sworn officers of the JPD who patrol and monitor five school sites in the district both during and outside of school hours, protect school buildings and grounds, and respond to serious incidents such as possession of a controlled substance or weapons within the school building. SSOs (School Safety Officers) are unarmed officers responsible for onsite access control, visitor badges, checking if doors are secure, altercation



Elementary School in Jackson.

Photo Credit: Lynne Reznick Photography

assistance, and de-escalation. Middle schools have two SSOs each while high schools employ three or more. Teachers will occasionally call the JPD directly if the incident is serious enough. According to the JPS website, the Campus Enforcement Department, which includes both sworn officers and SSOs, employs 136 people and responds to 34,200 calls per year. This number of calls represents more than one call per year for every child enrolled in JPS, K-12.<sup>23</sup>

In 2015, HB 478/SB 2332, a bill to require rigorous training for SRO/SSOs across the state, was introduced in the Mississippi legislature and died in committee. This training would have included education about adolescent development and the rights of students. The majority (85%) of Jackson Public Schools' SRO/SSOs, according to the JPS website, are certified by the Mississippi Department of Education's Safe and Orderly Schools program, a six-day training course, but it appears that this certification is not mandatory.

#### **The Henley-Young Juvenile Justice Center (HYJJC)**

In Hinds County, any person under the age of eighteen who is arrested, unless he or she has committed a violent felony and will be tried as an adult, will be brought to the Henley-

22. "Special Programs," *Jackson Public School District*, <http://www.jackson.k12.ms.us/content.aspx?url=/page/specialprograms>

23. "Campus Enforcement," *Jackson Public School District*, <http://www.jackson.k12.ms.us/content.aspx?url=/page/campusenforcement>

Young Juvenile Justice Center (formerly the Henley-Young Juvenile Detention Center). Henley-Young houses the youth court, administrative offices, the Court School (run by JPS), counselors' offices, and the detention facility itself, which houses children ages ten to seventeen. HYJJC is designed to provide short-term incarceration for juveniles accused of a misdemeanor or felony. Some juveniles are sentenced to a period of incarceration at HYJJC, while others are placed there pending a hearing, placement to another youth facility, or some other prescribed recommendation. Youth are held at the facility for as little as two days and as long as 90 days. Although BOTECH researchers were unable to obtain data on the number of recidivism among youth, interviews and focus groups provided anecdotal evidence that it is quite common for youth to be held at HYJJC multiple times.

Like JPS, HYJJC has been the target of lawsuits, and is currently operating under a federal consent decree. In 2011, the center was sued (J.H. vs. Hinds County), alleging appalling mistreatment of incarcerated youth, including but not limited to solitary confinement for 20–30 hours, verbal and physical abuse

by guards, and lack of access to education, counseling, or prescription drugs. After the case was settled, HYJJC made numerous changes and improvements, but as of the 5th monitor's report, submitted in 2013, only 34 of the 71 original areas for improvement were judged to have been adequately improved.<sup>24</sup> Areas that were rated "noncompliant" in all five reports include excessive use of isolation and lockdown, excessive use of physical force and restraint, lack of mental and physical health services, and lack of proper use of monitoring for inmates needing individual attention. Recommendations concerning inmates with suicidal ideation or self-harm were rated as "beginning compliance," which is defined as procedures having been written but not implemented. On July 27, 2015, *The Clarion-Ledger* reported that the settlement had been extended until 2016, and that, despite positive changes, there were still serious problems. The Center has had four executive directors in five years.

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24. "J.H., et al, vs Hinds County Mississippi," *United States District Court Southern District of Mississippi Jackson Division*, October 9, 2013, [http://www.splcenter.org/sites/default/files/downloads/case/hy\\_-\\_5th\\_monitors\\_report\\_-\\_filed.pdf](http://www.splcenter.org/sites/default/files/downloads/case/hy_-_5th_monitors_report_-_filed.pdf)



## RESEARCH METHODS

The BOTEC research team used established qualitative research methods to gather and analyze data. The team, including two members who hold doctorates in education and have substantial professional experience as qualitative researchers in the fields of education and youth, created semi-structured interview guides, each designed for a particular group (see interview guides in appendix).

One of the guiding principles of qualitative research is to regard the people who provide data through interviews as participants in the research, rather than “subjects” of it. Researchers approach interviewees as experts in the subject under study. Accordingly, throughout the report, people who were interviewed are referred to as participants.

All participants were volunteers. Standard research procedures were used to protect participants’ identities and to ensure that they understood the purpose of the research and their right to stop an interview at any time.

Interviews were tape-recorded, unless participants requested not to be recorded (in which case researchers took detailed notes). Recordings were transcribed, and researchers engaged in “open coding,” a process of sifting through data and finding recurring themes. The team examined data holistically, rather than categorizing it according to role (such as student, teacher, or SRO) or location (such as school, detention center, or church).

In order to qualify as a theme, the following conditions had to be met:

- 1) The content of the theme had to be found in at least ten different individual interviews or focus groups;
- 2) The theme had to be brought up spontaneously by multiple participants (in other words, participants talked about a

given theme without being asked about it directly;

- 3) The theme had to emerge across multiple institutions (e.g. schools, juvenile justice sites, and churches) and across age groups (adults and youth); and
- 4) Multiple coders, reading the transcripts independently, had to agree that specific pieces of data should be categorized as belonging to a particular theme.

No study participant challenged the assertion that youth disorder and violence in Jackson is “business as usual.” Interviewees universally agreed that there is a serious crime problem in Jackson and that young people are engaging in destructive and violent criminal behavior. There is strong agreement that Jackson as a community needs to find more effective ways to support at-risk youth and their families, deter criminal behavior, and prevent recidivism for those youth already involved in crime.

Participants were remarkably generous with their time, offering in some cases to meet with researchers during evening and weekend hours, in between church services or meetings, or while walking the halls of school buildings. Adult participants set up meetings between researchers and youth, even when this involved extra work for them. Researchers were invited into schools, court proceedings, detention facilities, churches, and homes. Participants were willing and eager to share their experiences and thoughts with researchers, even when those experiences were painful. Many adult participants shared not only their daily experiences, but memories of their own childhoods, including several who had been incarcerated themselves.

Researchers were impressed with the strong commitment to at-risk youth expressed by

participants throughout the study. For many participants, this commitment emerged from a deep moral or spiritual conviction. One educator said, "I'm doing this work because it is what God wants me to do." A young adult volunteer said, "This is my community. I have to come back to do what I can." Clearly, the problems with at-risk youth in Jackson are neither ignored nor taken lightly. People in every

institution researchers visited exhibited energy, dedication, and willingness to do whatever is necessary to solve them. This report reflects the scope and depth of the problem, and the themes discussed are correspondingly negative, but this should not be interpreted as disparagement of the hard work and positive energy researchers saw in the vast majority of participants.

## **FINDING 1: A CIRCLE OF INSTITUTIONAL BLAME IS SLOWING THE IMPROVEMENT OF SCHOOL DISCIPLINE, YOUTH VIOLENCE PREVENTION, AND THE PROMOTION OF A POSITIVE SCHOOL CLIMATE**

### **Background**

The U.S. Department of Education states that “school climate” is a multi-faceted concept that describes the extent to which a school community creates and maintains a safe school campus, a supportive academic, disciplinary, and physical environment, and respectful, trusting, and caring relationships throughout the school community.<sup>25</sup> Research has shown that a school’s climate is predictive of students’ ability to learn and develop in healthy ways.<sup>26</sup>

Setting the right climate for learning in a safe, positive school environment requires listening to the questions and concerns of teachers, administrators, students, and parents and articulating a shared vision. Targeted behavioral interventions for students with elevated risks and higher needs require the consultation and support of teachers, mental health specialists, parents, and community partners, among others. Establishing school-police partnerships, setting the policies and procedures for when and how to respond to disciplinary actions, and dealing with students in the juvenile justice system also involves a vast array of moving parts.

Effective discipline policies and practices that produce strong conditions for learning and academic excellence are absolutely necessary to improving school climate. School discipline is a

collaborative endeavor, involving a diverse set of stakeholders and a system of rules, punishments, and behavioral strategies appropriate to the regulation of children or adolescents and the maintenance of order in schools. Its aim is to guide and control the students’ actions and behavior. There are dozens of stakeholders who have a vested interest in the success of school disciplinary outcomes and reductions in youth violence. There are examples nationally and across multiple platforms where collectively transforming a school’s climate and challenging the corrosive harm of the “circle of institutional blame” has been effective. We highlight some of those best practices and case studies later in this section.

### **Results**

Our interviews with stakeholders in Jackson revealed a strong lack of constructive dialogue and collaboration. Adults in all institutions showed a tendency to blame others, either those in another institution or those in other levels of their own, for failing to “fix” what needed to be fixed in the entire city in order to stop or reduce the problem of youth crime.

Teachers often blamed “downtown” district administration for the failure of school discipline. As one teacher explained, “The administrators cannot give you the support that you need [to hold students accountable for their behavior] because they’re gonna get some kickback from downtown.”

Another teacher spoke about the inconsistent leadership at the district level. She pointed out that she couldn’t even keep track of the names of various superintendents and other district leaders she had served under during her years as a teacher in the district.

25. U.S. Department of Education 2014 Directory of Federal School Climate and Discipline Resources. Safe Supportive Learning. (n.d.). Topic: School Climate. Retrieved August 5, 2013, from <http://safesupportivelearning.ed.gov/school-climate> under “School climate describes school conditions that influence student learning.” dropdown card.

26. National School Climate Center. <http://www.schoolclimate.org/climate/faq.php>

*We've had a lot of high turnaround from downtown. And when you look at it from top down and see how it [has an impact] on the bottom, who actually is gonna be the ones receiving it? ... So then you have, it's a broken system.*

One educator spoke about undue influence of school board members:

*A parent should not be able to walk away from this building and say "I can tell you what's gonna happen [my child will not be suspended or otherwise disciplined] because my auntie, my cousin, my grandmother is somebody on the board."*

School personnel blamed the juvenile justice system for being ineffective in delivering education. One principal said of HYJJC,

*...a child comes back from there, and sure, there's a school there, there's classrooms...but what I hear is, some of those kids spend all day on lockdown. And they are not getting education in that cell.*

A juvenile justice worker, by contrast, argued that students who went to school while incarcerated actually did better than when they were in public school. As she put it, "we know that for a lot of them the most schooling that they will receive will unfortunately be here. So we try to do the most with them while we have them." Administrators at HYJJC shared anecdotes about children who would make an effort to get recommitted to those institutions so they could have a semblance of stability, food, and a chance to learn—meaning that families, communities and JPS were not providing those things.

Another juvenile justice worker blamed the city and state government for not funding the center adequately. A mental health provider pointed out that most of the youth he saw had

never been adequately screened for mental illness, and that most of them had problems stemming from psychological trauma. As he explained, "It's what I expect now, that they've been mentally, physically, or sexually abused by the time they are teenagers. And no one at the schools is catching it."

Some school personnel and juvenile justice workers blamed the police department for failing to curb crime, protect youth, or respond quickly. One teacher mentioned that fights at the bus stop often turned violent, but "the police won't do anything, because they say it's on school grounds. But we can't do anything because it's out of the building, and after hours. And kids are getting hurt."

One SSO blamed the school system for "expecting us to just get rid of kids who are causing them a problem." A worker at HYJJC mentioned "lots of the kids who come here don't need to be here. We're just treated as a dumping ground. If parents call because their kid's acting up, the police will come get that kid, bring him here. Why? That kid's not dangerous." Pastors blamed both schools and the justice system for failing to provide a strong moral underpinning for youth. Juvenile justice workers blamed schools for "undoing the work we've been able to do, to help these kids."

Continuing the blame game, community service workers pointed the finger at school and juvenile justice workers for failing to "see the bigger picture, to see the whole child, to see and help the families." One worker said, "It's like they are all there to punish. No one there to help. I feel for these kids, I feel for these parents. They need somebody. They are struggling just to get through the day."

Many participants pointed out that the various institutions needed to work together. As one teacher put it,

*...a lot of our crimes are committed by [youth aged] 15 to the age of 21,*



*22. That's that whole time frame. And that's [our young generation]. This is what we supposed to look forward to, the future... we need some help. The city, the district, they need help... We should all be like a community... Send a message to the criminals, hey, united we stand. But if not, divided we falling. We falling.*

This plea for unity, though echoed by many, was spoken of as a distant dream, in the midst of the “falling” reality of life in Jackson.

Several individuals complained that state legislators come in to town to work, but ignore the infrastructure and institutions that are fighting to deliver a safe community and a job-ready, socially-adjusted future generation of workers and citizenry for Jackson.

Finally, multiple officials in local educational, law enforcement, and public safety positions in Jackson place the blame for the failures of JPS and the juvenile justice system squarely on the state that they feel chronically underfunds Jackson programs. An example of this is the ballot-initiative-created Mississippi Adequate Education Program (MAEP, 1997), which has been shortchanged \$240 million over six state funding cycles.<sup>27</sup> Some have crossed the state vs. city divide, such as former Governor Ronnie Musgrove who said “Every day we cheat school funding is a sad day for our state.” The lawsuit he filed to push for full funding of MAEP was recently rejected by the Hinds County Chancery.<sup>28</sup>

27. “Mississippi Adequate Education Program (MAEP),” *Mississippi Parents Campaign*, [http://www.msparents.org/campaign/education-funding/index.php?option=com\\_content&view=article&id=34](http://www.msparents.org/campaign/education-funding/index.php?option=com_content&view=article&id=34)

28. Pettus, Emily Wagster, “Judge: Mississippi not obligated to fully fund schools,” *Clarion Ledger*, July 15, 2015, <http://www.clarionledger.com/story/news/politics/2015/07/15/judge-mississippi-not-obligated-fully-fund-schools/30221369/>

## Recommendations

Meetings that develop inter-agency and community stakeholder relationships and work toward a common goal could provide the antidote to the acrimonious blame game that is subverting improvement in outcomes in the areas of school discipline and youth crime in Jackson. An appropriately designed effort supported by the right mix of individuals from the affected community could increase a sense of ownership, force transparency, and reduce distrust of disparate organizations.

Lack of cohesiveness is most certainly not unique to Jackson. The Washington Department of Education needed to address these challenges and specifically noted effective leadership, support for system wide improvement and clear and collaborative relationships as means to district improvement.

Huberman and Parrish (2013) identified themes across four districts in California including high-performing and high-poverty schools that benefited from collaboration between disparate groups of teachers, continuous assessment and use of Response to Intervention,<sup>29</sup> and targeted professional development.<sup>30</sup>

To this end, BOTEC recommends that the Office of the Attorney General advocate for the creation of a “*Capitol City School Discipline Success and Violence Reduction Committee*.” This group could be comprised of government, K-12 education, neighborhood, youth, and faith-based groups in Jackson.

29. Response to Intervention (RTI) is a multi-tier approach to the early identification and support of students with learning and behavior needs. See RTI Action Network for more information: <http://www.rtinetwork.org/learn/what/whatisrti>

30. Huberman, M. and Parrish, T., “Lessons from California Districts Showing Unusually Strong Academic Performance for Students in Special Education,” *American Institutes for Research*, Jan. 2011, [http://www.calstat.org/ISES/pdf/lessons\\_from\\_ca\\_districts\\_strong\\_spec\\_ed\\_academic\\_performance.pdf](http://www.calstat.org/ISES/pdf/lessons_from_ca_districts_strong_spec_ed_academic_performance.pdf)

The goals would be to engage advocates, educators, juvenile justice representatives, law enforcement, corrections, and intervention agents, researchers, and policymakers, all working to develop productive, shared, and financially sustainable strategies to improve Jackson's education and disciplinary outcomes as well as its youth violence prevention.

Any efforts to improve discipline design and implementation and criminogenic outcomes need to be done while maintaining the push

for a meaningful education and preparation for employment or continued learning beyond high school. Finally, these strategies should be developed with an understanding that school discipline problems and youth violence, though complex and complicated issues, can be managed if not largely preventable.

The structure for the "Capitol City School Discipline Success and Violence Reduction Committee" might be one or two members from each of the following organizations:

**Proposed—Capitol City School Discipline Success and Violence Reduction Committee**

**Government**

- 1) City of Jackson—Office of the Mayor
- 2) City of Jackson—City Council
- 3) City of Jackson—Parks and Recreation
- 4) State of Mississippi—Office of the Governor
- 5) State of Mississippi—Office of the Attorney General
- 6) State of Mississippi—Legislature
- 7) State of Mississippi—Department of Education
- 8) State of Mississippi—Department of Human Services
- 9) State of Mississippi—Department of Mental Health
- 10) Jackson Public Schools—School Board
- 11) Jackson Public Schools—Superintendent's Office
- 12) Jackson Public Schools—Campus Enforcement Division
- 13) Jackson Public Schools—Support Services/Child Find
- 14) Mental Health Intensive Adolescent Opportunity Program (AOP)

**Law enforcement and corrections**

- 15) Jackson Police Department
- 16) Hinds County Sheriff's Department
- 17) Hinds County Circuit Court

- 18) Henley Young Juvenile Justice Center—Detention and Education Complex
- 19) FBI—Jackson Office

**Local community stakeholder groups**

- 20) Association of South Jackson Neighborhoods
- 21) Child participants in the Adolescent Opportunity Program (AOP)
- 22) Youth Church Leadership organizations
- 23) Middle and high school and local league coaches and athletic team captains
- 24) Jackson Catholic Forensic League
- 25) Greater Jackson Chamber—Youth Leadership Jackson
- 26) JCPTA
- 27) Parents for Public Schools
- 28) After School Alliance Mississippi
- 29) Operation Shoestring
- 30) YMCA
- 31) Chamber of Commerce
- 32) American Federation of Teachers, Jackson chapter
- 33) Mississippi Association of Secondary School Principals
- 34) Mississippi Association of School Administrators
- 35) Alignment Jackson

<p><b>Advocacy groups</b></p> <p>36) PBIS model sites (Mississippi) representatives</p> <p>37) United Way of the Capitol Area</p> <p>38) Children's Defense Fund</p> <p>39) Southern Poverty Law Center</p> <p>40) ACLU</p> <p>41) NAACP</p> <p>42) 100 Black Men of Jackson</p> <p><b>Universities and academics</b></p> <p>43) One Voice</p> <p>44) Disability Rights MS</p> <p>45) REACH MS</p> <p>46) Jackson State—e.g.: Academic and student leaders from: Department of</p>	<p>Social and Cultural Studies and College of Education and Human Development as well as recent Gates Scholarship recipients.</p> <p>47) Mississippi College of Law—Academic and student leaders with education backgrounds</p> <p>48) Realizing Excellence for ALL Children in Mississippi (REACH MS)—a program of the University of Southern Mississippi</p> <p>49) Community colleges and other two-year institutions (i.e. Hinds Community College)</p> <p>50) Local vocational colleges</p> <p>51) Local research institutions</p>
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The St. Louis region, comparable to Jackson has a large number of children and families for whom basic life needs are not met and who live in concentrated areas where they are immersed in risks that contribute to violence. In the aftermath of Ferguson, a group in St. Louis, similar to the one we are proposing here, embarked on a effort to address issues of youth violence and involved more than 200 service providers, youth, municipal officials, educators, faith based leaders, funders, law enforcement personnel, and concerned citizens in a yearlong planning process to decrease youth violence across the metropolitan area. Over a year, they developed a detailed strategy for improving the safety and well-being of the region's children, families and communities.<sup>31</sup> This project has developed a clear set of initiatives and a roadmap forward.

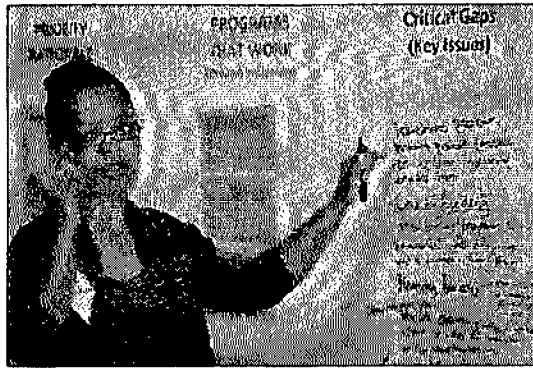
Jackson's Capitol City School Discipline Success and Violence Reduction Committee could be led by a combination of representatives

from the aforementioned stakeholder groups. Ideally, two to four members that have the best convening power and represent a balance between state and local authority as well as youth and educational advocacy should co-lead the committee. The program mentioned above was convened at the behest of the mayor of St. Louis, in partnership with a member of the St. Louis County Supervisors and the mayor of East St. Louis.

Under this format, there would be regular meetings to develop and implement long-term strategies to improve school climate, school disciplinary outcomes, and reduce violence in schools and in the community. It would be a forum for developing programs and resources for youth and their families, developing high-level relationships, reducing stove-piping, humanizing public service counterparts, and creating unified advocacy and lobbying efforts at the local, state, and national levels.

In order to keep the focus on transparent and understandable outcomes, BOTEK recommends that this committee follow the three components of Results Driven Accountability (RDA), as presented by the U.S. Department of Education. These are practices that were

31. "St. Louis Regional Youth Violence Prevention Task Force: Community Plan," *Vector Communications Corporation*, June 2013, [https://www.stlouis-mo.gov/government/departments/mayor/documents/upload/YVP\\_CommunityPlan\\_FINALpages.pdf](https://www.stlouis-mo.gov/government/departments/mayor/documents/upload/YVP_CommunityPlan_FINALpages.pdf)



YVP stakeholders in St. Louis working on priority selection.



