

Adult Decisions

Connecticut rethinks student arrests

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We are most grateful to the dedicated professionals in Manchester, Windham and Stamford for the time they have spent, and are spending, creating schools and communities where all children are valued and included.

Introduction

Connecticut communities are managing school discipline by arresting students in unprecedented numbers¹. This decision harms children, burdens families, contributes to the educational crisis facing our public schools and wastes taxpayer money. This report looks at three Connecticut communities where adults are making a different decision. They believe that arresting kids should be a last resort, not a means of punishing minor rule breaking. They attack the problem not with huge infusions of money but with common sense. Many districts that got start up grants from the state have continued their work using existing community resources. They are dramatically reducing arrests and making their schools better, more nurturing environments for children.

The Alliance's Role

The Connecticut Juvenile Justice Alliance offered a national perspective on what works in student arrest reduction and introduced models that had been successful elsewhere. In order to demonstrate that similar success is also possible in Connecticut, the organization then worked intensively with stakeholders in Manchester, Windham and Stamford. With training provided through the Annie E. Casey Foundation, the Alliance was able to demonstrate successful strategies, which offered communities both practical help and motivation.

The process produced local and regional leaders who are now equipped to share what they've learned with colleagues in their respective fields. The Alliance believes that peers make the best proponents and teachers. CTJJA is now turning its work to supporting these professionals as they share their insights with communities across Connecticut.

The problem:

Students are commonly being arrested for minor misbehavior

A high school student is caught with cigarettes. One fifth grader gives another a wedgie on a school bus. Two students get into a fistfight in the cafeteria. Incidents like these have always landed kids in trouble. A generation ago, they would have been dealt with by a trip to the principal's office or maybe a note to a parent. In recent years, there has been a shift toward exclusionary discipline: penalties that remove a child from a classroom for a significant period of time, such as suspension, expulsion or arrest. In each of the examples cited above, a Connecticut child was arrested.

Arrests are not rising in response to bad behavior in schools. This is a policy decision that has no connection to the reality of how children are behaving. In fact, juvenile crime is declining, and so is violent crime in schools.² Kids haven't changed. Adults are responding to kids differently.

Nationally, people who work with at-risk kids say that arrests have become a common school discipline tool. Children are much more likely to be arrested at school than they were a generation ago, usually for minor, non-violent behavior.³ Putting a number on arrests is difficult, as data collection is poor. There is not even a uniform definition of what a "school arrest" is. But where data have become available, high arrest rates have been showing up in places stretching from Massachusetts to Los Angeles⁴.

Connecticut's Judicial Branch found that in the 2011–2012 academic year 19 percent of juvenile arrests that made it to court originated in schools.⁵ We tell kids to stay in school to keep out of trouble—but that's where a shockingly high number of arrests happen.

The uptick in arrests is difficult to attribute to a single cause. Since 2000 many communities have adopted "zero tolerance" policies that deprive educators of the right to use their own judgment by requiring administrators to impose harsh sanctions in response to specific misbehavior without flexibility for individual cases or the possibility of taking into account mitigating circumstances. As noted above, this movement towards harsher sanctions was not in response to a worrisome uptick in violence but rather came during a period when we know that school violence was declining. In 2007, the most recent year for which data are available, violent crimes committed by students had declined by more than two thirds since 1994.⁶ These policies handcuff administrators into punishing a child with a Boy Scout camping utensil as if he had brought a dangerous weapon to school.

Additionally, through the promotion of zero tolerance policies at the national level, federal funding became available to post police officers in schools. Note that the intention was that the primary role of these officers would be to protect students from outside threats, not to police students themselves. However, some schools responded by making even minor offenses police matters. Furthermore, zero tolerance attitudes can interact with the growing testing culture in dangerous ways; some advocates believe that the increased emphasis on standardized testing and its impact on school funding and teacher evaluations has created a climate in which schools have an incentive to get rid of struggling students and that they use exclusionary discipline and zero tolerance policies to do so.⁷

Who is hurt?

All children are hurt by the prevalence of arrests in our schools. Arrests are obviously disruptive. Perhaps just as importantly, when we criminalize misbehavior, we cut parents and teachers out of the vital work of teaching children how to interact cooperatively and respectfully. Working with students to correct their behaviors in the classroom is the responsibility of schools, just as much as teaching academic content is. Contrast the amount of teaching that goes on when a

“It’s About The Kids”

Heather Sica, a music teacher at Illing Middle School, does not just prepare kids to play on key at concerts but also to perform well in life. Sica is a MAPS mentor.

“It’s not always about the music,” said Sica. “It’s about the kids.”

Last year, the School Attendance Review Board linked Sica to a freshman who was in danger of not passing enough classes to become a sophomore and possibly of dropping out as a result. The board paired Sica with the boy because of his interest in music. Their relationship began through piano lessons, but she soon found herself working with him on homework for his biggest problem subject, science. “Give them what they need,” Sica figured. The primary thing she did to guide her mentee was even more basic than homework help. She thinks her main contributions were to “listen, be there,” she said.

His attendance improved over the course of his work with Sica, but he hit a snag and stopped coming to school again. Sica called him and said: “Dude, own up to it and move on!” He was back at school that afternoon.

Sica’s classroom also serves as “home base” for a girl who has an “oil and water” relationship with a classroom teacher. The girl can come in whenever she feels in danger of losing control. If Sica is teaching a class, the student sits quietly. Eventually, the two will talk about the conflict. The girl returns to class when she’s calm and ready to apologize. “She’s spending a lot less time in the principal’s office,” said Sica.