Photo Credit: Vector Communications

followed in the California Statewide Special Education Task Force.<sup>32</sup> That task force is currently utilizing the RDA protocol, which calls for the following:

- State Performance Plan/Annual Performance Reports (SPP/APR), which measures results and compliance. States are currently developing State Systematic Improvement Plans (SSIPs), designed to improve outcomes in targeted areas.
- Determinations, which reflect state performance on results, as well as compliance.<sup>33</sup>

32. Navo, Matt, "Statewide Special Education Task Force: Conceptual Framework for Special Education Task Force Successful Educational Evidenced Based Practices," *San Mateo County Office of Education* <http://www.smcoe.org/assets/files/about-smcoe/superintendents-office/statewide-special-education-task-force/EBP%20-%20Final%203.2.15.pdf>

33. "RDA Core Principles," *U.S. Department of Education: Office of Special Education and Rehabilitative Services*, <http://www2.ed.gov/about/offices/list/osep/rda/core-principles.html>

If this course of action is chosen, the Jackson committee task force would spend a year devising strategies to improve school climate, particularly school disciplinary outcomes and violence prevention. These efforts would lay the groundwork and develop the blueprint for a three-year pilot and implementation period, from the summer of 2016 to the summer of 2019.

Derived from the St. Louis YVP framework; first year task phases recommended are:

- 1) Kick off, framework introduction, visioning
- 2) Data presentation, guiding principles development, desired outcomes
- 3) Youth focus groups, priorities selection, and priorities analysis
- 4) Strategy development
- 5) Strategy refinement, implementation planning and development
- 6) Community plan and submission, public plan announcement.



## FINDING 2: THERE IS STRONG BELIEF THAT A SMALL, "HARD-CORE" GROUP IS RESPONSIBLE FOR THE MAJORITY OF DISCIPLINARY ISSUES

### Background

In the world of school, participants shared a perception that most of the discipline problems stem from a small group of "hard core" kids. The behavior issues of these students are often seen as resulting in significant disruptions that prevent teachers from covering educational content and supporting the learning of the other students. The resulting inability to provide quality instruction to all students can result in low morale and frustration on the part of teachers, administrators, and students who "want to learn."

A study following nearly one million Texas students from 7th to 12th grade found that almost 60% had at least one disciplinary action

and more than 30% of students had at least one out of school suspension.<sup>34</sup> This comprehensive study demonstrates that violations of school rules are not necessarily limited to a small number of students. However, among these cohorts, 15% of students were subject to exclusionary discipline such as suspensions 11 or more times between 7th and 12th grade. Only 40% of these students graduated from high school.

34. Fabelo, Tony, et al., "Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement." *Council of State Governments Justice Center*, July 2011, [http://knowledgecenter.csg.org/kc/system/files/Breaking\\_School\\_Rules.pdf](http://knowledgecenter.csg.org/kc/system/files/Breaking_School_Rules.pdf)

**Table 1: 2014—2015: Aggregated violations of JPS Code of Conduct from statistics received from the Jackson Public School Office of Accountability and Research.**

Violation of JPS Code of Conduct	Total Actions (2014-2015)
Defiance, Non-Compliance (Non Criminal)	1,868
Disrespect, insubordination, willful disobedience, profanity toward staff (Non Criminal)	1,211
Bus Disturbance (Non Criminal)	1,155
Participating in or Causing a Campus Disturbance (Non Criminal)	962
Inappropriate Physical Contact—such as pushing and shoving (Non Criminal)	897
Cutting class, continued truancy, leaving class w/o permission (Non Criminal)	969
Fighting, group fight, instigating fight, physical or verbal assault of students or staff	657

### JACKSON DISCIPLINE: VIOLATIONS OF THE CODE OF CONDUCT

When looking at the actual total number of violations of the code of conduct, the numbers present a different story. The top six categories

of violations of the Code of Conduct, all non-criminal, accounted for 80% of the disciplinary actions taken by the district.

Nationally, only 7% of students are suspended or expelled for violations of school rules,

although there is variation across states, districts, and student subgroups (ethnicity and disability status).<sup>35</sup> Thus, there is evidence that a smaller subset of students experience more severe discipline issues than their peers. In studies of the well-documented racial disparities in exclusionary offenses, most of the difference results from the high number of reported minor or subjective offenses for minority students, including “disrespect” or “excessive noise.” For objective offenses such as fighting or bringing a weapon to school, the racial disciplinary disparities are much smaller.<sup>36,37</sup> Research demonstrates that often behavior seen as defiant or disrespectful in schools within impoverished, violent communities result from automaticity—students automatically reacting in a school environment in ways that are necessary for survival on the street without considering their appropriateness at school.<sup>38</sup> Thus students from hard-core environments are likely to have chronic issues with these subjective offenses.

Jackson is not alone in dealing with this challenging juvenile population. Several programs have been developed and implemented successfully nationally and worldwide. We will discuss some of those options in the recommendations portion of this section.

In the PBIS model, students who do not respond to Tier 1 universal supports are provided with

*Research demonstrates that often behavior seen as defiant or disrespectful in schools within impoverished, violent communities result from automaticity—students automatically reacting in a school environment in ways that are necessary for survival on the street without considering their appropriateness at school.*

more supports in targeted small group settings (Tier 2). Those who do not respond to Tier 2 supports are given intensive individual support (Tier 3). Tier 3 supports are tailored to the individual student, and may be created after a trained staff member has completed an FBA (Functional Behavioral Analysis).<sup>39</sup> The zero-tolerance model of school discipline is based on a rigid system of automatic punishments for specific violations of rules. Under this model, “hard core kids” are punished frequently and severely, until they (at least in theory) learn to comply. In zero tolerance, punishments are based on violations; no consideration is given to the individual who has violated the rules. In the PBIS model, all interventions are based on the individual’s needs, strengths, and challenges.

## Results

Throughout interviews with students, teachers, administrators, and others who attend or work in Jackson Public Schools, researchers heard expressions of frustration and hopelessness with the current state of school discipline. Teachers, administrators, SSOs, and students alike noted that a small number of “hard core” students were responsible for the majority of problems, and that their behavior strained the entire system. If only the behavior of this group

35. Losen, D.J. and Gillespie, J., “Opportunities Suspended: The Disparate Impact of Disciplinary Exclusion from School,” *Civil Rights Project at UCLA*, Aug. 2012, <http://civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/federal-reports/upcoming-ccrr-research/losen-gillespie-opportunity-suspended-2012.pdf>

36. Losen, Daniel J. “Getting back on track: Syracuse Report on Student Discipline Practices.” (2014).

37. Balderas, Gustavo. “Objective Versus Subjective Discipline Referrals in a School District.” (2015).

38. Heller, Sara B., Anuj K. Shah, Jonathan Guryan, Jens Ludwig, Sendhil Mullainathan, and Harold A. Pollack. *Thinking, Fast and Slow? Some Field Experiments to Reduce Crime and Dropout in Chicago*. No. w21178. National Bureau of Economic Research, 2015.

39. “Tertiary Level Prevention,” *U.S. Department of Education’s Office of Special Education Programs*, <http://www.pbis.org/school/tertiary-level>

could be controlled, or if students in this group could be removed from school, many thought, the problems associated with school discipline would be manageable and, as one teacher put it, "I could do my job and just teach." A high school teacher described her thought process about students who were "hard core,"

*They are just blatantly disrespectful and want to have their power struggle with you. (They are) just not going to do it. (I want to say to them) You just leave. We don't have to do this. If you don't wanna be here, then leave.*

A middle school teacher, asked to describe discipline problems at her school, rattled off a list of behaviors: "Defiance, disrespect, not going to class, leaving campus, assaulting the teacher, sexual harassment to students, and one indecent exposure," and added, "And that's just two individuals." Although teachers did not report being afraid for their own safety, they did talk about the challenges of coping with behaviors that seemed far beyond the norms that they themselves had experienced in school, or that their teacher training had prepared them for.

Some students and adults also blamed teachers, who let students get away with bad behavior, didn't care about them, or even actively encouraged them to leave class or drop out. Many teachers reported feeling overwhelmed by the task of teaching students whose behavior was so challenging. Many adults and students told researchers that attempts to regulate or change behavior through traditional punishments (detention and suspension) were not working. Although a few school staff members expressed frustration that not enough students who "needed" to be suspended or expelled were given these punishments, participants across contexts agreed that out-of-school suspension was not an effective way to correct bad behavior.

**I** ... participants across contexts agreed that out-of-school suspension was not an effective way to correct bad behavior.

Several teachers mentioned that they felt PBIS was not equipped to handle the hard-core students. A deeper understanding of PBIS, continued training, and exploration of other intervention alternatives may remedy this perception. This task is addressed in third tier solutions for what the PBIS lexicon refers to as the tertiary cases where the intention is to "reduce complications, intensity, severity of current cases."<sup>40</sup>

## Recommendations

### 1. Identify and provide targeted programs for students at PBIS Tier 3.

"Hard core" kids with chronic discipline issues need age-appropriate supports that target the root causes of the discipline issues. PBIS starts out by changing the structure of a school to improve a student's academic and behavioral outcomes; it can be seen as the bones of healthy and well-functioning school. The "meat" of the school can be needs-driven student interventions, which may include leveraging a combination of the following:

a) **Trauma-informed teaching/practices:** According to the Substance Abuse and Mental Health Service Administration (SAMSA),<sup>41</sup> a few well-known Trauma-Specific Interventions based on psycho-social educational empowerment principles that have been used extensively in public system settings include:

- 1) Addiction and Trauma Recovery Integration Model (ATRIM)
- 2) Essence of Being Real

40. Ibid.

41. <http://www.samhsa.gov/trauma-interventions>



- 3) Risking Connection®
  - 4) Sanctuary Model®
  - 5) Seeking Safety
  - 6) Trauma, Addiction, Mental Health, and Recovery (TAMAR)
  - 7) Trauma Affect Regulation: Guide for Education and Therapy (TARGET)
  - 8) Trauma Recovery and Empowerment Model (TREM and M-TREM)
- b) **Restorative Justice/practices** (a school-wide program that teaches students to resolve issues through dialogue rather than violence); and
- c) **Social and Emotional Learning (SEL)** conditions—the processes through which children and adults acquire and effectively apply the knowledge, attitudes, and skills necessary to understand and manage emotions, set and achieve positive goals, feel and show empathy for others, establish and maintain positive relationships, and make responsible decisions. . . . Social and emotional skills are critical to being a good student, citizen, and worker; and many risky behaviors (e.g., drug use, violence, bullying, and dropping out) can be prevented or reduced when multiyear, integrated efforts are used to develop students' social and emotional skills. <sup>42</sup>

42. Institute for Democratic Education in America (IDEA), [http://www.democraticeducation.org/index.php/solutions/social\\_emotional\\_learning/](http://www.democraticeducation.org/index.php/solutions/social_emotional_learning/)

Youth Guidance developed a program called Becoming a Man that specifically targets the issue of automaticity and in random-control-trials was shown to reduce violent-crime arrests by participants by 44% and overall arrests by 31%. Given that 24% of all JPS discipline counts are for subjective violations of Disrespect of Authority and Defiance/Non-compliance and 7% are for fighting, these programs may be effective in reducing discipline issues and crime for students with chronic discipline issues as well as other students.

The American Psychological Association's Commission on Violence and Youth<sup>43</sup> offers intervention strategies to reduce such violence. They suggest:

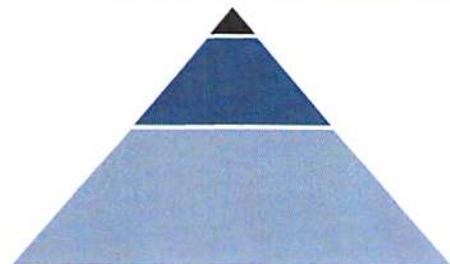
A variety of specific efforts to reduce youth violence through:

- 1) Early childhood interventions;
- 2) School-based interventions;
- 3) Heightened awareness of cultural diversity;
- 4) Development of the mass media to be part of the solution;
- 5) Limiting access to firearms by children and youth;
- 6) Reduction of youth involvement with alcohol and drugs;

43. "Violence and Youth—Psychology's Response," U.S. Department of Education's Office of Special Education Programs (OSEP), <https://www.pbis.org/resource/7/violence-and-youth-psychology's-response>

### PBIS: Tertiary Level Prevention

- TERTIARY (FEW)
  - Reduced complications, intensity, severity of current cases
- SECONDARY (SOME)
  - Reduce current cases of of problem behavior
- PRIMARY (ALL)
  - Reduce new cases of of problem behavior





- 7) Psychological health services for young perpetrators, victims, and witnesses of violence; and
- 8) Education programs to reduce prejudice and hostility.

**2. Track and monitor data on the number of students with multiple disciplinary actions at the school and district level. Create a real time protected database for use by vetted select counselors and intervention workers.**

Although teachers and staff can quickly name students who violate rules repeatedly, developing systems that address the issue requires a clear understanding of its prevalence as well as the nature of the repeat violations both within individual schools and district-wide. These data are critical to identifying which types of supports or programs will be most effective at reducing the problem specifically for those “hard core” kids. In order to be effective, creating an interactive meta-data tool like this would require one-way communication from multiple agencies including JPS, JPD, Hinds County Sheriffs and Courts, HYJJC, as well as state mental health providers to a central disciplinary and youth violence intervention clearinghouse establishment. The aggregated data, in order to be a useful diagnostic and preventative tool, would have to be comprehensive and controlled by professional statisticians and data managers, counselors, and clerical workers with high level confidentiality and security clearance. Creating and utilizing this master database that would include real time educational, disciplinary, juvenile justice, and mental health records would present significant legal challenges from the Family Educational Rights and Privacy Act (FERPA) alone. However, FERPA allows schools to disclose those records, without consent, to the following parties for school officials with legitimate educational interest; (34 CFR § 99.31).<sup>44</sup>

44. “Family Policy Compliance Office (FPCO) Home,” U.S. Department of Education, <http://www2.ed.gov/policy/gen/guid/fpc/ferpa/index.html>

**3. Increase support and resources to improve classroom management.**

School site PBIS teams should track and monitor the number of disciplinary referrals handed out by teachers, and identify teachers who refer students for disciplinary action at rates significantly higher than average. These teachers may have room to improve their classroom management skills.<sup>45</sup> Schools should select a high-performing teacher with a history of effective classroom management to serve as a coach. The coach can observe a class sessions and identify areas where high-referral teachers can improve their classroom management skills, and work with these teachers to make any necessary improvements.<sup>46</sup>

The JPS district should consider policies that empower principals to exert some control over training and employment of the teachers they supervise. Giving adequate opportunity, training, feedback and tools to improve classroom management is critical. According to a successful PBIS implementing principal in Los Angeles, if a teacher cannot or will not embrace quality classroom management that will allow for a safe and productive learning environment, the principal should be empowered to document the effort, file the appropriate complaints, manage the appeals process with support, and ultimately reassign or remove the teacher from the classroom. Effective discipline and teaching cannot reasonably exist in a classroom that is chaotic and poorly managed.<sup>47</sup> Facilitating that, the School Improvement Network states that the

45. Losen, Daniel J. (2012). “Discipline Policies, Successful Schools, and Racial Justice,” *National Policy Education Center*. 1.

46. McClain, Dani, “To Improve School Discipline, Change Teacher Behavior,” *Slate*, Jan. 22, 2015, [http://www.slate.com/blogs/schooled/2015/01/22/school\\_discipline\\_bay\\_area\\_schools\\_cut\\_down\\_on\\_suspensions\\_by\\_targeting.html](http://www.slate.com/blogs/schooled/2015/01/22/school_discipline_bay_area_schools_cut_down_on_suspensions_by_targeting.html)

47. BOTEV interview with Principal from LAUSD’s Paul Revere MS, Mar. 2015.

most effective teacher-student relationships are characterized by three specific teacher behaviors:<sup>48</sup>

- Exhibiting appropriate levels of dominance
- Exhibiting appropriate levels of cooperation
- Being aware of high-needs students.

#### **4. Place juvenile offenders in a restorative mediation program.**

A study by University of New Haven researcher Donna Morris showed that juvenile offenders enrolled in a program that mandated mediation with their victims, and encouraged them to apologize and make reparations, were significantly less likely to reoffend than juveniles who went through the traditional justice system. Morris found that "only 14.7 percent of the juvenile offenders who went through mediation reoffended, versus a typical recidivism rate of 33 to 36 percent for those who do not participate in mediation."<sup>49</sup> Restorative mediation was performed by mediators from the Dispute Settlement Center with juvenile offenders in 2005-2006. The model is already used extensively in New Zealand, Australia, and several European countries.

48. Marzano, R. and Marzano J. (2003). "The Key to Classroom Management," *Educational Leadership*, 61(1): 6-13, <http://www.ascd.org/publications/educational-leadership/sept03/vol61/num01/The-Key-to-Classroom-Management.aspx>

49. "Breaking the Cycle of Juvenile Crime: UNH Study Shows Mediation Effective in Reducing Juvenile Recidivism," *University of New Haven*, Jan. 12, 2010, <http://www.newhaven.edu/news-events/news-releases/2009-2010/35806/>

Schools in San Francisco, Detroit, Baltimore, Philadelphia, and New York, among others, are leveraging the transformative influence of restorative justice by training all of their teachers and administrators. Some have trained secretaries, cafeteria monitors, security personnel, bus drivers, parents and even students themselves. Offering such training to a broad base of stakeholders elevates the practice from a strategy to deal with school discipline to systemic tool to transform school climate by providing frequent opportunities for students and staff to express their feelings and strengthen their relationships.

More specifically, the City of Philadelphia runs The Mural Arts Program, which "incorporates the concepts of restorative justice through art instruction, mural making, and community service work within the criminal justice system. Current inmates, probationers and parolees, and juvenile delinquents are given the opportunity to learn new skills and make a positive contribution to their communities to repair the prior harm they may have caused. In the Mural Arts Restorative Justice program there is a growing emphasis on re-entry, reclamation of civic spaces, and the use of art to give voice to people who have consistently felt disconnected from society."<sup>50</sup> Every year, this Restorative Justice program integrates community outreach and/or various workshops (i.e. poetry, writing, ceramics, etc.) to produce large-scale outdoor murals. More than 300 inmates and 200 juveniles have benefited from this program.

50. City of Philadelphia Mural Arts Program, <https://muralarts.org/programs/restorative-justice>

## FINDING 3: THE TRANSITION FROM TOUGHER ZERO-TOLERANCE POLICIES TO POSITIVE BEHAVIORAL INTERVENTION AND SUPPORTS (PBIS) HAS BEEN INTERRUPTED BY NOSTALGIA FOR "THE WAY IT USED TO BE"

### Background

Establishing a secure environment conducive to teaching and learning is one of the first requirements of any school. One of JPS's six stated beliefs is that "schools, in partnership with a supportive community, must provide a safe learning environment."<sup>51</sup> Given that it is created by the interaction of administrators, teachers, students, and other staff, there is inevitably disagreement and discussion about how best to achieve such an environment. While a general nostalgia for a past, more orderly time was a broad theme in our interviews, for the purposes of this report, the most relevant part of that was desire for a return to more strict and harsh punishments, including the use of corporal punishment. Therefore we start this section with a review of the evidence of the most relevant disciplinary strategies for the people of Jackson.

Research on the effectiveness of corporal punishment in schools as a means of immediately discouraging bad behavior and incentivizing good behavior in the long run is mixed and inconsistent.<sup>52</sup> However, research on the negative impacts of corporal punishment is conclusive. Studies have found that this form of violent punishment can lead to immediate

physical injury (there is a fine line between corporal punishment and child abuse), mental health problems, worsened relations with teachers, increased aggression, and increased antisocial behavior.<sup>53</sup>

These problems also extend beyond the classroom into the parenting philosophies of many families. A plethora of observational and quasi-experimental studies have shown that parental corporal punishment has the same negative impacts as corporal punishment in schools, specifically causing antisocial behavior<sup>54</sup> and general behavioral adjustment problems that manifest themselves in children at ages as early as three.<sup>55</sup>

A recent examination of the practice revealed that parents who are supportive of corporal punishment maintain that they only spank as a last option, do it only for serious disobedience and only when they are calm. But the study revealed the opposite. In the study, parents (who were monitored by audio recording devices and aware they were being recorded) seemed "angry when striking their child, they did it reactively and for minor transgressions" and used the tool 50 times

51. "JPS Beliefs, Goals, Mission, & Vision," *Jackson Public School District*, <http://www.jackson.k12.ms.us/content.aspx?url=/page/jpsgoals&>

52. Bitensky, Susan H. and Elizabeth T. Gershoff (2007). "The Case Against Corporal Punishment Of Children: Converging Evidence From Social Science Research and International Human Rights Law and Implications for U.S. Public Policy," *Psychology, Public Policy, and Law*, 13: 233.

53. Gershoff, Elizabeth T. (2010). "More Harm Than Good: A Summary of Scientific Research on the Intended and Unintended Effects of Corporal Punishment on Children," *Law and Contemporary Problems*, 73:55.

54. Grogan-Kaylor, Andrew (2004). "The effect of corporal punishment on antisocial behavior in children," *Social Work Research*, 28.

55. Mebert, Carolyn J and Matthew K Mulvaney (2007). "Parental Corporal Punishment Predicts Behavior Problems in Early Childhood," *Journal of Family Psychology*, 21: 389.

more than thought from previous studies.<sup>56</sup> It would not be unreasonable to believe this behavioral phenomenon may have implications in schools that use corporal punishment.

In part due to the 1977 Supreme Court decision in *Ingraham v. Wright*, corporal punishment in schools remains constitutional. Nonetheless, a large number of distinguished professional organizations, including the American Academy of Pediatrics, the American Bar Association, the American Civil Liberties Union, the American Medical Association, and the American Psychological Association, all support bans on corporal punishment in schools.<sup>57</sup>

The negative impacts of zero-tolerance policies are also well documented. The origin of such policies was the escalation of law enforcement stemming from moralist drug control policies during the War on Drugs in the 1970s and 1980s.<sup>58</sup> Despite controversy in that sphere, and no proof of efficacy, zero-tolerance policies spread to other settings, including schools. By removing discretion from whole categories of infractions, zero-tolerance policies created punishments in school settings so disproportionate that they attracted national attention and undermined perceptions of fairness.<sup>59</sup> The link between

zero tolerance and the exclusionary discipline practices of student suspension and expulsion has proven especially problematic. The American Psychological Association's task force on zero-tolerance policies in schools found that the zero-tolerance schools practicing exclusionary discipline spent inordinate amounts of time on discipline, had students and teachers less satisfied with the overall school climate, and displayed lower academic achievement even controlling for the socioeconomic status of the students.<sup>60</sup>

Beyond those results, researchers have identified a wide variety of negative results consistently associated with the use of exclusionary discipline. School suspensions, holding risk and protective factors constant, significantly increased subsequent antisocial behavior, and excluded students become far more likely to subsequently engage in violent behavior.<sup>61</sup> The evidence indicates that such practices result in increased student alienation and reduced motivation.<sup>62</sup> Students who are so excluded then are likely to fall further behind in academic achievement, including basic reading

***School suspensions, holding risk and protective factors constant, significantly increased subsequent antisocial behavior, and excluded students become far more likely to subsequently engage in violent behavior.***

56. Previous studies using parental self-reports have estimated that parents spank about 18 times per year. But this study using real-time audio found the median rate to be 18 times per week—and this is among people who knew they were being monitored. That means that among the mothers who spanked, half of them spanked more than 18 times per week. Nicholson, Christie, "Parents Who Support Corporal Punishment Do It a Lot," *Scientific American*, May 21, 2014, <http://www.scientificamerican.com/podcast/episode/parents-who-support-corporal-punishment-do-it-a-lot/>

57. Gershoff, 2010.

58. Kebhaj, S. et al. (2013). "Collateral Damage and the War on Drugs: Estimating the Effect of Zero Tolerance Policies on Drug Arrest Rates, 1975-2002," *The Public Purpose*, [https://www.american.edu/spa/public-purpose/upload/2013\\_Collateral-Damage.pdf](https://www.american.edu/spa/public-purpose/upload/2013_Collateral-Damage.pdf)

59. Skiba, Russ, and Reece Peterson (1999). "The dark side of zero tolerance: Can punishment lead to safe schools?" *Phi Delta Kappan*.

60. American Psychological Association Zero Tolerance Task Force (2008). "Are zero tolerance policies effective in the schools?: An evidentiary review and recommendations." *The American Psychologist*, 63(9): 852.

61. Hemphill, Sheryl A., John W. Toumbourou, Todd I. Herrenkohl, Barbara J. McMorris, and Richard F. Catalano (2006). "The effect of school suspensions and arrests on subsequent adolescent antisocial behavior in Australia and the United States." *Journal of Adolescent Health*, 39(5): 736-744.

62. Brown, Tara M. (2007). "Lost and turned out academic, social, and emotional experiences of students excluded from school." *Urban Education*, 42(5): 432-455.

skills.<sup>63</sup> Unfortunately, excluding students has long-term impacts. They are 24% more likely to drop out of high school—controlling for other factors.<sup>64</sup> This impact is particularly troubling, as the importance of graduating from high school for future employment, health, and overall well-being should not be underestimated. In the criminal justice realm alone, high school dropouts are not only eight times more likely than graduates to be incarcerated,<sup>65</sup> but they are more likely to be both victims and perpetrators of homicide and assault.<sup>66</sup> The importance of quality education extends not only to graduating but also to having effective teachers, who create long-term value for their students.<sup>67</sup>

Meanwhile, existing research supports the efficacy of PBIS. In 2010 a systematic review of this approach found it sufficiently evidence-based to “warrant large scale implementation.”<sup>68</sup> Positive results have been shown across numerous studies, including large randomized control trials showing reductions in bullying behavior and

peer rejection<sup>69</sup> as well as suggestive evidence of improvements in academic performance.<sup>70</sup> PBIS programs have been shown to reduce antisocial behavior.<sup>71</sup> Related to the negative research on exclusionary discipline practices, PBIS has been demonstrated effective in reducing reliance on these harmful approaches.<sup>72</sup> Finally, there is no reason PBIS should lead to unstructured relationships between children and adults characterized by disrespect—when properly implemented, they instead foster exactly the respectful, productive, and structured relationships which teachers and administrators in Jackson want.

## Results

Across numerous interviews and focus groups, a broad nostalgia for a more orderly past was expressed. The general characterization of this time was one where children respected elders, parents stayed together, people went to church, and parents respected teachers. Most relevant for the purposes of this report was a feeling among some adults that stricter discipline—

63. Arcia, Emily (2006). “Achievement and enrollment status of suspended students outcomes in a large, multicultural school district.” *Education and Urban Society*, 38(3): 359-369.

64. Marchbanks III, Miner P., Jamilia J. Blake, Eric A. Booth, Dottie Carmichael, Allison L. Seibert, and Tony Fabelo (2014). “The economic effects of exclusionary discipline on grade retention and high school dropout.” *Closing the School Discipline Gap: Equitable Remedies for Excessive Exclusion*.

65. Bridgeland, John M., John J. Dilulio Jr, and Karen Burke Morison (2006). “The silent epidemic: perspectives of high school dropouts.” *Civic Enterprises*.

66. Lochner, Lance, and Enrico Moretti (2004). “The Effect of Education on Crime: Evidence from Prison Inmates, Arrests, and Self-Reports.” *American Economic Review*, 94(1): 155-189.

67. Chetty, Raj, John N. Friedman, and Jonah E. Rockoff (2011). “The long-term impacts of teachers: Teacher value-added and student outcomes in adulthood.” No. w17699. National Bureau of Economic Research.

68. Horner, Robert H., George Sugai, and Cynthia M. Anderson (2010). “Examining the evidence base for school-wide positive behavior support.” *Focus on Exceptional Children*, 42(8): 1-14.

69. Waasdorp, Tracy E., Catherine P. Bradshaw, and Philip J. Leaf (2012). “The impact of schoolwide positive behavioral interventions and supports on bullying and peer rejection: A randomized controlled effectiveness trial.” *Archives of Pediatrics & Adolescent Medicine*, 166(2): 149-156.

70. Bradshaw, C. P., Mitchell, M. M., & Leaf, P. J. (2010). Examining the effects of School-Wide Positive Behavioral Interventions and Supports on student outcomes: Results from a randomized controlled effectiveness trial in elementary schools. *Journal of Positive Behavior Interventions*, 12, 133-148.

71. Sprague, J. R., Walker, H., Golly, A., White, K., Myers, D. R., & Shannon, T. (2002). Translating research into effective practice: The effects of a universal staff and student intervention on key indicators of school safety and discipline. *Education and Treatment of Children*, 24: 495-511.

72. Horner, Robert, George Sugai, Keith Smolkowski, Lucille Eber, Jean Nakasato, Anne Todd, and Jody Esperanza. 2009. “A Randomized, Wait-List Controlled Effectiveness Trial Assessing School-Wide Positive Behavior Support in Elementary Schools.” *Journal of Positive Behavior Interventions* 11(3):133-144.

including corporal punishment — would be more effective with current challenges with youth and in school discipline. As of July 1, 1991, JPS ceased the use of corporal punishment as a means of student discipline.<sup>73</sup> But the pull of the past remains. As one administrator put it:

*I've been in districts that use a paddle. I've been in districts that don't use a paddle... Now I will state this, those districts that used the paddle, their kids' behavior tend to be one of high expectations.... the places I was that used the paddle, I would say... when they came in the building they knew how to stand tall, look a person in the eye... and you find you never hardly have to use it anyway.*

Across contexts, many adults interviewed in the study agreed that corporal punishment, both at school and at home, was more effective than the current focus on talking and incentives for good behavior. Many referenced their own childhoods, and praised their parents for being strict disciplinarians. The belief that today's youth have lost an essential respect for their elders, and for authority in general, was echoed throughout the interview data.

The fact that many teachers and other school staff looked back fondly on "the old days," characterized by corporal punishment at home and at school and a more authoritarian adult/student relationship, may contribute to negative perceptions of the new PBIS model. In addition, it is generally acknowledged throughout JPS that although PBIS has taken hold in elementary and some middle schools, it has not been effectively implemented in high schools.

Some teachers and other school staff felt that PBIS incentives and rewards were not working.

As one teacher put it, "PBIS is great for the kids who don't need it... and sometimes for those who are on the fence, who could get pulled either way. But for that hard core... no." Others pointed out that they had not been adequately trained to use the model, and many mentioned that collecting data on all of their students and developing individualized support strategies was simply impossible given their teaching load and the additional demands of standardized testing. Administrators, who were generally more positive about the model, often noted that the key to success with PBIS was that the system be implemented with fidelity throughout the school. "Here," one school leader said, "we've got teachers who love it and really use it. And we've got teachers who think it's being soft on kids. And we've got administrators who have too much to do day-to-day to even know how it's going in classrooms."

By contrast, some teachers, administrators, and other school staff were enthusiastic about the PBIS approach and saw positive results even in the early stages. In one elementary school, a staff member spoke enthusiastically about the way her on-site PBIS team worked: "We look to see if there are any patterns, is it a particular teacher, is it a particular time of day, is it a particular area of the building where the children are getting a lot of write-ups. And so we review that and ... if we have to do some staff development...retrain people, then that's what we do."

A middle school educator explained that PBIS was working with the 6th graders, "because it's incentives for your good behavior. And they're always looking for an incentive for doing well...we get the good behavior, we get the good class participation, we get the turning in of homework." This sentiment, that PBIS affected not only students' compliance with school rules, but also their attitudes toward, and engagement with, school academically and socially, was expressed by a significant minority of participants.

73. "Jackson Public Schools Code of Student Conduct 2015–2016," *Jackson Public School District*, [http://www.jackson.k12.ms.us/students/publications/code\\_conduct.pdf](http://www.jackson.k12.ms.us/students/publications/code_conduct.pdf)

One pro-PBIS teacher described the moment when the wisdom of the approach “clicked”:

*When I was at [school name], we were having a conversation, it was about some literature we were reading. But one child kept talking over me, kept talking over me. And it was so frustrating. And [I said] “Stop, don’t you know to let me talk?” But no. He didn’t know that rule, ‘you don’t talk over people.’ And [when I told] him to stop... the look on his face where he—I realized he really didn’t know. That’s when it clicked of why PBIS is there to teach behaviors. ‘Cause you just take for granted because in your household this was understood*

*and this was taught. You assume it’s everywhere. And that’s just not the case.*

## Recommendations

### 1. Double down: continue and renew the commitment to PBIS and reduction of harsh and exclusionary discipline practices.

The fundamental idea of PBIS is that it is more important to focus on what children are doing right than on what they are doing wrong. It is a philosophy as much as a program, with beliefs such as communicating five positives for every negative. This may constitute an entire paradigm shift for some students who are raised in highly stressful, negative, and often abusive environments.

**Table 2: 2014-2015: Aggregated actions taken to address violations of JPS Code of Conduct from statistics received from the Jackson Public School Office of Accountability and Research**

Action Description	Number of actions taken* (2014-2015)
3 TO 5 Day Suspension	1269
In School Suspension (ISS)—Student must continue to receive educational services.	1266
Principal/student conference—non-criminal behavior (NCB)	1181
1 TO 2 Day Suspension	931
In School Detention—Student must continue to receive educational services. Used for NCB Codes only.	735
Contact parents by administrator (NCB)	581
In-School Detention (ISD), (NCB)	509
Juvenile Detention Center	388
Transportation privileges suspended (NCB)	351
Principal/parent/student/teacher conference (NCB)	334
Bus Policy Disposition (NCB)	315
After school detention (NCB)	135
Student Conference (NCB)	129
Temporary Removal (Less than 20 minutes) (NCB)	129

\*out of 9005

This shift may be difficult for teachers and administrators who are accustomed to utilizing punitive tools to control behavior. As noted in the introduction, one prominent study highlighted Jackson Public Schools as having the second highest referral rate to juvenile detention centers of any school system in Mississippi.<sup>74</sup> We know that HYJJC is currently using a screening tool that has greatly reduced the number of students they are accepting at the facility at any given time.<sup>75</sup> The previous table shows that the current number of out-of-school suspensions at JPS is still substantial. When adding up 3 to 5 day suspensions, one-to-two day suspensions and referrals to HYJJC we see that they account for almost 30% (2588 of the 9005) of the disciplinary actions taken by the district.

This is an improvement considering that a study from only a few years ago found that from 2001–2011, approximately 90 percent of behavioral incidents were punished by an out-of-school suspension in JPS compared to just 17 percent of similar such incidents in the Biloxi school district. However, not captured in these trends are the challenging high profile incidents that have led to lawsuits against JPS.

Given the negative impact of exclusionary discipline and involvement of young people with the juvenile justice system, the progress JPS has made away from reliance on these methods is positive. Recommitting JPS stakeholders to these goals and establishing buy-in from those who have doubted the process is critical.

It is important to note that the challenges JPS is experiencing are not uncommon. Schools embarking on a major shift in discipline policy, such as the change from zero tolerance to PBIS, start at a variety of places, and change begins from that starting point. Evidence shows

that patience is critical. While schools with less favorable initial school climates tend to take longer to reach high fidelity in implementing PBIS, they ultimately show the greatest improvement.<sup>76</sup> The sense of participants in the study that PBIS has not been implemented as thoroughly, and with as much fidelity, as it should be can be harnessed to motivate continued improvement in this field.

Results on the effectiveness of PBIS can be found in programs utilized in multiple districts across the country including Broward County, Fayette County, Fort Bend, Guilford, and Washington State. Regarding evaluation of the Washington PBIS programs, the Washington State Institute for Public Policy found:

*Researchers are having success in finding programs shown to change school environments and student behaviors. Schools can be more confident in implementing a research-based school-wide initiative to develop effective discipline practices and school norms, and then adding programs within that environment to target specific behaviors, such as bullying, or programs that focus on specific at-risk student groups.<sup>77</sup>*

Evaluations of factors that affect the environment to learn and to feel safe were done as well. The teacher-reported survey data indicated that there were significant reductions in verbal intimidation, taking or damaging personal property, pushing/grabbing/hitting, as well as less difficulty explaining assignments and achieving

74. "Handcuffs on Success: The Extreme School Discipline Crisis in Mississippi Public Schools," *Mississippi State Conference of the NAACP*, Jan. 2013.

75. BOTEK interview at HYJJC, April 2015.

76. Bradshaw, Catherine P., Christine W. Koth, Leslie A. Thornton, and Philip J. Leaf (2009). "Altering school climate through school-wide Positive Behavioral Interventions and Supports: Findings from a group-randomized effectiveness trial." *Prevention Science*, 10(2): 100-115.

77. Barnoski, Robert, "Foundations for Learning: Safe and Civil Schools Project: Summary of Evaluation Findings," Oct. 2001, <http://www.wsipp.wa.gov/Reports/01-10-2201>



educational objectives. The teacher survey also reported six percent less of a decrease in desire to continue teaching.<sup>78</sup>

One study analyzed academic performance shifts attributable to a PBIS program called “Foundations” in Broward County, Florida (sample size 15,010 students) with the following results:<sup>79</sup>

- During the first year of implementation for both Cohorts, higher implementing schools improved their School Grades by 32.3% over their baseline year.
- Reading scores of students in Foundations schools improved by an average of approximately 117 points per year, 11 points faster than the scores of students in non-Foundation schools.
- Over time, the reading and math scores of Hispanic and Black students improved at a significantly faster rate than White students.

California has recently implemented policies to limit student suspensions and expulsions for defiance. The subjective category of “willful defiance” accounted for 54 percent of suspensions and a quarter of all expulsions across the state. In 2013, Los Angeles Unified, the largest school district in California, became the first school district in the state to ban “willful defiance” as grounds for suspension at any grade.<sup>80</sup> In 2014, California passed Assembly Bill 420 (Dickenson) and became the first state

in the nation to eliminate “willful defiance” suspensions for grades Kindergarten through third and eliminate expulsions for all grade levels. Willful defiance is broadly defined as “disrupting school activities or otherwise willfully defying the valid authority of school staff.” In practice, this catch-all term is often used to suspend students for everything from failing to follow directions or bring materials, to violating dress code or talking back to a teacher.

## 2. Deepen training and support for PBIS in the Jackson public schools and at HYJJC.

One critical finding of the survey conducted by the Jackson Federation of Teachers was the perception of a lack of training in PBIS for a majority of staff. Our data also clearly indicate that many school employees do not fully trust the PBIS system, and that they do not think that they have been adequately trained to use it. The lack of trust is understandable given the perception of a lack of training. Stated simply, JPS must provide more and clearer training for staff, especially in middle and high schools. As noted above, without full staff buy-in, PBIS/RTI cannot work. In schools with a high turnover among teachers, the need for continuous training is even more important.<sup>81</sup>

*... many school employees do not fully trust the PBIS system, and that they do not think that they have been adequately trained to use it.*

78. Ibid.

79. Cross, Gary P. “Research Findings on the Impact of Dr. Randall Sprick’s Foundations Program In Broward County Public Schools For Three Academic Years, 2003—2006,” May 2008, [http://www.safeandcivilschools.com/research/evaluations/broward\\_fd.pdf](http://www.safeandcivilschools.com/research/evaluations/broward_fd.pdf)

80. Los Angeles Unified School District, “2013 School Discipline Policy and School Climate Bill of Rights,” [http://notebook.lausd.net/pls/ptl/docs/PAGE/CA\\_LAUSD/LAUSDNET/OFFICES/SCHOOL\\_OPS/SCHOOL\\_OPERATIONS\\_DIVISION/DISCIPLINE\\_FOUNDATION\\_POLICY/DISCIPLINE\\_FOUNDATION\\_POLICY\\_BULLETINS/BOARD%20RESOLUTIONS.PDF](http://notebook.lausd.net/pls/ptl/docs/PAGE/CA_LAUSD/LAUSDNET/OFFICES/SCHOOL_OPS/SCHOOL_OPERATIONS_DIVISION/DISCIPLINE_FOUNDATION_POLICY/DISCIPLINE_FOUNDATION_POLICY_BULLETINS/BOARD%20RESOLUTIONS.PDF)

The district currently employs one full-time PBIS specialist. This is clearly insufficient. An in-school coaching model, in which a full or part-time member of the staff is designated to help teachers, administrators, and students learn to implement the model with fidelity needs to be implemented and understood by all staff.

81. DiCarlo, M. (2015) “Update on Teacher Turnover in the U.S.,” *Albert Shanker Institute*, <http://www.shankerinstitute.org/blog/update-teacher-turnover-us>

This coaching model has been implemented under the name PBISPlus in Maryland and has shown promising results especially in dealing with higher-needs students.<sup>82</sup> The increased focus on training should of course intensify and leverage the existing use of state resources—such as REACH MS at the University of Southern Mississippi—and national resources such as the U.S. Department of Education's Technical Assistance Center.

Moreover, to maximize the impact of PBIS on student outcomes and systemically improve school climate, there is value in having as many stakeholders as possible aware of and, where appropriate trained in, PBIS. This not only includes training teachers, administrators, and counselors but expanding it to include secretaries, cafeteria monitors, security personnel, bus drivers, afterschool program staff, community partners, parents and even the students themselves. As a way to fund this program, JPS and partners can work with lawmakers to develop and advocate for a statewide Train the Trainers Pilot Program that aims to train and support teachers and administrators on how to use more positive, trauma-sensitive, and effective approaches to school discipline. This state budget allocation can be given out to a network of trainers and coaches, programs, and school district grants that support a multi-tiered system of school-wide social emotional and positive behavior support, restorative justice, and training in cultural competency. Supports can range from changes in school climate—such as restorative circles to building strong relationships in classrooms—to interventions such as counseling for students at high risk. The goal is to keep students in school and

build a school and community culture that is respectful and supportive of all students.

### **3. Incorporate culturally-responsive considerations in teaching, learning, and student support**

Scholar Gloria Ladson-Billings defines culturally-responsive teaching as “an approach that empowers students intellectually, socially, emotionally, and politically by using cultural referents to impact knowledge, skills, and attitudes.”<sup>83</sup> This type of teaching and classroom management is grounded in affirming what skills, experiences and possible trauma students bring to the classroom and builds learning and the necessary supports around it. Culturally responsive school environments “use the culture and experiences of Latino, African American, Asian American, Native American, and White Americans not part of mainstream culture as a scaffold to learning.”<sup>84</sup>

Many researches and practitioners are also exploring the viability of implementing PBIS with a culturally responsive lens. The report “Culturally Responsive Positive Behavioral Support Matters” by the Equity Alliance shows that consideration should be given to a small but growing number of studies and discussions<sup>85</sup> that theoretically integrate cultural considerations into systemic PBIS models. While the report finds that this literature provides high-level operational definitions of culture and how it can be considered within local PBIS implementation and outcomes, it lacks specific detail. However, exploratory discussions, further research, and

82. Bradshaw, Catherine P., Elise T. Pas, Asha Goldweber, Michael S. Rosenberg, and Philip J. Leaf (2012), “Integrating school-wide positive behavioral interventions and supports with tier 2 coaching to student support teams: The PBIS plus model,” *Advances in School Mental Health Promotion*, 5(3): 177-193.

83. Ladson-Billings, G. (1994). *The Dreamkeepers: Successful teaching for African-American students*. San Francisco: Jossey-Bass, pp. 17-18.

84. Gay, G. (2000). “Culturally Responsive Teaching: Theory, Research, and Practice,” *Multicultural Education Series*. No. 8, New York: Teachers College Press.

85. Bal, Aydin, Thorius, Kathleen King, and Kozleski, Elizabeth (2012), “Culturally Responsive Positive Behavioral Support Matters,” Equity Alliance, [http://www.equityallianceatasu.org/sites/default/files/CRPBIS\\_Matters.pdf](http://www.equityallianceatasu.org/sites/default/files/CRPBIS_Matters.pdf)

possibly a pilot program on this issue should continue as some educators feel that while culturally responsive teaching affirms what children bring to the classroom and builds on it, traditional PBIS seeks to change the “behavior” that the child brings to the classroom if it does not fit the expectations and dispositions they encounter in school.

On a related note, cultural responsiveness can be successfully integrated into youth development programs as demonstrated in Jerry Tello’s “El Joven Noble” (The Noble Young Man). This nationally recognized youth development, support, and leadership enhancement curriculum is designed to support and guide young boys and men of color ages 10-24 through their manhood “rites of passage” while focusing on the goals of reducing and preventing teen pregnancies, substance abuse, relationship and gang violence, and school failure.<sup>86</sup>

#### **4. Improve the use of internal data to diagnose systemic challenges and identify and spread model implementations.**

Using data to inform planning and implementation of adjustments to PBIS is a key requirement to its success.<sup>87</sup> One crucial step in the process is the collection of system-wide data on student discipline, particularly data on students who are involved in multiple disciplinary actions (see Theme 2 recommendations).

Another step is to survey the different stakeholders (students, teachers, administrators, SSOs and SROs, and other staff) on school climate and their experience with safety and discipline. Thankfully there are a large number of survey instruments available from Department of Education.<sup>88</sup>

Lastly, schools can more effectively meet the holistic needs of their students by better coordinating the various systems serving this population. A shared data system can be developed between education institutions, criminal justice, housing, mental health, substance use disorder and employment advocates and job providers so that these systems share in the responsibility for successfully addressing the root causes of a student’s misbehavior and help integrate them back into their homes, schools and communities. Such streamlined communication and collaboration can also help provide community based solutions that serve as prevention to incarceration in the first place. Using such data, JPS will be able to diagnose challenges and implement solutions effectively.

Perhaps just as importantly, these data will help JPS leaders understand when and where the policy is working. Strategies used by the most effective teachers and schools should be identified, celebrated, and shared.<sup>89</sup> Where local models cannot be discovered, coaches, principals, and other key staff members should communicate with or visit districts serving similar populations in which such systems are working well.

The Maryland Safe and Supportive Schools (MDS3) initiative is of particular note in modeling an overall approach that has shown success in high schools. The program uses data to optimize implementation, monitor progress toward goals, and identify and celebrate successes. An initial randomized control trial of the intervention demonstrated significant declines in weapon carrying, threats, and related injuries.<sup>90</sup>

86. <http://www.jerrytello.com/index.html>

87. Coffey, Jennifer H., and Robert H. Homer (2012), “The sustainability of schoolwide positive behavior interventions and supports,” *Exceptional Children*, 78(4): 407-422.

88. See <http://www.pbis.org/evaluation/evaluation-tools>

89. Some of this is already occurring. See “JPS Schools Boast Exemplary Positive Behavior Programs,” *Jackson Public School District*, May 6, 2014, <http://www.jackson.k12.ms.us/content.aspx?url=/page/press&nid=1768>

90. Bradshaw, Catherine P et al. (2014). “Maryland’s evolving system of social, emotional, and behavioral interventions in public schools: The Maryland Safe and Supportive Schools Project.” *Adolescent Psychiatry*, 4(3): 194-206.

## 5. Support teachers in their efforts to implement effective measures to handle the most challenging situations.

The challenge of disruptive and dangerous behavior by students in Jackson public schools should not be minimized. Among other things, it adds to a brain drain from the school district. In a 2005 national survey of teachers leaving the profession, 44% of teachers, and 39% of “highly-qualified” teachers, cited student behavior as a reason for leaving.<sup>91</sup> One statewide evaluation found that ten percent of reported incidents in Jackson involved illegal activities, a proportion higher than many other districts in Mississippi.<sup>92</sup> This makes critical the implementation of effective Tier III support (see Theme 2) with students at highest risk. Disproportionate amounts of time can be spent on a small fraction of students when there are unstructured and ineffective policies and practices in place that do not address the core problems students are facing. Coping with behavioral challenges in the classroom contributes to teachers leaving the profession, which in turn contributes to a school climate where many teachers, new to the profession, are put in teaching situations that challenge even the most skilled veterans. According to a report published by the Southern Poverty Law Center,

*The constant pressure of dealing with school discipline issues is pushing too many of our teachers out of the classroom. According to a 2004 national survey of middle and high school teachers, 76% of teachers indicated that they would be better able to educate students if discipline*

*problems were not so prevalent. In a 2005 national survey of teachers leaving the profession, 44% of teachers, and 39% of highly qualified teachers, cited student behavior as a reason for leaving.*<sup>93</sup>

Additionally, education leadership and advocates may want to consider working with the Commission on Teacher and Administrator Education, Certification and Licensure and Development as well as local colleges to revamp its guidelines and related coursework for licensure by exploring opportunities to incorporate mandatory trainings for teachers and administrators on school climate-related topics such as restorative justice, adverse childhood experiences; culturally responsive PBIS, etc. Moreover, advocates can also explore the viability of aligning school climate-related trainings/licensure to opportunities for merit pay. We should not let higher education off the hook for their general lack of preparing educators for shortcomings in classroom training for such areas as PBIS, general classroom management, and adolescent/child brain development.

Another challenging situation is managing overall higher-risk populations in correctional settings. There is good evidence that PBIS can be used in such settings effectively. In 2009, the state of Texas implemented PBIS in all their juvenile justice facilities.<sup>94</sup> HYJJC reports using PBIS with inmates, but it is unclear how effective this is.

Our research found JPS staff basically satisfied with their personal safety. However, one complaint

91. “Reducing Student and Teacher Dropout Rates in Mississippi,” *Mississippi Youth Justice Project*, [https://www.splcenter.org/sites/default/files/d6\\_legacy\\_files/downloads/effective\\_discipline\\_MS.pdf](https://www.splcenter.org/sites/default/files/d6_legacy_files/downloads/effective_discipline_MS.pdf)

92. “Classmates Not Cellmates,” *Fight Crime: Invest in Kids Mississippi*, 2015, <http://www.fightcrime.org/wp-content/uploads/FC-MS-School-Discipline-3-1.pdf>

93. “Reducing Student and Teacher Dropout Rates in Mississippi,” *Southern Poverty Law Center*, [https://www.splcenter.org/sites/default/files/d6\\_legacy\\_files/downloads/effective\\_discipline\\_MS.pdf](https://www.splcenter.org/sites/default/files/d6_legacy_files/downloads/effective_discipline_MS.pdf)

94. “Effectiveness of Positive Behavioral Interventions and Supports: A Report to the Texas Legislature,” *Texas Juvenile Justice Department*, 2012, <https://www.tjdd.texas.gov/publications/reports/PBISLegislativeReport2012-12.pdf>

from the union involved teacher safety and a feeling that PBIS precluded sufficient negative consequences for bad behavior.<sup>95</sup> The current JPS handbook takes staff safety very seriously, listing assault on staff as a Class 5 infraction, the most serious class.<sup>96</sup> PBIS is a framework that emphasizes positive reinforcement for good behavior and seeks clear reductions in counter-productive discipline practices such as out of school suspensions. However, it does not entirely eliminate negative consequences for inappropriate behavior. One key here is making the possible consequences for negative behavior clearer. JPS has an excellent summary of more productive alternatives to out of school suspension.<sup>97</sup> However, many of the options featured in that document do not show up in the current handbook for students and parents outlining consequences for different categories of proscribed behavior.<sup>98</sup> In particular, important alternatives such as community service and school service do not appear in the seemingly comprehensive handbook. (See Finding 2: The City of Philadelphia's Mural Arts Program.)

Inevitably, some teachers will continue to resist working together to implement PBIS. One potential solution to this problem is to offer

such teachers choices among different modes of implementing PBIS. In particular, restorative justice and the Good Behavior Game are options that may work well for teachers in customizing PBIS for their own students' needs. Having successful local models to draw on from outstanding teachers or other staff will provide additional options and a professional peer support network.

As an alternative, an accountability framework could be organized that would identify ineffective teachers. Research demonstrates the value an effective teacher creates for students—correspondingly, ineffective teachers can gravely impact their students progress as well.<sup>99</sup> Substantial gains can be made for students if the worst five percent of teachers are replaced by teachers performing at an average level.<sup>100</sup> On first appearance, it appears this would be allowable at both the state level<sup>101</sup> and according to JPS rules.<sup>102</sup> Greenville Public Schools took similar steps when teachers were unwilling to adjust to a new disciplinary approach.<sup>103</sup>

95. Nave, R.L. "Defining Effective School Discipline in JPS," *Jackson Free Press*, May 13, 2015, <http://www.jacksonfreepress.com/news/2015/may/13/defining-effective-school-discipline-jps/>

96. "Jackson Public Schools Code of Student Conduct 2015–2016," *Jackson Public School District*, [http://www.jackson.k12.ms.us/students/publications/code\\_conduct.pdf](http://www.jackson.k12.ms.us/students/publications/code_conduct.pdf)

97. "Alternatives to Suspensions," *Jackson Public School District*, [http://www.jackson.k12.ms.us/departments/exceptional\\_ed/support\\_alternatives\\_suspension.pdf](http://www.jackson.k12.ms.us/departments/exceptional_ed/support_alternatives_suspension.pdf)

98. "Jackson Public Schools Code of Student Conduct 2015–2016," *Jackson Public School District*, [http://www.jackson.k12.ms.us/students/publications/code\\_conduct.pdf](http://www.jackson.k12.ms.us/students/publications/code_conduct.pdf)

99. Chetty, Raj, John N. Friedman, and Jonah E. Rockoff. "The long-term impacts of teachers: Teacher value-added and student outcomes in adulthood." No. w17699. National Bureau of Economic Research, 2011.

100. Hanushek, Eric. "Lifting Student Achievement by Weeding Out Harmful Teachers." *Eduwonk*, October 31, 2011, <http://www.eduwonk.com/2011/10/lifting-student-achievement-by-weeding-out-harmful-teachers.html>

101. Mississippi Professional Educators. "Frequently Asked Questions About Employment." Available at [http://www.mpe.org/mpe/employment\\_faq.php](http://www.mpe.org/mpe/employment_faq.php)

102. "Jackson Public Schools," *National Council on Teacher Quality*, <http://www.nctq.org/districtPolicy/contractDatabase/districtReport.do?id=81>

103. Wolfe, Anna, "Are Schools Still Pushing Kids Out?," *Jackson Free Press*, Mar. 11, 2015, <http://www.jacksonfreepress.com/news/2015/mar/11/are-schools-still-pushing-kids-out/>

## FINDING 4: THERE ARE INEFFECTIVE SCHOOL-POLICE PARTNERSHIPS IN JACKSON

### Background

School Safety Officers, or SSOs, are on-site paraprofessionals hired by the Jackson Police Department and certified by the Mississippi Department of Education. They are principally in their position to provide access control to the school facility, and to check that parking lots and building doors are secure. They are also used for altercation assistance and are trained in non-violent de-escalation techniques approved by the Crisis Prevention Institute (CPI), an international training organization that specializes in the safe management of disruptive and assaultive behavior.

School Resource officers, or SROs, are patrol officers<sup>104</sup> whose positions are partially funded by a Mississippi Community Oriented Policing Services in Schools (MCOPS) Grant.<sup>105</sup> They are responsible for patrolling a territory spanning 13 middle schools, 7 high schools, 38 elementary schools, Capital City Alternative school and a Career Center. SROs are called in if the difficulty of a school incident is beyond what an SSO can be expected to handle.

Both groups of officers experience more challenges with the middle schools than other schools since pre-teen students are coping with adolescent transitions, social issues, and not fitting in.<sup>106</sup> Many in the district have unreasonable expectations that these officers can provide adequate school discipline and youth violence reduction services in

JPS schools. It seems that with limited job descriptions, pay, and training these officers receive, this presumption is out of line.

The debate over placement of sworn officers in schools is as strong as the research into their effectiveness is weak. Requests for SRO funding and training has remained strong since the expansion of community-policing programs in the 1990s, but many schools (particularly in large urban districts) are strongly opposed to their presence.<sup>107</sup> Most studies on the effectiveness of SROs have conflicting results and uneven methodologies,<sup>108</sup> such as a lack of control groups (SROs vs. no SROs).<sup>109</sup> Another limitation of the research is that it seldom distinguishes between private school security personnel and full-time sworn SROs, takes into account differences in training and roles, or accounts properly for the contributions of off-campus patrol officers who have been called to the school compared with school-based officers.<sup>110</sup> Interpretations of these studies are also confounded by the

104. BOTECH interview with JPS Executive Director of Campus Security Chief Gerald Jones, Apr. 22, 2015.

105. "Mississippi Community Oriented Policing Services in Schools (MCOPS) Grant," *Mississippi Department of Education*, Oct. 10, 2014, [http://www.mde.k12.ms.us/docs/public-notice/mcopsrfp15\(round2\)\\_revised.pdf?sfvrsn=2](http://www.mde.k12.ms.us/docs/public-notice/mcopsrfp15(round2)_revised.pdf?sfvrsn=2)

106. BOTECH interview with JPS Executive Director of Campus Security Chief Gerald Jones, Apr. 22, 2015.

107. Morgan, E. et al., "The School Discipline Consensus Report," *The Council of State Governments Justice Center*, 2014, [http://csgjusticecenter.org/wp-content/uploads/2014/06/The\\_School\\_Discipline\\_Consensus\\_Report.pdf](http://csgjusticecenter.org/wp-content/uploads/2014/06/The_School_Discipline_Consensus_Report.pdf)

108. Raymond, Barbara. "Assigning Police Officers to Schools." *Problem-Oriented Guides for Police Response Guides Series No. 10. U.S. Department of Justice Office of Community Oriented Policing Services*, April 2010, [http://www.popcenter.org/Responses/pdfs/school\\_police.pdf](http://www.popcenter.org/Responses/pdfs/school_police.pdf)

109. Na, C. and Gottfredson, D., "Police Officers in Schools: Effects on School Crime and the Processing of Offender Behaviors," *Justice Quarterly* 30, no. 4 (2011): 620–650.

110. Maskaly, J. et al., "On the Association Between SROs, Private Security Guards, Use-of-Force Capabilities, and Violent Crime in Schools," *Journal of Police Crisis Negotiations* 11, no. 2 (2011): 159–176.





High school campus, Jackson.

Photo Credit: Lynne Reznick Photography

fact that school safety and discipline have so many moving parts.<sup>111</sup>

Surveys on perceptions of officers in schools are useful but also vary widely. Some surveys find strong parent, student, community, teacher, and administrative and school personnel support for SROs.<sup>112</sup> Other reports tend to reflect tension between students and parents on the one hand, and SROs on the other, particularly in communities of color.<sup>113</sup> Perceptions of school safety with the presence of SROs also vary, with

some (mostly adults) feeling safer<sup>114</sup> and others (mostly students) feeling neutral or less safe.<sup>115</sup> The efforts and presence of SROs may lead to perceptions of lower crime through collaborative conflict mediation, improved student behavior, and more comfort with reporting crime and misbehavior.<sup>116</sup> SROs may also help keep a sense of calm and order at the beginning and end of school days and can prevent fights and bullying.<sup>117</sup> On the other hand, research indicates that the presence of officers on campuses contributes to increased ticketing and arrests of

111. Some studies determine that school-based officers cause an increase in student arrests without controlling for the seriousness of the offense or other policies—such as zero tolerance—that may affect when officers are called to respond to student misconduct. The same shortcomings exist in the opposite direction.

112. "School Discipline Consensus Project Survey of School System Leaders," *Council of State Governments Justice Center and The School Superintendents Association*, 2013. [csgjusticecenter.org/wp-content/uploads/2014/02/AASA\\_CSG\\_Survey\\_Summary\\_final.pdf](http://csgjusticecenter.org/wp-content/uploads/2014/02/AASA_CSG_Survey_Summary_final.pdf).

113. Brady, K. P., Balmer, S., and Phenix, D., "School-Police Partnership Effectiveness in Urban Schools: An Analysis of New York City's Impact Schools Initiative," *Education and Urban Society* 39, no. 4 (2007): 455–478.

114. Jackson, A., "Police-School Resource Officers' and Students' Perception of the Police and Offending," *Policing: An International Journal of Police Strategies & Management* 25, no. 3 (2002): 631–650.

115. "Test, Punish, and Push Out: How 'Zero-Tolerance' and High-Stakes Testing Funnel Youth Into the School to Prison Pipeline," *Advancement Project*, March 2010, [http://b3cdn.net/advancement/d05cb2181a4545db07\\_r2im6cage.pdf](http://b3cdn.net/advancement/d05cb2181a4545db07_r2im6cage.pdf)

116. Jennings, W.G. et al. (2011), "Evaluating the Relationship Between Law Enforcement and School Security Measures and Violent Crime in Schools," *Journal of Police Crisis Negotiations*, 11(2): 109–124.

117. Finn, P. and McDevitt, J. (2005), "National Assessment of School Resource Officer Programs Final Project Report," *The National Institute of Justice*, <https://www.ncjrs.gov/pdffiles1/nij/grants/209273.pdf>

students for minor offenses such as disorderly conduct or disruption of class, making for a more hostile and adversarial school environment.<sup>118</sup>

The perception of school-based officers is inexorably linked to the perception of officers in the community. A survey of members of the National Association of School Resource Officers (NASRO) revealed that having prior negative experiences with police officers in the community obstructs meaningful engagement with SROs on school grounds.<sup>119</sup>

**Not a single person mentioned SROs aside from briefly in passing, let alone recommended their usefulness or suggested their crucial role in school safety.**

## Results

BOTEC researchers asked participants to comment on the role and effectiveness of SROs and SSOs. Not a single person mentioned SROs spontaneously aside from briefly in passing, let alone recommended their usefulness or suggested their crucial role in school safety. Most students reported that SSOs were ineffectual and unfair. One high school student explained that,

*...we have a security guard, and she has a wand. ...she only swipes one side. So you start to predict how she's gonna do it, what area she swipes. So someone could easily just bring a weapon in, into the school. Honestly, you can avoid her completely. ...If you get here at a certain time... You just*

*cut across that courtyard right there, and then just go straight into the school building. You don't have to see a single security guard or teacher.*

Another student described his own ability to come and go from school freely, and attributed it to his relationship with an SSO: "I went to go get something to eat, and he'd be like, you get me a burger? Yeah, he'll ask me, what you get me? I'd just give him some chicken nuggets, and I'd just keep going."

Although teachers did not accuse SSOs of ineffectiveness directly, they did refer frequently to the lack of ability any school staff had to enforce consequences when students were disruptive or dangerous. Many teachers talked about "pushing the button" in their classrooms to summon an SSO, and "having the student removed." Some complained that often SSOs did not respond quickly to the call, and others that the student would be back in class within a few minutes, ordered to apologize for his or her behavior, and "that's the end of it," as one teacher explained.

Though the official scope of an SSO's duties is fairly straightforward and limited, there may be other duties the district could transition to these individuals. This goal does not seem to be in place at this time. No teacher, administrator, parent, or student mentioned an SSO as an effective partner in creating or maintaining a safe and respectful campus environment, or recommended more or better-trained SSOs as a possible solution to the problems of discipline. Among students who had been in trouble at school or in the juvenile justice system, none mentioned a relationship with an SSO as a factor keeping them more connected to school or helping them change negative behaviors, and several described being treated with disrespect, or unfairly accused of infractions, by SSOs.

SSOs themselves spoke about their role in school discipline as being primarily reactive, rather than

118. Theriot, M.T. (2009), "School Resource Officers and the Criminalization of Student Behavior," *Journal of Criminal Justice*, 37(3): 280-287.

119. "Survey of National Association of School Resource Officers Members," *National Association of School Resource Officers and Council of State Governments Justice Center*, July 15, 2013, <http://csgjusticecenter.org/wp-content/uploads/2014/04/NASRO-survey-summary.pdf>

*No teacher, administrator, parent, or student mentioned an SSO as an effective partner in creating or maintaining a safe and respectful campus environment, or recommended more or better-trained SSOs as a possible solution to the problems of discipline.*

proactive. They broke up fights, patrolled the halls, and transported students who were misbehaving from classroom to office. Although some SSOs talked about the importance of de-escalation and of helping students by talking to them, none mentioned intentionally building relationships with struggling students, or working collaboratively with teachers, administrators, or families. No SSO mentioned having been trained in PBIS, or using specific strategies to support students with behavioral problems. Several SSOs, like other staff members, blamed “bad” parents and “hard core,” “troublemaker” kids for problems in school safety and civility. One SSO specifically referred to frustration with rules that prohibited SSOs from carrying weapons or placed severe limits on their freedom to physically restrain students.

## **Recommendations**

### **1. Ensure that SROs and SSOs are following industry best practices by performing duties other than surveillance and enforcement.**

While the majority of activities typically undertaken by school-based officers are traditional policing functions—such as patrolling the school campus, student travel routes, and drug-free zones in the immediate area of the school, as well as responding to calls for service—industry best practices suggest that JPS use SROs and SSOs in a more in-depth and collaborative manner.

SROs and/or SSOs should participate in projects to reduce juvenile arrests and confinement; serve

on school safety committees, advisory boards, and planning bodies; contribute to school safety surveys and planning; conduct drug and gang prevention programs and staff training; act as guest speakers for classes; and speak at school assemblies and events. These activities should be discussed collaboratively and codified in a formal MOU between JPS and JPD. Although some of these recommendations may have already been fulfilled in the past by JPS/JPD, it is telling that literally no participants mentioned any such roles or activities, despite direct questions about school discipline, youth involvement in crime, and behavior management. In fact, SROs were complete non-entities in the minds of interview participants.

### **2. Leverage best practices around police training to increase law enforcement accountability in partnership with community leaders.**

Develop legislation that awards competitive grant funding to local law enforcement agencies to implement research-based and data-driven procedural justice training. This bill would establish a Procedural Justice Commission, led by the Mississippi Department of Corrections, to compile a list of best practices and minimum requirements for a procedural justice training program (may include the development of a model procedural justice training curriculum); manage and monitor grant-related programs; as well as serve in an advisory capacity to sites leading implementation. The commission would be composed of members including the Office of the Attorney General, representatives from law enforcement, nonprofit civil rights organizations, education and academia, amongst others.

### **3. Improve communications protocols.**

When SROs and SSOs build positive relationships with students, teachers, and administrators, they can help to foster better relationships between police and the community at large. JPS and JPD leaders need to communicate to their own personnel and to the school community a shared vision and expectations

for the partnership at the beginning of every school year. Police leaders should plan to meet regularly with key teachers, principals, mental health professionals, and other stakeholders such as after school program providers and parents to listen and engage in constructive dialogue about how to foster a positive, safe learning environment.

At a minimum, school and police communications should include the following:

- Host an orientation meeting on campus at the beginning of each school year with SSOs, SROs, and school staff to discuss goals, roles, and responsibilities. Host a student assembly to introduce the officers and discuss expectations for the new school year. The language of PBIS should be utilized at these meetings, rather than relying on threats.
- Schedule regular, in-person meetings between campus officers and school principals to share information about officer activities, discuss follow-up actions regarding specific incidents, and deliver overall threat and security assessments.
- Encourage regular conversations between officers, teachers, specialized instructional support staff, and student support teams to build a cooperative relationship.
- Mandate officer participation in discussions with parents and community leaders through in-school forums, PTA meetings, and other school events. The 2013 Intergovernmental Agreement signed between Denver Public Schools and the Denver Police Department, for example, requires that SROs meet with community stakeholders at least once per semester.<sup>120</sup>

120. "Intergovernmental Agreement Concerning the Funding, Implementation and Administration of Programs Involving Police Officers in Schools," *National Council of Juvenile and Family Court Judges*, <http://www.ncjfcj.org/sites/default/files/SRO%20MOU%20Denver.pdf>

■ The greater JPS school community should be involved in the revision of the JPS Code of Conduct. Every year, Baltimore City Public Schools assembles a code of conduct committee led by the Superintendent (CEO) of the school district to review the code and revise as necessary in partnership with students, families, police, and other school-based partners.<sup>121</sup> This review also helps ensure that the code complies with all state and municipal laws.

■ Work with elected officials to revise and advocate for the passage of HB 478/SB 2332, a bill that mandates a rigorous six-day training course for all SRO/SSOs in Mississippi. This training should include, at a minimum, education about adolescent development and the rights of students and training about alternative disciplinary methods.

#### 4. Conduct joint training.

In addition to the information conveyed by school leaders at the start of each academic term, relevant JPS and JPD staff should participate in joint training with discussions about how student misconduct will be handled, when officers will engage with students, and on diversion programs or other alternatives to arrests. It is a valuable opportunity to talk through concerns and potential scenarios on school grounds. The Montgomery County Public School District (MD), for example, conducts biannual joint training of school administrators, SROs, and school district security staff with five different police departments and the state attorney's office.<sup>122</sup>

121. *Ibid.*

122. "Memorandum of Understanding Between Montgomery County Public Schools and Montgomery County Department of Police," *Montgomery County Public Schools*, <http://www.montgomeryschoolsmd.org/uploadedFiles/departments/security/SRO-Memorandum-2015.pdf>



When possible, school leaders should also be encouraged to attend trainings for school-safety officers to understand how police are being prepared to work with students and staff. SROs and SSOs should also be required to attend school staff training on PBIS, trauma-informed care, and restorative justice and become involved in creating and implementing behavioral plans for students with high risk and high needs.

**5. Collect and analyze school-based arrest and referral data to help determine whether school and police personnel are implementing school discipline policies with fidelity.**

Once policies and procedures are in place for specifying exactly when and how school-based officers should respond to misconduct, and joint training sessions conducted to ensure all stakeholders understand how to properly implement them, JPS should collect and analyze data to ensure they are being followed and having the intended impact. Data can help determine the types of offenses for

which students are arrested, whether officers and school staff are "over-enforcing" in their responses to misbehavior in schools, and whether discretion is used to divert students into alternative avenues for discipline.

- Data should come from schools (e.g., incident, referral, attendance, disciplinary, and repeated offense) and the police (e.g., calls for service to local police agency, crime reports, and arrests). Information should be collected on race, gender, age, grade in school, and offense type. To the extent possible, JPS can provide additional information on students with disabilities and other specific populations.
- JPS and JPD should schedule regular meetings to discuss the data, review particular incidents that need context, and address any needs for change based on the information presented. These meetings can also focus on improving reporting processes and help advise any particular teachers, administrators, or officers in need of attention.

## FINDING 5: THERE IS PERCEIVED EXPLOITATION OF DISABILITY STATUS

### Background

Raising a child with a disability is difficult for any family. Children with disabilities require more resources (including time, money, and energy) than do their peers without disabilities. Families must cope not only with the challenges arising from the disability itself, but from societal stigma that can damage a child's self-confidence. For decades, Americans with disabilities have fought for greater recognition, respect, and access to resources taken for granted by people who do not have disabilities.

Support for children with disabilities is available in two realms: school and home, through two distinct processes and programs, regulated by different sets of laws. In schools, students from pre-K through 12th grade, if identified as having a disability that impairs their access to education, have a right to services. For example, a student who is deaf cannot access educational content presented through speech. Therefore, he or she is entitled to the services of a sign language interpreter or an entire curriculum presented in ASL, such as that provided by a school for the deaf.

In order to receive special education services, a child must be identified as having a specific disability. Disability categories include intellectual impairments, learning disabilities, and mental illness<sup>123</sup>

Students with behavioral health risks and needs face particular challenges in school and are more likely to have worse grades, drop out

of school altogether, and experience higher school disciplinary rates.<sup>124</sup> Nationally, one-in-five children has a diagnosable mental health disorder,<sup>125</sup> and one-in-ten children has a mental illness that is severe enough to prevent normal functioning in school or at home.<sup>126</sup> Students with disabilities are disproportionately involved in the school discipline system as well as in the juvenile justice system.<sup>127</sup> Middle- and high-school students with identified disabilities are suspended at nearly triple the rate of their peers without disabilities.<sup>128</sup>

How schools identify and respond to students with disabilities can vary significantly depending on both the type and severity of a particular behavioral health issue, but generally most of these children do not receive adequate support to address their mental health

123. Heward, W.L., "Labeling and Eligibility for Special Education," Pearson Allyn Bacon Prentice Hall, July 20, 2010, <http://www.education.com/reference/article/labeling-eligibility-special-education/>

124. Wagner, M. (2005), "Youth with Disabilities Leaving Secondary School," in *Changes Over Time in the Early Post School Outcomes of Youth with Disabilities: A Report of Findings from the National Longitudinal Transition Study (NLTS) and the National Longitudinal Transition Study-2 (NLTS2)*, SRI International.

125. The President's New Freedom Commission on Mental Health, "Achieving the Promise: Transforming Mental Health Care in America," Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, 2003.

126. Ibid.

127. Losen, D. and Martinez, T.A., "Out of School & Off Track: The Overuse of Suspensions in American Middle and High Schools," *The Civil Rights Project at UCLA*, 2013, [http://civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/federal-reports/out-of-school-and-off-track-the-overuse-of-suspensions-in-american-middle-and-high-schools/OutOfSchool-OffTrack\\_UCLA\\_4-8.pdf](http://civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/federal-reports/out-of-school-and-off-track-the-overuse-of-suspensions-in-american-middle-and-high-schools/OutOfSchool-OffTrack_UCLA_4-8.pdf)

128. Ibid.

needs.<sup>129</sup> Minority students and those with families that live below the poverty line and participate in the child welfare system are more likely to have behavioral health issues, and are less likely to receive crucial services than their peers.<sup>130</sup> These students need additional support and interventions to help keep them in the classroom but they are more likely to receive exclusionary disciplinary measures or even arrests, which leads directly to negative academic and behavioral outcomes.

Students with disabilities can qualify to receive services under two federal categories: 1) Section 504 of the Rehabilitation Act of 1973 and 2) the Individuals with Disabilities Education Act of 1975 (IDEA).

To qualify for a Section 504 plan, a child may have any disability (which can include many broad learning or attention issues) and the disability must interfere with the child's ability to learn in a general education classroom.<sup>131</sup> Parents must consent to a thorough review of their child's academic and behavioral health data and teacher reports.<sup>132</sup> Students who qualify under Section 504 are eligible to receive educational accommodations and services, but typically spend the entire school day in a general education classroom.<sup>133</sup>

Under IDEA, all children in American schools are guaranteed the right to a free, appropriate, public education (FAPE) in the least restrictive environment (LRE) possible. Students are eligible for special education services if they are

found to have one of 13 specific disabilities.<sup>134</sup> The disability must affect the child's educational performance and/or ability to learn and benefit from the general education curriculum.<sup>135</sup> If an evaluation shows that a student is eligible for special education, parents work with a school team to develop an Individualized Education Program (IEP), which is a legal document that spells out a child's educational goals, disabilities, and the services and support that the school will provide.<sup>136</sup> Students with IEPs must participate in a general education classroom at the fullest level possible, but commonly receive one-on-one tutoring and support services outside of a typical classroom environment.<sup>137</sup>

Students with IEPs, who are referred to in Mississippi as "exceptional education" students, have specific protections under the law. If a student is identified as having an emotional or behavioral disability (EBD), federal law dictates that he or she may not be punished for actions that arise from the disability. For example, if a student with an IEP for a mental illness becomes agitated and does not respond to a teacher's directions, and these behaviors are determined to be a

129. Kataoka, S.H., Zhang, L., and Wells, K.B. (2002). "Unmet Need for Mental Healthcare Among U.S. Children: Variation by Ethnicity and Insurance Status," *American Journal of Psychiatry*, 159(9): 1548-1555. <http://www.ncbi.nlm.nih.gov/pubmed/12202276>

130. Ibid.

131. "The Difference Between IEPs and 504 Plans," *Understood*, <https://www.understood.org/en/school-learning/special-services/504-plan/the-difference-between-ieps-and-504-plans>

132. Morgan, E. et al., 2014.

133. Ibid.

134. Autism, deaf-blindness, deafness, emotional disturbance, hearing impairment, intellectual disability, multiple disabilities, orthopedic impairment, other health impairment (including ADHD), specific learning disability (including dyslexia, dyscalculia, and dysgraphia), speech or language impairment, traumatic brain injury, and visual impairment. Lee, Andrew M.I., "How IDEA Protects You and Your Child," *Understood*, <https://www.understood.org/en/school-learning/your-childrens-rights/basics-about-childrens-rights/how-idea-protects-you-and-your-child>

135. "The Difference Between IEPs and 504 Plans," *Understood*, <https://www.understood.org/en/school-learning/special-services/504-plan/the-difference-between-ieps-and-504-plans>

136. Stanberry, Kristin, "Understanding Individualized Education Programs," *Understood*, <https://www.understood.org/en/school-learning/special-services/ieps/understanding-individualized-education-programs>

137. Ibid.

symptom of the disability, that student cannot be punished through detention, suspension, or other means, unless behavior is criminal or dangerous to self or others. Federal law also specifies the number of consecutive and total days per school year that a student with an EBD can be suspended.

In addition to school-based services and legal protections, young people with identified disabilities may be eligible to receive other federal or state benefits. Children under eighteen with documented disabilities, if they live in low-income families, can receive Supplemental Security Income (SSI) in the form of monthly checks that are paid to the child's parent or caregiver. Disabilities that qualify for SSI include mental illness, learning disabilities, and low IQ. There is no 'cap' on SSI payments received per family. Therefore, a family living in poverty might supplement its income substantially if one or more children were found eligible to receive SSI.

## Results

The process and merit for categorization of students is not well understood and is distrusted by many educators we interviewed. This lack of confidence is corrosive to the learning environment and delegitimizes the expected norms of the student-teacher disciplinary relationship. Furthermore, children who *do* have legitimate disability claims (the plurality of labeled students) are often not adequately accommodated in Jackson Public Schools. Abuse of the system seems to be at least mildly pervasive in Jackson and some families have become dependent on the additional financial assistance provided to compensate for the child's disability.

In our interviews, participants across categories talked about students and/or their families using the disability label for personal or economic gain.

**Participants across categories talked about students and/or their families using the disability label for personal or economic gain.**

Two basic narratives emerged. First, participants described students with IEPs and their parents as "playing the system" in order to avoid punishment and "get away with" any and all behavior in school. Teachers, SROs, and other adult staff described students with IEPs making calculated decisions about how to behave based on what they knew about their rights. One teacher, when asked whether students with IEPs got in more trouble than those who did not, replied,

*Yes. And their IEPs protect them. I call those the VIPs. Some of them shouldn't even have an IEP—but because they do, they know that they can only be suspended for 10 days for the whole year. Then like if they get in trouble, get a major infraction, and get six days, that means that you (the school) got to use them last four days sparingly because after that, they're not going home anymore. And then if they have an advocate... it's even worse. And we as teachers are not respected. Because [the kids know that] if you touch 'em, you almost lose your job. I think they should follow the same guidelines as everybody else. I can understand academically you gonna have to have some help. But I think behavior wise you should be able to fall right in line with the general ed kids.*

Another teacher felt that students with IEPs used them not only to avoid punishment, but to avoid doing schoolwork as well:

*The IEP is like an umbrella. Half of the ones that are in there really don't need to be in there. They really don't. They don't apply themselves. They'll tell you, oh you can't flunk me, I got IEP, I'm gonna pass anyway. And it happens. They don't have to do any of the work. And they still pass. So it's like they got [a] gold card. They run the building.*



An administrator described his frustration with the legal requirements of coping with students with EBDs who broke rules and acted out in school:

*According to the law, it's not their fault because it's a disability... And I can be sympathetic on that to some degree. But when it's wreaking havoc on the entire building, and other students fear for their lives, or other students are being bullied, or we have to chase a student around all day because they won't go to class, and they're threatening other students, it just becomes a really tough situation to deal with. My fear—with those kind of students is that what we're doing is we're enabling that kind of behavior. And instead of accommodating their disability, we're enabling their disability.*

This narrative, about youth cynically using the legal protections of the IEP in order to subvert the discipline system, was repeated by many participants. "Our hands are tied," one teacher complained. For school staff, the story served both to explain why they felt powerless to change the discipline problems they saw in schools and to blame the "bad" children and parents for these problems.

The second, related narrative about the abuse of the disability label was told by teachers, juvenile justice workers, community service providers, and pastors. Many of the participants even used the same language to describe it. "Well you know, they call them crazy checks," one participant said. When the interviewer asked for an explanation, the participant explained that this was a term often used for SSI benefits that were awarded based on an emotional or behavioral disability.

One educator explained,

*There are students that have bona fide disabilities. And then there are some that are somewhat fabricated. One*

*of the things that has been real big in Jackson is getting a check, a parent getting a check. And so students are coached to behave a particular way, to have reinforced the fact that this is going to help secure a particular check, particularly if you're looking for a particular ruling, certain rulings there's assistance that comes with it.*

Another educator described a dynamic between parents and children when a child was in trouble at school: "It's like the child is in charge. Like the roles are reversed. And that's because in that family, the child is the breadwinner. That parent needs those checks. Sometimes the kids are mad, because they want to keep that check themselves, you know, 'that's my money.' And no way is that parent going to be a real disciplinarian to that child." A youth pastor spoke about an entire family,

*They are completely dependent on the check coming from this one daughter's intellectual disability... and now she's 18 and I don't know exactly what's happenin... I know she still lives with them and I don't know if that's why, it's because they've been dependent on the check coming from her but yeah there's a lot of um, there's a lot of that, again I think manipulating of the system that um, you know for a season they do need it, they need the assistance but then it becomes their life and they don't know how to live without it.*

A community service provider pointed out that for many families, relying on "crazy checks" was a direct result of extreme poverty. She spoke of extended families living together, pooling the checks, and being highly aware of the fact that their income could be cut in half when children "aged out" of the system that paid SSI directly to parents.

Although some participants explained that this dependence resulted from economic

necessity, others harshly condemned the practice of using "crazy checks." For many, this kind of "playing the system," which was directly linked to "playing" the educational system to avoid punishment and even learning, was powerful evidence that some families were morally "bad," and directly to blame for their "bad" children.

## Recommendations

### 1. Utilize function-based Behavior Intervention Plans.

Ensure that students with disabilities that result in or contribute to behavioral problems have a Behavioral Intervention Plan (BIP) in place at the beginning of the school year. A BIP is a set of guidelines customized to the student that sets expectations for student behavior and outlines the interventions or disciplinary actions that will follow unacceptable conduct from the student. All students, parents, and teachers should be made aware of the BIP, and teachers should have the ability to easily access the BIP for any student. This will allow quicker and more effective interventions by the school in the case of disruptive behavior, and will also set student expectations for the consequences of such behavior. Function-based behavioral assessment recognizes that misbehavior tends to serve one of two functions: getting access to something, or avoiding something, and helps students and teachers recognize function-based misbehavior while suggesting positive alternatives.<sup>138</sup> Studies have shown that BIPs based on Functional behavioral assessment are associated with improvements in the frequency of problem behaviors.<sup>139</sup>

138. Liaupsin, Carl, "Functional Behavior Assessment and Function-Based Intervention Planning: Doing Both Better!" *Protective Schools*, <http://www.protective-schools.org/pbis/fwconferencepresentation/FBA-basics.ppt.pdf>

139. Ingram, Kimberley et al. (2005). "Function-Based Intervention Planning: Comparing the Effectiveness of FBA Function-Based and Non-Function-Based Intervention Plans," *Journal of Positive Behavior Interventions*.

### 2. Improve IEP education and training for all school staff, including SSOs.

Schools often do not have sufficient information about a child's trauma history to assist appropriately with recovery efforts. Without a more thorough social history of the child, including information about a child's trauma triggers, cues, and anniversary dates, school staff may not recognize the reasons behind challenging behavior. They may spend time addressing the behavioral consequences of trauma rather than their root causes. As a result, building social coping skills, essential to the continued neurodevelopment of traumatized children, is not addressed. Teachers and others in schools need to gain a better understanding of child trauma and work collaboratively with one another and other relevant agencies in order to facilitate better academic and non-academic services.<sup>140</sup>

Moreover, it is important to educate teachers and staff regarding the rights of students with IEPs and the difference between high-risk and low-risk antisocial behaviors and the different options available to address either type of behavior. Teachers and staff should be well-trained on when they have the option to use detention, suspensions or restrictive disciplinary methods, and when they do not. When restrictive discipline is not an option, teachers and staff should be trained in alternative disciplinary methods and interventions, as will be discussed below.

### 3. Create alternative disciplinary measures or interventions.

When misbehavior by IEP students does not fall under the categories allowing for restrictive discipline, schools should utilize disciplinary methods, such as in-school suspensions or productive time-outs, as an alternative to out-of-school suspensions. These disciplinary

140. "Trauma Sensitivity During the IEP Process," Federation for Children with Special Needs, <http://fcsn.org/rtsc/wp-content/uploads/sites/2/2013/11/Trauma-Sensitivity-During-the-IEP-Process.pdf>

methods can help schools comply with federal law while minimizing the negative effects of disruptive behaviors on other students. Schools should also target PBIS and restorative justice methods at misbehaving IEP students in an effort to minimize recurrences of the offending behaviors. However, schools need more than a time out room and a teacher for in-school suspension to meaningfully change behavior. Students benefit greatly from structured programs held in a room that feels safe and calming to them, that addresses their academic, social, and emotional needs so that they can return to the classroom faster and re-engage in learning. Characteristics of good integrated student support programs include<sup>141</sup>:

- Offering multiple ways to ensure in-school suspension is appropriate; in-school suspension is unlikely to resolve a truancy or homework completion problem that should be resolved through other means.
- A term limit; students should not be suspended indefinitely.
- Problem-solving and/or mediation (including peer mediation) sessions among teachers and students or students and students, which result in written contracts that spell out future expectations, such as restorative justice.
- Ensuring students come to the program with academic assignments to complete.
- Professionals to staff the program, such as a teacher who can assess students for unidentified learning difficulties, assist in assignment completion, and by a counselor who can explore root causes

of problems, refer students to community services, and engage with parents.

A. Crawford Mosley High School in Lynne Haven, Florida is nationally recognized for having a model in-school suspension program, called Positive Alternative to School Suspension (PASS).<sup>142</sup> It operates as its own class, with explicit requirements and expectations. Students can choose in-school suspension over out-of-school suspension, and are assigned to in-school suspension for three, five, or ten days, where they work on assignments from their classes. Students are graded daily in five areas based on a rubric: attendance, tardiness, ability to follow all rules, behavior, and work habits. All students start their suspension with an orientation and are immediately responsible for their success or failure. While the class does not offer formal counseling, students talk about why they were suspended and are introduced to strategies to prevent them from being suspended again.

Schools should also target PBIS and restorative justice methods at misbehaving IEP students in an effort to minimize recurrences of the offending behaviors. "When disciplinary approaches that are adequate responses for typical transgressions don't work time after time for certain students, schools should look at a trauma-sensitive evaluation tool to determine whether trauma may be a factor in the difficulties the child is experiencing at school. According to the National Child Traumatic Stress Network, one of the most common measures is the Child Behavior Checklist for Children. No advanced training is necessary to administer this measure, making it practical in most trauma-related service settings, including schools."<sup>143</sup> If trauma is identified, then the school can more effectively create alternative disciplinary measures or interventions to better support the student.

141. Anne Wheelock, a research associate with the Progress Through the Education Pipeline Project at Boston College's Lynch School of Education lists characteristics of a good integrated student supports program. [http://www.educationworld.com/a\\_admin/admin/admin329.shtml#sthash.MQeXH7tb.dpuf](http://www.educationworld.com/a_admin/admin/admin329.shtml#sthash.MQeXH7tb.dpuf)

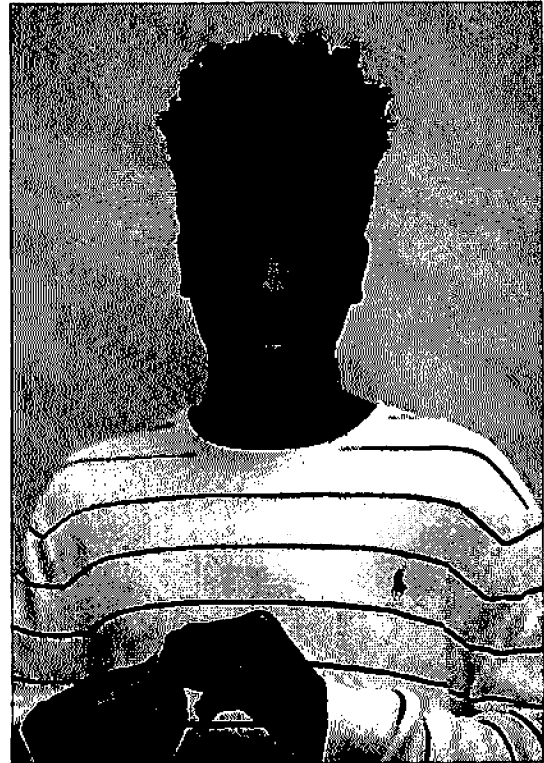
142. Ibid

143. Ibid

#### 4. Initiate a thorough evaluation of the Exceptional Education program at JPS.

There are national and state standards for diagnosis and designation of a disability label.<sup>144</sup> When providers work in tandem and share information, providing accurate disability designations and appropriate services is easier. When these players are communicating and using provided guidelines, inaccurate or unnecessary IEPs can be minimized.

Jackson Public Schools should take a leadership role in convening a broad-based advisory group of representatives from school site and district, wellness and mental health, relevant government agencies, researchers and youth advocates to analyze the current system (strengths and challenges) and opportunities for improvement. The advisory group can explore the value of developing a school board resolution or county policy that requires parents



Member of AOP.

Photo Credit: Lynne Reznick Photography

144. According to Understood, a non-profit focused on students with learning disabilities, "a child is eligible for an IEP if he or she has one or more of the 13 specific disabilities listed in IDEA, and the disability must affect the child's educational performance and/or ability to learn and benefit from the general education curriculum. Parents can ask the school district to pay for an independent educational evaluation (IEE) by an outside expert, but the district doesn't have to agree. Parents can always pay for an outside evaluation themselves, but the district may not give it much weight." See "The Difference Between IEPs and 504 Plans," <https://www.understood.org/en/school-learning/special-services/504-plan/the-difference-between-ieps-and-504-plans>

and families of students with IEP's to attend regular trainings with and without their students on various topics that are related to strategies to improve behavioral management, academic achievement, and socio-emotional skills. Beyond the waste of scarce educational resources, the lack of faith in a program meant to support the most vulnerable students could increasingly fail to serve students with disabilities and foster exasperation by the front line educators who interact with the students.



## FINDING 6: THERE IS PERVASIVE BOREDOM AND LACK OF ENGAGEMENT WITH POSITIVE ACTIVITIES IN JACKSON

Boredom can be toxic to restless youth. The old proverb “Idle hands are the Devil’s workshop” was repeated often by interviewees to BOTEC researchers. And its meaning resonates clearly with the world in which many of the children in Jackson are growing up.

A particularly vexing problem is that the children who seem to be causing the most chaos in schools and in the community are rebuffed by many of the programs available to other youth. The “hard-core” children with juvenile criminal records that we identified earlier are typically looked over or rejected by groups that are trying to serve other children, often in the interest of not corrupting less challenging children. We heard several times that certain clubs did not want bad kids around the good kids. Many after-school activities run by schools, such as sports teams, cheerleaders, or band are restricted to students with good academic records. Other organizations that have the noble goals of trying to help certain children attain academic or athletic goals have the reputation of not wanting the additional burden of dealing with kids who are hard to discipline.

There is one group that will consistently work with those children—the Adolescent Opportunity Program.

### Background

The hours between the end of the school day and the end of the work day for adults, when many youth are unoccupied and unsupervised, marks the height of juvenile crime. Data from the F.B.I.’s National Incident-Based Reporting System show that violent juvenile crime spikes between 3pm and 4pm. During that hour, the number of crimes committed by juveniles is three times higher than during the 1pm to 2pm

hour.<sup>145</sup> Most aggravated assaults committed by juveniles occur between 2pm and 8pm and most juvenile violent sexual assaults occur between 2pm and 5pm.<sup>146</sup>

Research on well-established, after-school programs has demonstrated a reduction in crime-related outcomes for youth. A study on the LA’s BEST after-school programming, which serves students in 194 high-poverty elementary schools, found that student’s active participation in the program led to significantly lower crime issues than students who did not participate.<sup>147</sup> Similarly, an evaluation of the After School Matters apprenticeship program for high school students in Chicago found that participants reported less problem behaviors such as substance use, delinquency, and fighting than a control group.<sup>148</sup>

145. Fox, James Alan, and Sanford A. Newman (1997). “After-School Crime or After-School Programs: Tuning in to the Prime Time for Violent Juvenile Crime and Implications for National Policy. A Report to the United States Attorney General.”

146. Snyder, H. N., & Sickmund, M. (2006). “Juvenile offenders and victims: 2006 national report.” *Department of Justice: Office of Juvenile Justice and Delinquency Prevention*.

147. Goldschmidt, P., Huang, D., & Chinen, M. (2007). “The long-term effects of after-school programming on educational adjustment and juvenile crime: A study of the LA’s BEST after-school program.” *National Center for Research on Evaluation, Standards, and Student Testing (CRESST), University of California Los Angeles*, [http://www.lasbest.org/imo/media/doc/LASBEST\\_DOJ\\_Final%20Report.pdf](http://www.lasbest.org/imo/media/doc/LASBEST_DOJ_Final%20Report.pdf)

148. Hirsch, B. J., Hedges, L. V., Stawicki, J., & Mekinda, M. A. (2011). “After-school programs for high school students: An evaluation of after school matters.” *Northwestern University*, <http://www.wallacefoundation.org/knowledge-center/after-school/evaluations/Documents/After-School-Programs-for-High-School-Students-An-Evaluation-of-After-School-Matters.pdf>

A study of after-school programs in West Virginia found that these programs had a positive effect on school attendance and a reduction in truancy.<sup>149</sup> The programs also increased standardized achievement scores, and had a particularly positive effect on lower-performing students, as the programs helped close the achievement gap between lower-performing students and their peers. The author found that one of the causes of truancy was that students felt they were so far behind their peers that it significantly affected their self-esteem and motivation. After-school programs were found to increase self-esteem and academic engagement among participating students, alleviating these causes of absenteeism. Since truancy is an early predictor of a student later dropping out of high-school, these programs may reduce dropout rates in the long-term. The study found that the most successful after-school programs were those that focused on active forms of learning allowing students to practice new skills, and which defined clear goals.

## Results

Although many students, parents, school personnel, and other participants in the study talked about the problem with young people being bored and lacking positive outlets for their energy, perhaps the clearest expression of the link between boredom and crime came from a young man incarcerated after having broken into a house. He explained that,

*When I'm bored and hanging around my house...I get to thinking about bad things, bad ideas come into my head. So I think about robbing, stealing stuff, getting some money... and then I just went and did it.*

Another young man, also in a secure facility,

mentioned that when he was angry and had nothing to do, he would, "just go steal a car. It just made me feel better, calmed me down."

A group of students at a high school told researchers about the "fight club" some students had established on social media. They had gone so far as to arrange a schedule, with certain students "signed up" to fight one another at a designated time and place (usually after school). Crowds of teenagers would show up at the appointed time, cheering on the combatants, taking photos or videos of the action, and generally behaving as if they were attending a sports event.

One teenage boy who was highly successful in school and already accepted to a prestigious college provided a thoughtful analysis of what was wrong with the educational system and the lives of youth who were on "the opposite track than me."

He explained,

*When kids are suspended... they do the same thing they do here (in school). Nothing changes. And even then, they get bored. And when they get bored, things just pop in their heads, oh let's do this or let's do that. And then school is supposed to be a place to engage their minds, but in a way, not to knock our education system, but it really needs some work... most of these students that are out here in the hallways or something, maybe they don't learn... the way that most kids do. And so if the teacher's not really getting to them... what else is there for them to do but cause a disruption and just get into that cycle of just going to school and going home.*

Adults mentioned that there was no movie theater in Jackson, no malls, not enough access to recreational activities, few safe

149. Paulhus, Elizabeth (2012), "Afterschool Programs in West Virginia: Improving the Lives of the State's Children," *West Virginia Center on Budget & Policy*, [http://www.wvpolicy.org/wp-content/uploads/2012/12/Afterschool\\_Report\\_12.12.12.pdf](http://www.wvpolicy.org/wp-content/uploads/2012/12/Afterschool_Report_12.12.12.pdf)

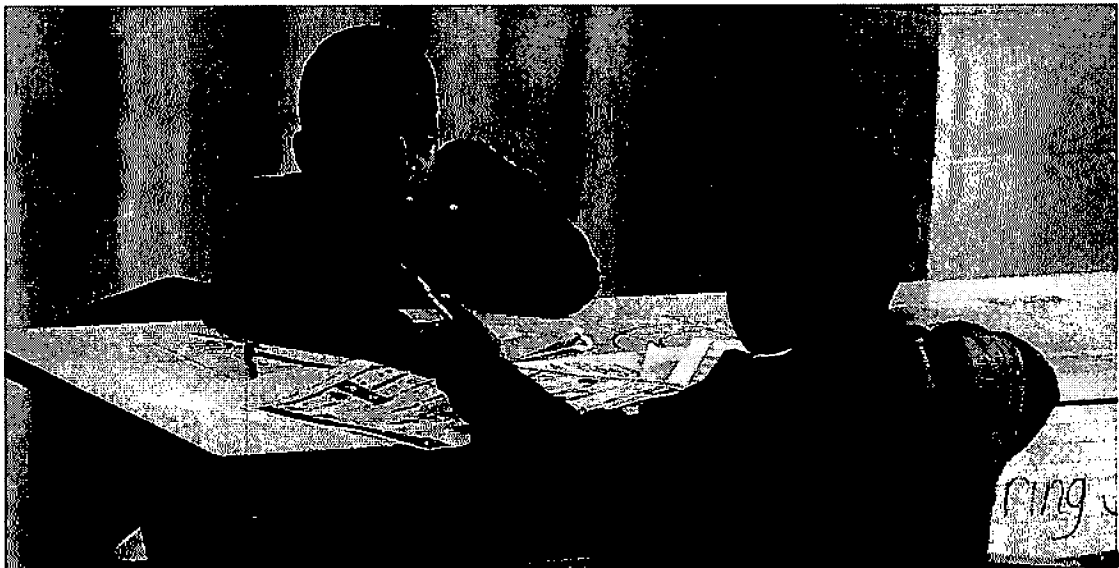
places for youth to play or congregate, and very few opportunities for youth to explore cultural activities such as visiting museums or going to concerts, even in their own city.

Students in the “higher tracks” at school, those with good attendance, high grades, and “clean” records had many more opportunities to participate in such positive activities. PBIS incentives, like parties and field trips, were not available to students with behavior problems. Many students who were not doing well academically or behaviorally told researchers that they wanted to participate in school activities (particularly sports) but were not eligible to do so because of their bad records.

*Many young people who might have participated in activities offered by community institutions were prevented because of poverty: their families lacked transportation, worked many hours and were unable to help their children access programs, and/or could not afford even the nominal fees charged by local organizations.*

Youth involved in churches had access to programs offered by youth ministries, including sports, music, community service, and field trips. However, those students without a family connection to church lacked these opportunities and supports. Many young people who might have participated in activities offered by community institutions were prevented because of poverty: their families lacked transportation, worked many hours and were unable to help their children access programs, and/or could not afford even the nominal fees charged by local organizations.

When asked what would be the best use of funding in order to prevent at-risk youth in Jackson from becoming involved in crime, many adults across institutions mentioned activities—things to do and places to go that would curtail boredom, engage energy in a safe and productive way, and expose youth to events, people, and places they did not encounter in their daily lives. One teacher remarked that her students “have never even been to the museum...and it’s right here in Jackson.” Another described a student who wanted to eat at a “5 star restaurant...like Red Lobster.” A veteran teacher described taking a class to tour the Clarion-Ledger:



Children at the Neighborhood House Christian Center in Jackson..

Photo Credit: Lynne Reznick Photography

*And I had a guy in my class who, he was not a bad kid, he was just not a motivated kid. And he was artistic, but he didn't know—he had no connection of how I can make what I like to do, something that I will do for the rest of my life. So we toured the newspaper and he met the cartoonist on staff. And they looked at pictures. And he was so very excited when we left about the prospect of him being able to just draw and make a living.*

Simply engaging young people's interests, many participants agreed, would be a powerful tool in the fight to keep them out of the school to prison pipeline in Jackson.

## Recommendations

### 1. Integrate career/industry-themed and project-based learning opportunities for students in the classroom.

Mississippi's businesses and economy need a better-educated workforce to meet current and future workforce demands. However, not enough students are graduating high school, and those that do often lack the skills and knowledge to succeed in college and career. JPS can make classroom learning more relevant and engaging by applying a Linked Learning approach to instruction. Linked Learning is "a proven approach to education that combines rigorous academics, career-based learning, work-based learning and integrated student supports. Linked Learning pathways are giving students more exposure to the state's major industries, giving students a better understanding of the types of career paths and jobs available and helping them develop the skills and knowledge they will need to succeed."<sup>150</sup> While Alignment Jackson has been mobilized to do this, they have not yet fulfilled their mission. This organization, and others like them, should receive additional support.

By centering a high school's program of study around career/industry themes (examples include but are not limited to manufacturing, engineering, health care, performing arts, energy and utilities as well as law and government) learning becomes more relevant and students become less likely to disengage and dropout. Research shows that compared with their peers, students in certified Linked Learning pathways earn more credits in the first three years of high school, report greater confidence in their life and career skills and say they are experiencing more rigorous, integrated and relevant instruction.<sup>151</sup>

Local employers and community partners can help support Linked Learning development and shape the school's program of study by participating in advisory committees to help teachers and administrators develop solutions for the challenges they face; professional development to support teachers in learning about their industry and how to ensure relevance in daily curriculum; curriculum development to advise educators on creating real world, work-related experiences in lessons and labs to meet industry needs and practices; and offering teacher externships and principal-for-a-day activities to build stronger business/education ties.

Through the 2013 and 2014 Budget Acts, the State of California set aside \$500 million to be allocated by the California Department of Education through the California Career Pathways Trust. The fund will provide competitive grants (up to \$15 million) to districts, county superintendents of school, charter schools, and community college districts to support career pathways programs, strengthen K-14 alignment, and build scaleable work-based learning infrastructure. While these funds are intended to support a variety of pathway

150. "What Is Linked Learning?," Linked Learning Alliance website, <http://linkedlearning.org/about/>

151. SRI International, "California District Initiative Evaluation," 2014 Research brief: <http://interactives.irvine.org/linkedlearning2015/evidence/evaluation>

development and improvement efforts, work-based learning holds the greatest potential to transform current educational practice in the state. Work-based learning prepares students for success in college and 21st century careers by connecting what they learn in the classroom to the real world, supporting improved student outcomes through more intentional relevance to the college, career and civic aspirations of students.<sup>152</sup>

## **2. Increase and integrate services for at-risk youth and their families outside of school hours.**

Our data indicate that there is resounding agreement on the problem of youth being bored and unsupervised during non-school hours. Best practices in other cities indicate that services based in schools or centers within walking distance of schools must be available to all youth and their families regardless of academic status. It appears that Alignment Jackson has been set up to accomplish some of these goals and should be considered a strong local partner. Recreation and extracurricular activities of all kinds help at-risk youth and their families find positive outlets for their energy and provide them with an alternative to the street, where they will often be exposed to criminal and violent influences. After-school services should follow the SAFE (sequenced, active, focused, explicit) method, setting clear goals for student development and employ an active, step-by-step, intentional approach to service delivery. As shown in the background section above, these programs have been proven to reduce delinquent and/or criminal behavior in students.<sup>153</sup>

Many organizations in Jackson (e.g. Boys and Girls Club, Genesis and Light Center) are already providing such opportunities, but

currently the system is a patchwork of often underfunded, volunteer-based programs that are inherently vulnerable to closure and cannot provide service reliably. Therefore, the school district should, with the support of state, county and business groups, coordinate and financially supplement these programs to ensure that students, parents, teachers, and counselors can all easily locate and access reliable wraparound services and activities. In an effort to do this, JPS has brought together a listing of some available summer offerings at "JPS Summer Programs."<sup>154</sup> The Clarion Ledger and Jackson Free Press also offer similar summer program guides. If the perception is that there are no activities available, perhaps a simple outreach effort may make an impact.

***Services based in schools or centers within walking distance of schools must be available to all youth and their families regardless of academic status.***

In particular, teachers and counselors should be able to quickly provide inquiring parents or students with information on available programs in their neighborhoods. The Pittsburgh Public School System provides an example of successful coordination of community partner after-school programs.<sup>155</sup>

The district should also explore the opportunity to fund workforce development activities after school and on the weekends. In addition to diverting students from the negative environment of the streets, these workforce development activities can instill positive values and behaviors at a young age, increasing students' probability of obtaining successful employment after graduation and reducing the likelihood of

152. "California Career Pathways Trust," Linked Learning Alliance website, <http://linkedlearning.org/policy/california-career-pathways-trust/>

153. Ibid, "Afterschool Programs in West Virginia: Improving the Lives of the State's Children."

154. "Summer Programs," Jackson Public School District, <http://www.jackson.k12.ms.us/content.aspx?url=/page/summerprograms>

155. "After-School Programs," Pittsburgh Public Schools, <http://www.pps.k12.pa.us/domain/42>



these students turning to crime when they leave school. Research has shown that these programs can be highly effective. The principal challenge has been securing partnerships with local businesses, and research shows that the most effective programs are individualized to any business that chooses to participate.<sup>156</sup>

To address their need for student career awareness and preparation, the Los Angeles Unified School District (LAUSD) School Board unanimously approved a resolution requiring vendors that get contracts from the district to offer high-quality work-based learning opportunities (i.e. mentorships, internships, job speaking, sponsoring field trips, etc.) for students. Currently, LAUSD purchases goods and services from over 9,000 vendors that did not, previous to this resolution, offer work-based learning opportunities to students. Many school districts throughout California are also exploring how this policy can be replicated for vendors serving city and county departments.

Lastly, the local chamber of commerce can play a powerful role in increasing employer engagement by leveraging their business and industry connections to better support Jackson's students, classrooms and schools. Such business-education partnerships not only can strengthen schools but develop the future workforce. Potential activities that the chamber of commerce can outreach for and even help coordinate include classroom speaking, career days, job shadowing, student internships and virtual apprenticeships, etc.

### **3. Evaluate the Adolescent Opportunity Program (AOP) in Jackson.**

Our data indicate that this is the only program serving court-involved youth in Jackson. The youth served by AOP are provided with free

transportation to and from the AOP center, which is staffed by adults trained as counselors/social workers. AOP is a long-term program that provides positive, supervised activities for youth during the summer and after school, for a year after youth are released from HYJJC. AOP workers have direct contact with youth and their families on a regular basis and can function as a bridge between schools, youth, families, and service providers (including mental health services). If fully-funded and expanded, AOP might provide recreational activities and field trips (not just tutoring and services within the walls of their offices) to fight boredom among the youth it serves.

Moreover, AOP might consider partnering with the district and Workforce Investment Board to coordinate student workshops to help students earn "digital badges." A system of digital badges, aligned to student learning outcomes at the school and district level, would enable students, teachers, and district leaders to track student progress towards college, career, and community readiness. A working paper from the Mozilla Foundation and the MacArthur Foundation defines digital badges as "validated indicators of accomplishment, skill, quality or interest." They can be earned in any learning environment, and they signal either traditional academic achievements or valuable 21st-century skills such as collaboration, teamwork, communication/job interview skills. The badge itself is an interactive image posted online and encoded with all the data needed to understand the badge, such as which organization awarded it, what skill or achievement it represents, if and when it expires, and links to evidence for why it was awarded.<sup>157</sup>

AOP is an established program throughout Mississippi, but has only recently been re-opened

156. Kash, K.M. (2009). "School-to-Work Programs Effectiveness." *Online Journal of Workforce Education and Development*. 3(4): 1-9. <http://opensiuc.lib.siu.edu/cgi/viewcontent.cgi?article=1060&context=ojwed>

157. Education World. "21st-Century Student Assessment: Digital Badges," [http://www.educationworld.com/a\\_tech/schools-students-digital-badges.shtml#sthash.AYkHi9WR.dpuf](http://www.educationworld.com/a_tech/schools-students-digital-badges.shtml#sthash.AYkHi9WR.dpuf)

in Jackson. No formal evaluation of the program has been done. A thorough evaluation of the program, with recommendations for improvements, should be done as the program completes its first full year of service. Regardless of the results of evaluation of the AOP program, a concerted effort to engage the hearts and minds of the disenfranchised youth of Jackson has to be undertaken.

#### 4. Promote holistic community diagnosis and treatment.

In order to promote programs to combat youth boredom, JPS and community leaders should make every attempt to better understand and "meet them (youth) where they are at." Part of a youth engagement strategy should include a diagnostic on the conditions of the communities in which youth live, particularly youth in poverty. There are groups like the Urban Peace Institute that work with criminalized or gang involved youth to help turn them away from destructive

behavior and engage in productive and socially appropriate behavior.

They have had success nationwide in designing programs that acknowledge that there are certain children that are unwanted by much of society and deal with the issue directly and professionally. They create Comprehensive Violence Reduction Strategies<sup>158</sup> to humanize at-risk youth and tackle the origins of and problems their behavior is causing. They also take a "public health approach (that) rejects suppression-only strategies that fail to address the underlying community conditions spawning gangs and violence." This model advocates for a wrap-around solution for each affected community.

Leaders from the Urban Peace Institute (UPI) have already visited Jackson and conducted

158. "Our Comprehensive Violence Reduction Strategy," *Advancement Project*, <http://www.advancementproject.ca.org/?q=node/514>



Photos of GRYD—Summer Night Lights.

Photos by various

community research that will be integrated in the upcoming "Origins of Crime in Jackson" study, which is currently underway. UPI workers were integral in designing the blueprint for the Gang Reduction and Youth Development (GRYD) program in Los Angeles which has successfully transformed dozens of neighborhoods by offering multi-generational activities in safe places resulting in reductions in violence in those neighborhoods. GRYD's marquee program Summer Night Lights operates at 32 locations across the City of Los Angeles, keeping recreation centers and parks open between the hours of 7pm–11pm throughout the summer months.<sup>159</sup>

Related policy opportunities to the aforementioned wrap-around solutions and place-based initiatives can include working with community and youth advocates to push for state budget augmentations that support programs similar to the U.S. Department of Education's "Full Service Community Schools" and "Promise Neighborhood Initiatives," both of which seek to provide the infrastructure and systems leadership necessary to offer youth integrated comprehensive social, mental health, and academic supports in local schools.

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159. "Summer Night Lights," *GRYD Foundation*, <http://grydfoundation.org/programs/summer-night-lights/>

## FINDING 7: CRIME, VIOLENCE, AND THE USE OF FIREARMS HAVE BECOME NORMALIZED

### Background

Children who have experienced trauma are at increased risk of involvement with the school disciplinary and juvenile justice systems.<sup>160</sup> Every year, millions of children are exposed to violence as victims or witnesses in their schools, homes, and communities.

Youth who have experienced trauma tend to have more difficulty regulating their behavior and emotions, which can negatively affect classroom behavior and academic outcomes.<sup>161</sup> Being exposed to violence in the home is predictive of every other type of violence, from bullying to self-harm and suicide, and strongly predictive of juvenile delinquency, intimate partner violence, gang involvement, and general aggression.<sup>162</sup> Not surprisingly then, the prevalence of children with exposure to trauma is also higher in juvenile justice settings than in the general population.<sup>163</sup> Untreated, chronic exposure to traumatic events in childhood can lead to more significant behavioral health issues in the adult years. Although the presence of an emotional or behavioral problem does not automatically translate into student misbehavior, these issues put students at greater risk for academic difficulties, involvement in the

*Being exposed to violence in the home is predictive of every other type of violence.*



Mother with memorial to her son, who was murdered two blocks from his home in West Jackson.

Photo Credit: Lynne Reznick Photography

160. Ford, J.D. et al. (2007), "Trauma Among Youth in the Juvenile Justice System: Critical Issues and New Directions," *National Center for Mental Health and Juvenile Justice*, [http://iers.unt.edu/docs/nmctdocs/Trauma\\_and\\_Youth.pdf](http://iers.unt.edu/docs/nmctdocs/Trauma_and_Youth.pdf)

161. "Helping Traumatized Children Learn: A Report and Policy Agenda," *Massachusetts Advocates for Children: Trauma and Learning Policy Initiative*, 2005, <http://www.k12.wa.us/CompassionateSchools/pubdocs/HelpTraumatizedChildLearn.pdf>

162. Moore, Kristin Anderson, et al. "Preventing Violence: Understanding and addressing determinants of youth violence in the United States." *Child Trends Publication #2015-10*. March 2015. <http://www.childtrends.org/wp-content/uploads/2015/03/2015-10PreventingViolence5.pdf>

163. Ford, J.D. et al., 2007.

school's disciplinary system, and contact with the juvenile justice system.

The sum of all these troubles adds up to a wealth of evidence demonstrating the tragic connection between criminal victimization and an increased propensity for an individual to commit crimes, especially for younger victims.<sup>164</sup> A thorough

164. For one good survey, see Macmillan, Ross. (2001) "Violence and the life course: The consequences of victimization for personal and social development." *Annual Review of Sociology*. 27: 1-22. DOI: 10.1146/annurev.soc.27.1.1

study of abused and neglected children for the National Institute of Justice found that they were almost five times as likely to be arrested as a juvenile, twice as likely to be arrested as an adult, and more than three times more likely to be arrested for a violent crime as similar individuals who were not abused or neglected in childhood.<sup>165</sup>

## Results

BOTEC researchers interviewed people living in severe poverty and those who had middle-class jobs, incomes, and lifestyles. Participants included children as young as eleven and as adults in their sixties and beyond. Some were well-paid, well-educated adults, while others were teenagers who had already dropped out of school, committed crimes, and been incarcerated multiple times. Despite these differences, the overwhelming majority of participants had experienced crime and/or violence directly.

When an interviewer asked a group of middle school children what they knew about crime in Jackson, every hand went up. One child described a shooting that had happened at a store, "where I go mostly to get candy," the day before the interview. Another told this story:

*...one night my mama and my auntie had to go to work because they had a night shift and two people went out sick so they had to go fill in for them. And it was me, my sister, and my cousin at the house by ourselves. And we were sittin' in the room watching the TV until we heard somebody knockin' on the door. So we turned off all the lights and I hid under the bed with a wood stick, and*

*my sister in the closet with a bat, and my cousin hid in there with the gun... But, then they (the thieves) actually broke down our door and tried to find stuff until my mama and my auntie came in... My cousin had accidentally pointed the gun at my auntie, but she didn't shoot her though. She just pulled the trigger but the trigger wasn't actually on.*

For this child, as for many Jackson youth, the experience of having one's home invaded was not unusual or shocking. Other students explained that they had been "trained," by their parents and other family members, to follow certain procedures (including hiding, turning off lights, and arming oneself) when strangers came to the door.

Many young people described feeling afraid in their neighborhoods or schools. One high school student, an avid runner, explained that, "Sometimes what I would do is I would get home, ...go get my stuff on, and I survey the park before I go run. I just go see if it's safe to run, and if I don't [think it is], I just... go an alternate route or something like that." Another teenager explained that she was frequently bored and wanted to go out, but was forbidden to do so alone, even in the middle of the day. A pastor described crime at the church and among the congregation:

*I know that we've had windows broken multiple times around the church um you know, not only here in our main building but people trying to get into the sanctuary and the fellowship building...and we had a church member...a neighborhood boy shot and killed her in her driveway... just right down the road.*

Youth and adults in schools talked about physical fights breaking out in the halls, and although most agreed that this level of violence

165. English, Diana Jane, Cathy Spatz Widom, and Carol Brandford. (2002) "Childhood victimization and delinquency, adult criminality, and violent criminal behavior: A replication and extension. Final Report to NIJ." <https://www.ncjrs.gov/pdffiles1/nij/grants/192291.pdf>



rarely rose to the level of physical injury, one middle school teacher explained that,

*I was out of here for three months this school year, for an injury that came out of the discipline, being no discipline structure for the real behavior of the children. I was knocked down trying to keep a boy from choking a girl and tore my rotator cuff.*

Although some violence and crime occurred in schools, many participants talked about dangerous incidents more commonly happening on the way to and from school. Fights broke out at bus stops, in parking lots, in parks, and during school sports events. One teacher suspected that students deliberately “scheduled” fights to take place at or near school, since teachers and other adults were going to break them up before anyone got badly hurt.

An administrator explained that when students were suspended for fighting, parents were often angry and indignant. If a child had been “fighting back,” one administrator explained, many parents felt that the child should not be punished. “Parents teach their children to fight back if someone puts a hand on them,” the administrator explained. A teenager who had been in and out of HYJJC multiple times explained that when a security officer, “Poked me in my forehead. I said, “get your hand up out my face.” She goes, “you ain’t gonna fight me.” And I said, “Put your hand on me and you’ll see.” The belief that fighting is an appropriate, even necessary, response to aggression, was expressed often by students labeled “bad,” as well as their parents. Other adults (teachers, administrators, employees of the juvenile justice system, and youth pastors) identified this belief as a major factor that led youth into trouble and kept them there.

Another widely (but not universally) shared belief was that physical discipline was an appropriate and effective (even morally necessary) tool to

deter or punish bad behavior. Many adults mentioned that when they were adolescents, they respected and obeyed their parents and other adults, because if they did not, they would be hit or whipped. The fact that parents of youth who misbehaved did not administer physical punishment was often mentioned as a flaw in their parenting. One teacher remembered his own experience with corporal punishment at school and at home: “Corporal punishment, it’s a few licks. But a lot of time it changes a whole person’s attitude. ‘Cause you go to the office and get those licks... Then you might get home, hopefully the parents step in some and that’s a few more licks. That’s a butt whooping. That’s how it was when I was in school.”

Participants in the study discussed violence (beyond corporal punishment) and crime as a common feature of home and family life, as well as life on the street. At HYJJC, staff members explained that many incarcerated youth were being held because they had threatened or assaulted family members, typically mothers. One mother, whose thirteen-year-old son had been arrested multiple times and was currently wearing an ankle bracelet so that the police could track his whereabouts, explained that she was afraid both of her son and his friends. She felt sure that her son was selling drugs, but felt helpless to control his behavior. When she tried to “put her foot down” with her son, he threatened her. Some young people told us that their own parents or other family members had abused them. Many adults in schools and at the JDC mentioned that they knew or suspected that young people were being hit at home, and cited this as a root cause of behavioral and emotional problems.

The cycle of victimization and criminal behavior naturally results in a cycle of incarceration as well. Many incarcerated youth mentioned that family members were currently in prison, had been in prison in the past, or were actively involved in crime. Adults, including those



Elementary school boy with his tutor.

Photo Credit: Lynne Reznick Photography

working in schools and in the juvenile justice system, also mentioned family members "in trouble with the law." One adult who worked directly with at-risk youth explained,

*I know how to work with this young man...because I was him, at his age. I went to juvie. I thought I was tough, bad. I could have so easily ended up in prison. Lots of the kids I knew coming up, they are there now. In Jackson, it's personal for a lot of us. Those guys locked up...that's not just some other people. That's our brothers, our fathers. That's us.*

## Recommendations

### 1. Focus on solutions to in-school misbehavior utilizing a restorative justice framework.

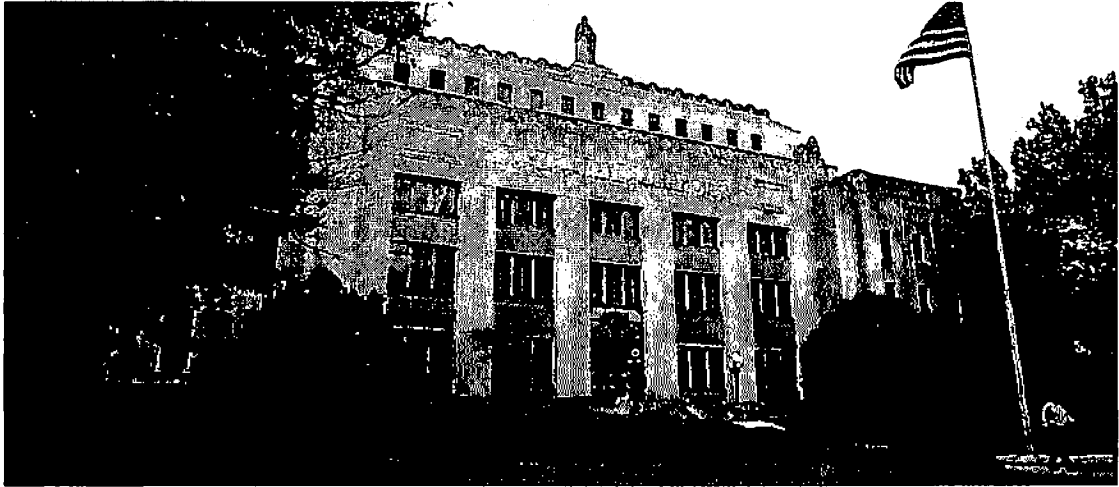
Zero-tolerance policies achieve short-term improvements in student behavior using fear

as the primary motivation, without addressing the underlying causes of misbehavior. For students growing up in a cycle of violence and crime, fear of punishment may be an ineffective motivational tool, and confrontational interventions may trigger aggressive responses from the student.

Restorative justice uses a communication-based approach to identify the root causes of misbehavior and convey to misbehaving students the negative effects that their actions have on other students as well as themselves. The restorative justice method encourages students who have been victimized by aggressive students to confront their aggressors. By directly exposing aggressive students to the negative effects of their actions on others, restorative justice can inspire students to change these misbehaviors. This strategy allows teachers and counselors to resolve in-school conflicts without the use of harsh disciplinary measures that can trigger defiant or hostile behavior in students.

Cole Middle School, a pilot site for Oakland's restorative justice program, saw its suspension rate cut by nearly two-thirds within two years of implementing the program. Significantly, 60% of suspended students were suspended more than once before the program; repeat suspensions dropped to 20% of all suspended students after the program was implemented. Furthermore, "Cole Middle School's California State Test (CST) scores went up by 74 points" within two years of implementation.<sup>166</sup> The study advocates a six-step implementation plan: 1) Identify the need and recognize that better outcomes are possible, 2) Assess readiness for school-wide restorative justice, 3) Build interest, 4) Attend an initial training (restorative justice advocacy groups can often put interested schools in contact with restorative justice experts to

166. "Restorative Justice: A Working Guide For Our Schools," *Alameda County School Health Services Coalition*, 2011.



Hinds County Courthouse.

Photo Credit: Lynne Reznick Photography

conduct these trainings), 5) Engage school and district stakeholders, and 6) Develop an action plan outlining goals and desired outcomes with a clear timeline, and determine which practices will be used and how existing practices need to be changed to conform to the plan.

Teachers and other authority figures at the school should be trained to recognize aggressive or defiant behaviors stemming from exposure to crime and violence at home, and to defuse these behaviors without resorting to the intervention methods that can trigger further aggression.

## **2. Utilize mentorship programs for students coming from high-risk home environments.**

Adults who have overcome high exposure to crime and violence in their formative years are uniquely equipped to teach these students how they too can overcome these environments and position themselves for success after graduation. Mentorship by these adults can motivate students to try to emulate their example and avoid falling into lives of crime and violence themselves. Students from families with one or more incarcerated family members, or from homes where domestic violence is the norm, should be assigned to meet with a mentor to collaboratively discuss the negative consequences of violence behavior or other criminal actions, and to devise a strategy to

help these students avoid such behaviors. This strategy should plan out positive alternative responses to events that trigger misbehavior in the students, and should train students to recognize these triggers. Studies have proven that mentorship programs can result in improved school performance and reduced delinquent behavior.<sup>167</sup>

## **3. Leverage resources to increase and sustain community-based and community-led interventions and support.**

Policymakers at the state, county, city and even school district level should consider reinvesting a percentage of any savings resulting from criminal justice reforms into community-based efforts, prevention, intervention, treatment, education, and other programs/practices that have been proven to promote healthier, stronger, and safer schools and communities. Programmatic services can include mental health, addiction services, trauma-focused psychotherapy, housing and job assistance, healthcare, and others that benefit not only the youth but their parents/guardians and families as well as educators, school staff, community partners and even law enforcement personnel.

167. Grossman, Jean Baldwin & Garry, Eileen M, "Mentoring—A Proven Delinquency Strategy," *National Criminal Justice Reference Service*, 1997.

## FINDING 8: THERE IS A PERCEPTION THAT THE JUVENILE JUSTICE SYSTEM IS FAILING TO DETER CRIME OR REHABILITATE OFFENDERS

### Background

Juvenile arrests and confinements have substantially declined over the last twenty years in the United States,<sup>168,169</sup> with Mississippi experiencing the third largest decline of any state in juvenile commitment rate from 1997-2011.<sup>170</sup> Despite this trend, states still have unacceptably high numbers of youth involved with the juvenile justice system and admissions to detention, residential, and correctional facilities for nonviolent, minor offenses.<sup>171</sup>

Whether or not an offense is considered “minor” varies from place to place but typically refers to misdemeanors without serious physical or emotional harm and no ongoing threat to the safety of others. Juvenile status offenses<sup>172</sup> are typically treated as minor offenses due to the relative lack of danger to others they present.<sup>173</sup> The movement to use alternatives to incarceration for these minor offenses has come on the heels of over a decade of research linking

*The movement to use alternatives to incarceration for these minor offenses has come on the heels of over a decade of research linking juvenile involvement with the criminal justice system (as little as a single arrest) to increased risk of academic failure, increased school dropout rates, and future involvement with both the juvenile and adult criminal justice system.*

juvenile involvement with the criminal justice system (as little as a single arrest) to increased risk of academic failure, increased school dropout rates, and future involvement with both the juvenile and adult criminal justice system.<sup>174</sup> This research also highlights the disproportionate impact of juvenile arrest and incarceration on the African-American population.<sup>175</sup> While there is limited data on school-based referrals to the criminal justice system and varying definitions of what “school-based referrals” specifically means,<sup>176</sup> studies have shown that juvenile court referrals from schools constitute up to approximately 20% of overall juvenile referrals.<sup>177</sup>

168. Puzzanchera, C., “Juvenile Arrests 2011,” *Department of Justice: Office of Juvenile Justice and Delinquency Prevention*, December 2013, [ojdp.gov/pubs/244476.pdf](http://ojdp.gov/pubs/244476.pdf)

169. “Easy Access to the Census of Juveniles in Residential Placement: 1997-2011,” *Department of Justice: Office of Juvenile Justice and Delinquency Prevention*, [ojdp.gov/ojstatbb/ezacjrp/](http://ojdp.gov/ojstatbb/ezacjrp/)

170. “19 States Cut Juvenile Commitment Rates by 50% or More,” *Pew Charitable Trusts*, [http://www.iacpyouth.org/Portals/0/Resources/19\\_States\\_Cut\\_Juvenile\\_Commitment\\_Rates.pdf](http://www.iacpyouth.org/Portals/0/Resources/19_States_Cut_Juvenile_Commitment_Rates.pdf)

171. Puzzanchera, C. and Hockenberry, S., “Juvenile Court Statistics 2010” *National Center for Juvenile Justice*, 2013, <http://www.ncjj.org/Publication/Juvenile-Court-Statistics-2010.aspx>

172. Acts that are only considered criminal if committed by a juvenile (e.g. running away, truancy, curfew law violations, ungovernability or incorrigibility, and under-age drinking violations).

173. Morgan, E. et al., 2014.

174. Losen, D.J. and Gillespie, J., “Opportunities Suspended: The Disparate Impact of Disciplinary Exclusion from School,” *Civil Rights Project at UCLA*, Aug. 2012, <http://civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/federal-reports/upcoming-ccr-research/losen-gillespie-opportunity-suspended-2012.pdf>

175. Ibid.

176. Morgan, E. et al., 2014.

177. Krezmien, M.P. et al. (2010), “Juvenile Court Referrals and the Public Schools: Nature and Extent of the Practice in Five States,” *Journal of Contemporary Criminal Justice*, 26(3): 273–293.

## Results

The overwhelming majority of participants in this study, including those who worked within the juvenile justice system, told researchers that it failed to curb or deter youth crime and to rehabilitate those young people who were arrested, adjudicated, incarcerated, and re-introduced to school and community. One participant said, "Well, if you assume the whole point of the police, youth court, and Henley-Young is to 'graduate' youth into the 'college' of adult prison...you know, it's working perfectly."

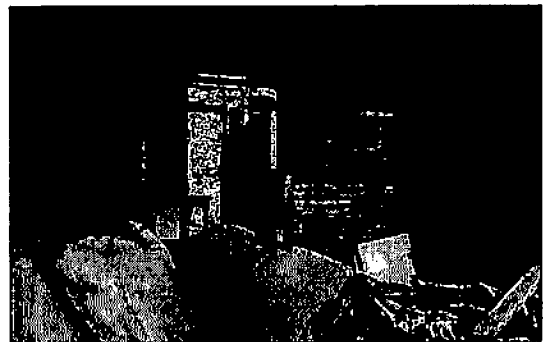
Many participants argued that the police failed to curb or deter crime. Young people involved in juvenile justice did not fear the police, and many mentioned that they were able to commit crimes easily and for extended periods before being arrested. Parents mentioned that when they called the police about their own children, it took such a long time for them to arrive that the youth were long gone. Incarcerated youth told us that they started stealing, using drugs, and destroying property when they were as young as eleven or twelve. Theft often began in school—stealing cell phones from other students was a typical "initiation" crime. A parent pointed out that her middle school-aged son's friends stole his property. One incarcerated sixteen-year-old told us that he wasn't sure how many cars he had stolen before being arrested, but it was at least thirty.

Youth and adults told researchers that it was easy to get guns—many stole their parents' guns, or took guns from cars or houses they had robbed. One teenager said, "I got my first gun when I was ten, eleven." Stealing food, money, and property was easy, and so tempting that it was hard to resist, even when the youth involved were initially reluctant to do it. One teenager justified his actions by explaining that his parent kicked him out of the house, so he stayed in a 'bando' (abandoned house) with his girlfriend, and "did what he had to do" (robbed stores) to provide them with food and clothes. A



A line of 'bandos' in West Jackson, directly across the street from an elementary school.

Photo Credit: Lynne Reznick Photography



Inside a 'bando.' Many youth report staying in these buildings for days. Some are also reportedly used by drug dealers or users.

Photo Credit: Lynne Reznick Photography

mother said that her young son bragged, "I can get money easy. I don't need you for nothin." She saw him with fistfuls of cash, new sneakers, and jewelry. She felt powerless. "What can I do? I call the police...they come...they take information...they tell me I need to discipline that child. Tell me I shouldn't let him go out. How'm I gonna do that? Let *them* try. I called them because I can't. Then they tell me I should. How does that help me? How?"

Many youth and their parents explained that first and even second offenses resulted in a kind of "catch and release" policy from police. When they were arrested and brought to HYJJC, youth reported, the process was not frightening or particularly burdensome. "I see my friends in there, you know, my cousins, whatever," said one young man, "I go in for three days, a weekend, my first couple of times...it was straight (fine)."



Adults and youth across contexts argued that the current approach to incarceration and follow-up care in Jackson was not effectively rehabilitating young people who had begun to commit crimes. Many participants cited recidivism as proof that “locking kids up doesn’t work.” One employee at HYJCC looked quickly at a list of current inmates and said, “I don’t see one name here, that it’s his first time.” Another pointed to crimes committed by juveniles after they had been released: “I could kind of think back to this year, [many] violent crimes we know of [committed by] our students -- murder, one of the kids murdered a lady...that was right after he got out.”

Another adult working in the juvenile justice system commented wryly: “You’ll see it on TV. You watch the news in the morning to see—I always tell people I watch the news to see who’s gonna be [in my room] in the morning...I pretty much already know who they are.” This comment was echoed by many teachers, who talked about the sadness (and lack of surprise) they often felt when they recognized names of current or former students in the crime news. “Sometimes I’m shocked,” one teacher commented, “but usually, I’m not. Sad to say, I could see it coming.” This point was made by high school, middle school, and even elementary school teachers and other education staff.

When young people from Jackson are released from HYJCC, they go back to their families, but do not return directly to their original schools. Participants told us that the district policy was to send all students coming out of incarceration directly to CCAS (Capital City Alternative School). Thus, a young person would, at a minimum, go from a particular school to HYJCC or another “lockup” facility, then to CCAS, and finally back to the original school. The “stop” at CCAS is intended as an intermediate step, a kind of “gradual release” from the restriction of incarceration to a highly structured school setting, before placing a

student back in a more “free” situation. Some, but not all, youth released from detention are assigned to a mandatory follow-up program, the AOP (Adolescent Opportunity Program), a statewide program for recently released youth (see description of AOP in Finding 6). Others are placed on “house arrest” and monitored via an ankle bracelet. Study participants who had direct knowledge of these efforts expressed frustration and anger at what they perceived as the failure of these strategies to work as a tool to decrease recidivism and “get kids to stay on the right track.” One parent of a youth about to be released from HYJCC was frustrated that she had not been contacted by AOP:

*The teacher shoved him. And by his reaction, he just...[hit her]. And so they took him and brought him to jail and put a simple assault charge on. They gave him probation time. And he supposed to be in program that supposed to come and pick him up every day. And I haven’t seen them yet. And has nobody really got back in contact with me about this, or talked to me about nothing yet. So I’ve been just in the blind about everything.*

One worker in the juvenile justice system said of the AOP program, “It’s a great idea. ALL kids coming out of [HYJCC] should have to participate. Right now, it’s like they ask a parent or someone, ‘Do you think this child would benefit? Is it a good fit for him?’ and they only force a kid to do it if someone says yes.” Others commented that although AOP had the potential to be a great tool, the program had only recently been resurrected, and was understaffed and underfunded. Researchers who visited the program noticed that the resources available to young people at AOP’s offices were few.

Youth who had been assigned to AOP, or been given an ankle bracelet, were generally negative about the program and its impact on them. “I’m here because I have to be, and because I don’t

want to have to go be locked up for a longer time,' was a typical answer to the question, "Do you think that AOP has been helpful to you, kept you out of trouble?"

One mother of a teenager who had been in and out of HYJJC multiple times, and who was currently wearing an ankle bracelet, told this story of the failure of the system to help her thirteen-year-old son:

*He's out on the street. He comes home sometimes. He has that little anklet, he doesn't care. It makes no difference to him. He's afraid of nothing. The judge told him he can go home, be on house arrest, or he'll be picked up. But first [the judge] told him, you need to charge this thing [the ankle bracelet] up. You're not charging it. You know what my son's response was? He went off on that (expletive) judge. He doesn't care. He cares about nothing.*

Listening to this account of a thirteen-year-old's response to the system intended to steer him away from crime and back into a productive life path before he becomes an adult, it is difficult to argue that the system is, as the participant quoted in the beginning of this section said, "working perfectly" as a way to graduate young people in the adult prison system.

## Recommendations

**1. Improve current systems of record-keeping and communication such that schools, juvenile justice workers, and parents can access complete and up-to-date information about young people in trouble.**

All adults (and particularly parents) involved in the care and support of a young person in trouble need access to critical information that provides a clear picture of what a child's journey through the school and justice system has been. Although there are legal and ethical

considerations that limit the amount and nature of sensitive information such as mental health and criminal records, that can be shared, it is vital that key information be available to parents, staff members at schools, juvenile justice institutions, the AOP, and mental health providers. Currently, school staff can look at records documenting a student's history in that particular school, courts can do the same with arrest and sentencing records, and health providers can look at medical histories. What is problematic is that each of these records is limited to a single dimension and a single institution. What is needed, to the greatest extent possible, is a single, integrated, easily accessible and up-to-date history that can shed light on a child's development and needs, and inform decisions about what needs to be done to serve them. Data from such a database should also be used to hold educational institutions and government agencies accountable for appropriate referrals to and provision of services.

**2. Reinforce PBIS and restorative justice as an alternative to involvement by the criminal justice system.**

Evidence shows that early exposure to the criminal justice system increases the probability of future incarceration and reduces graduation rates. As noted in Findings 3 and 7, PBIS and restorative justice strategies reduce the need for harsh and exclusionary disciplinary actions. Referrals to the criminal justice system should be used only as a last resort. Additionally, targeting PBIS and restorative justice to younger students who have not yet "graduated" to more serious crimes can reduce the risk of students committing such crimes at later ages. A growing body of research has shown that PBIS is a more effective strategy for preventing antisocial and criminal behavior in youth.<sup>178</sup>

178. Scott, Terrance; Gagnon, Joseph & Nelson, Michael. (2014) "School-Wide Systems of Positive Behavior Support: A Framework for Reducing School Crime and Violence." *University of Louisville*. 250.

### 3. Increase funding for AOP.

Limited resources devoted to Adolescent Opportunity Programs (AOP) prevent many students from benefitting from the program's ability to limit recidivism. As recommended in Findings 6 and 7, AOP Jackson should be evaluated. Funding for the AOP should be increased until it can effectively target all students who have been recently released from juvenile incarceration. AOP has proven effective at reducing recidivism rates among students. The Adams County AOP has successfully reduced the rate of students returning to the justice system as repeat offenders to only 5%.<sup>179</sup>

### 4. Reduce some of the lowest-level petty crimes and direct financial savings into crime prevention and K-12 school programs.

In November 2014, California passed Proposition 47, a voter initiative that reduced six non-violent, non-serious felonies to misdemeanors, and invested the resulting savings (estimated \$150-\$250 million per year) in mental health

and drug abuse treatment, crime prevention, school truancy and dropout prevention, victim services, and other programs designed to expand alternatives to incarceration. Community advocates and voters believe that sending people to prison for non-serious, non-violence/non-sexual offenses does not make their communities safer. Rather than guiding people away from committing non-serious crimes and treating the root causes for such offenses, current incarceration practices fill neighborhoods with people with records for lower level offenses that are seen and therefore treated as hardened criminals; labels them as a "felons" thereby making reentry and employment incredibly challenging; gives them a 60% chance of recidivating, and wastes taxpayer money (it costs \$62,000 a year to incarcerate someone and \$9,000 to educate them). Related to this proposition is the introduction of Assembly Bill 1056 (Atkins), which would require 65% of the money from Prop. 47 go towards a competitive grant program that prioritizes mental health services, substance use disorder treatment services, housing-related assistance, and community-based supportive services, such as job skills training, case management, and civil legal services.

179. "Program Pays Dividends to County, Youth," *Natchez Democrat*, May 22, 2015, <http://www.natchezdemocrat.com/2015/05/22/program-pays-dividends-to-county-youth/>

## FINDING 9: STUDENTS AND THEIR FAMILIES BECOME STIGMATIZED BY LABELS

### Background

Research supports the idea that expecting certain things from a person can cause that person to act and achieve in a manner that matches those expectations.<sup>180</sup> Many teachers and administrators believe that they can judge ahead of time how certain students are likely, over time, to achieve and behave. Once a student has been labeled as “good” or “bad,” a school’s treatment of that student may turn the prediction into a self-fulfilling prophecy. Longitudinal studies support the hypothesis that teacher expectations can predict changes in student achievement and behavior, even when controlling for previous achievement and motivation.<sup>181</sup> Even if no one honestly believes that a particular student is capable of improving behavior or academic performance, it may be beneficial to simply act as though this were the case.

Negative labels can be applied by youth themselves. For some, the “bad kid” label can be a mark of pride, strength, self-respect, or membership in a particular community. One qualitative study found that participants had formed two distinct definitions of what it means to be smart: “street smart” and “book smart.” These young people explained that what made them “smart” was not recognized or valued in school, and as a result, they rejected the world of school in favor of the world of the streets, in which they had opportunities to learn and to achieve (although they often paid a high price for this choice). One study found that poor students of color in an urban school developed negative

*Once a student has been labeled as “good” or “bad,” a school’s treatment of that student may turn the prediction into a self-fulfilling prophecy.*

identities as learners in response to a learning environment that emphasized compliance and rote learning, and meted out harsh punishments for failure to conform to behavioral expectations. According to the study, students saw “learning” as compliance, and “being good at school” as a direct threat to behaviors that allowed them to survive and succeed in their home, street, and peer cultures.<sup>182</sup>

Research into teacher labeling and bias shows that teachers have, and act on, biases that hurt poor children and children of color. These biases are powerful, and have measurable, long-term effects on students. Teachers often label students as “bad kids,” which has a direct impact on teachers’ expectations of student academic achievement, potential for criminal involvement, and future success. A large body of research shows that African-American boys are disproportionately identified as having disabilities, particularly emotional and behavioral disabilities, and are far more likely to be pushed out of mainstream classrooms than their peers. In one large study of teacher expectations and student performance, teacher expectancy effects accounted for .29-.38 standard deviations of the year-end achievement gap between Black and Latino/a students and their White and Asian-American peers with similar achievement

180. Brehm, S. S., & Kassin, S. M. (1996). *Social Psychology*. Boston: Houghton Mifflin.

181. Jussim, L., & Eccles, J. (1992). “Teacher expectations: II. Construction and reflection of student achievement.” *Journal of Personality & Social Psychology*, 63(3), 947-961.

182. Rubln, B. (2007). “Learner identity amid figured worlds: Constructing (in)competence at an urban high school.” *The Urban Review*, 39(2): 217-249.



Young men and boys in West Jackson.

Photo Credit: Lynns Reznick Photography

levels at the beginning of the year. African-American male students are more likely to be punished, suspended, and expelled from schools.<sup>183</sup>

Like race, poverty is a driver of low teacher expectations. One study found that elementary teachers' low expectations of young children in poverty had a negative impact on them, as high school students.<sup>184</sup>

### Labeling parents

Although less research has been done on bias against parents than against children, there is a significant and growing body of data that supports the presence of negative bias about the parents of students who misbehave in school or who are involved in the juvenile justice system. "Bad parent" labels, like "bad kid" ones, are disproportionately applied to poor parents and

parents of color.<sup>185</sup> Teachers who are most likely to blame parents for the academic shortcomings of their children often have significant negative teaching attributes themselves.<sup>186</sup>

Among the findings of researchers investigating attributions of students' problems to deficits in parenting is a set of beliefs about the extent to which poor parents of color care about their children, and about education. One study of urban principals found that principals "view parents as a headache, because they do not participate in the right way."<sup>187</sup> Principals

183. Gregory, Skiba, & Noguera (2010). "The achievement gap and the discipline gap: two sides of the same coin?" *Educational Researcher*, 39:59.

184. Sorhagen, N. (2013). "Early teacher expectations disproportionately affect poor children's performance," *Journal of Educational Psychology*, 105(2).

185. Lott (2002). "Low income parents and public schools." *Journal of Social Issues*, 57(2), 247-259; Epstein & Dauber (1991) "School Program and Teacher Practices of Parent Involvement in Inner-City Elementary and Middle Schools." *Elementary School Journal*, 91, 289-305.

186. Thompson, et. al. (2004). It's Not My Fault: Predicting High School Teachers Who Blame Parents And Students For Students' Low Achievement. *The High School Journal*, 87 (3).

187. Flessa (2009), "Urban School Principals, Deficit Frameworks, and Implications for Leadership" *Journal of School Leadership*, 19 (3))



expressed the belief that school failure was the inevitable result of parent and community failure—thus, educators were not to blame for poor outcomes. A study of teachers found that those in schools serving poor children believed that parents did not care about their children's schooling, were not competent to help with homework, and did not encourage achievement in their children.<sup>188</sup> Another study of teachers' attitudes toward parents found that teachers in inner city schools viewed parents who were culturally different from themselves (by class, race, culture, or other factors) as disinterested or uninvolved in their children's educational lives. By contrast, many teachers believed that those parents who volunteered at schools valued education more highly than others. Teachers holding this belief rated the children of those parents who volunteered as higher-achieving than their peers, even when this was not reflected in school records.<sup>189</sup>

## Results

Interview participants of all ages and across institutions engaged in labeling of people as either good or bad. Children and parents were labeled by professional adults in institutions, and even by one another. Many of those directly involved in the lives of youth in Jackson separate "good" families, kids, parents, and neighborhoods from "bad" ones, and only a few participants mentioned that these labels themselves might be contributing to what they perceive as negative and problematic behavior.

"Good" kids are described first and foremost as compliant: they are willing to adhere to adult-determined norms and stay within clear boundaries, both physical and metaphorical. They show up to school, do the work, and don't challenge school staff. They do not leave class or skip school. They stay home and do not wander around the streets. They obey their parents, and are often involved in

hierarchical and rule-bound activities such as church, JROTC, and sports. "Bad" kids are "disrespectful" and don't adhere to the regulations placed upon them by their parents or by institutions that they are a part of. They affiliate with other "bad" kids rather than with parents. Their behavior is chaotic and causes problems for the adults around them. They refuse to remain within boundaries, limits, and rules. As one administrator put it,

*The biggest challenges with students are the one who are habitual and do not want to go to class. Those students come in every day. We've got a handful of them that come in everyday. And it's a struggle just to get them to walk into a classroom. And so as you can imagine, we find them in the halls, we find them in other classrooms, we find them in the gym, we find them all over the place.*

In JPS many teachers spoke about "good" and "bad" kids as if these labels were permanent characteristics. Names for the bad kids included "habitual offenders," "troublemakers," "that ten percent that just don't care," and "the wrong crowd." Students in elementary and middle schools talked about "places where bad kids hang out," "those kids who cuss out teachers," and "bullies." One sixth grade teacher explained, "you got to realize, no matter what you do, no matter how much you do, there are some kids you cannot reach." When teachers and other adults talked about kids in danger of being "lost," or "tipping over into a bad way of life," they frequently started with phrases like, "He may do (a certain behavior), but he's *not a bad kid*..." In other words, there are kids who are 'good' even if they act badly, and kids who are just bad.

One teacher explained her understanding of why "bad" kids behaved as they did:

*The children who come into the school, they don't want to go to class, often*

188. Lott (2002).

189. Epstein and Dauber (1991).

*time it's because they're so far behind that they're embarrassed to go in. Or they may be so--- they may have such a lack of focus and a lack of attention, or maybe it's even that their value of education is so low, and they've got a plan to drop out and get a job doing whatever. They don't care. They don't want to be in school. Because sitting in a classroom is like fingernails on a chalkboard. It's like pulling teeth. Because they can't handle it.*

Many participants also labeled parents as either "good" or "bad." "Good" parents are actively engaged and invested in the educational experience of their child. They are viewed as a reliable support system for the child and as cooperative with teachers or administration. These parents are able to administer discipline to the child to ensure the child will behave. Often, "good" parents were members of churches, held steady jobs, and were married. "Bad" parents were often described as belligerent, rude, or ignorant. They are seen as non-cooperative with teachers or administration and seen as having little to no investment in their child's academic endeavors. One teacher explained,

*They act...ignorant...in every way possible. They use profanity. They attack us.*

*They don't want to listen to what we have to say that's truthful about their children.*

Some more sympathetic adults point out that "bad" parents (almost always mothers) are very young and poor, thus lacking in knowledge and maturity themselves, and not entirely to blame for their own failures. Despite this empathy, however, the adults saw these parents as failures, particularly in the area of discipline.

"Bad" parents do not administer discipline to ensure that their child will be well behaved.

Ultimately, looking at the dichotomy of good parent vs. bad parent, the child is a reflection of the parents' status. If the child is a "good" child then the parent is a good parent; if the child is "bad" then the parent must be a bad parent. One high school student gave us this explanation for "bad" kids' behavior:

*I think it starts-- it starts from the house. In my personal opinion, it starts from the home. If you're not brought up right, you're not going to show it in public. So if your mom-- if your mom raised you by cussing and beating you, ignoring you, and you're all up in the negative stuff, I think you're gonna bring it to school. You're going to be the bad person in the class because you've been ignored at home, so you want the attention here at school. And if your mom cusses around you 24/7, you're gonna cuss around here, wouldn't-- no problem, you could cuss a teacher out because you feel like since your mom's cussin you out, you can do it to a teacher.*

The deep and widespread belief in the dichotomy between "good" and "bad" categories of people is reflected in the self-concept of the "bad" kids themselves. One student who had been incarcerated multiple times at different institutions said, "I don't know when I got bad...maybe it was when I was eleven?" His question reflects the idea that one's value as a person is somehow externally imposed, and that an individual is powerless to control it.

## **Recommendations**

### **1. Engage JPS teachers and school staff in professional development focused on reflective practice and culturally responsive teaching.**

Getting teachers and school staff to look critically at their own biases and assumptions

about their students is difficult. However, recent work in teacher education and professional development makes clear that this kind of personal reflective practice is not only possible but powerful in effecting change.<sup>190</sup> To achieve this level of change, however, school leaders must commit to a long-term process of changing the way adults see and interact with students in schools, culturally responsive teaching is one model that has been developed in response to the need for deep-level change (as discussed in Finding 3 above). Culturally responsive teaching is defined as, "using the cultural knowledge, prior experiences, and performance styles of diverse students to make learning more appropriate and effective for them; it teaches to and through the strengths of these students."<sup>191</sup> The process of developing a culturally responsive classroom begins with teachers learning to recognize their own cultural lenses and biases.<sup>192</sup> Professional development that "goes deep," asking teachers to look at themselves and their beliefs, is rare; currently, most professional development for teachers aims to deliver "instantly useable" classroom management techniques, instructional strategies, or curricula. Experts in the field of teacher learning emphasize that this approach, while on the surface appealing, is ineffective in the long run.<sup>193</sup>

**2. Substantially increase outreach to parents, especially those parents whose children are identified as at highest risk for emotional, behavioral, and academic problems, in JPS.**

The "blame the parents" theme in the data is, in equal measure, troubling and understandable. Parents of youth in the school to prison pipeline are often ill-equipped to cope with the challenges of raising their teenagers, and many of the parents interviewed for this study indicated that they were desperate for help and support. However, when support for parents is perceived as punitive, or is difficult to access, the very parents who most need it often avoid participation. Parent-to-parent support programs, programs that either provide transportation or are easily accessible to families, and services that provide crisis intervention in the home can remove barriers that often prevent parents from getting the support they need.<sup>194</sup>

Current research on family-school interactions in the lives of children and youth make clear the powerful role of parental support and involvement (or lack thereof) in the academic lives of their children. Strong parent involvement in schools has been correlated to a long list of positive outcomes, from teacher satisfaction to reductions in risky behavior by students both in and outside of school, to better grades and scores.<sup>195</sup>

Although many educators, including those interviewed for this study, are unwilling to take

190. Guskey, T. (2002). "Professional Development and Teacher Change." *Teachers and Teaching: Theory and Practice*, 8(3).

191. Gay, G. (2000) *Culturally Responsive Teaching: Theory, Research, and Practice*. New York: Teachers College Press.

192. For more detail on culturally responsive education, see the guide produced by NYU's Steinhardt School of Education: <http://steinhardt.nyu.edu/scmsAdmin/uploads/005/121/Culturally%20Responsive%20Classroom%20Mgmt%20Strat2.pdf>.

193. Darling-Hammond, et. al. (2007) *Preparing Teacher for a Changing World: What Teachers Should Learn and be Able to Do*. San Francisco: Jossey-Bass.

194. For a summary of the research on parental involvement in schools, see "The Power of Parents" at <http://edsources.org/wp-content/publications/Power-of-Parents-Feb-2014.pdf>

195. Stormshak et.al. (2005). "Implementing Family-Centered Interventions Within the Public Middle School: Linking Service Delivery to Change in Student Problem Behavior." *Journal of Abnormal Child Psychology*, 33 (6).

on any responsibility for supporting parents—“That’s not my job!”—is a common complaint—the simple truth is that if schools continue to blame parents without assisting them, it is unlikely that children will thrive. Although schools cannot and should not be expected to intervene in family life directly, working proactively with parents of those students at highest risk is a high-leverage strategy to improve emotional development and academic achievement for students.

Best practices for parent engagement in schools include:

- Home visits by teachers or other educators.
- Hiring parent liaisons to work within schools.
- Recruiting parents from high-need neighborhoods and those with children who have

struggled in school to serve as representatives on committees or other decision-making bodies within the district.

- Providing transportation and child care for school events, to remove barriers to attendance for parents who might otherwise not be able to attend.
- Creating mutual support cohorts among parents facing similar challenges: for example, parents of students with disabilities, single parents, and parents of students who are court-involved.<sup>198</sup>

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198. “Sample Best practices for Parent Involvement in Schools.” Ohio Department of Education, Accessed Sep. 5, 2015, <http://education.ohio.gov/Topics/Other-Resources/Family-and-Community-Engagement/Getting-Parents-Involved/Sample-Best-Practices-for-Parent-Involvement-in-Schools>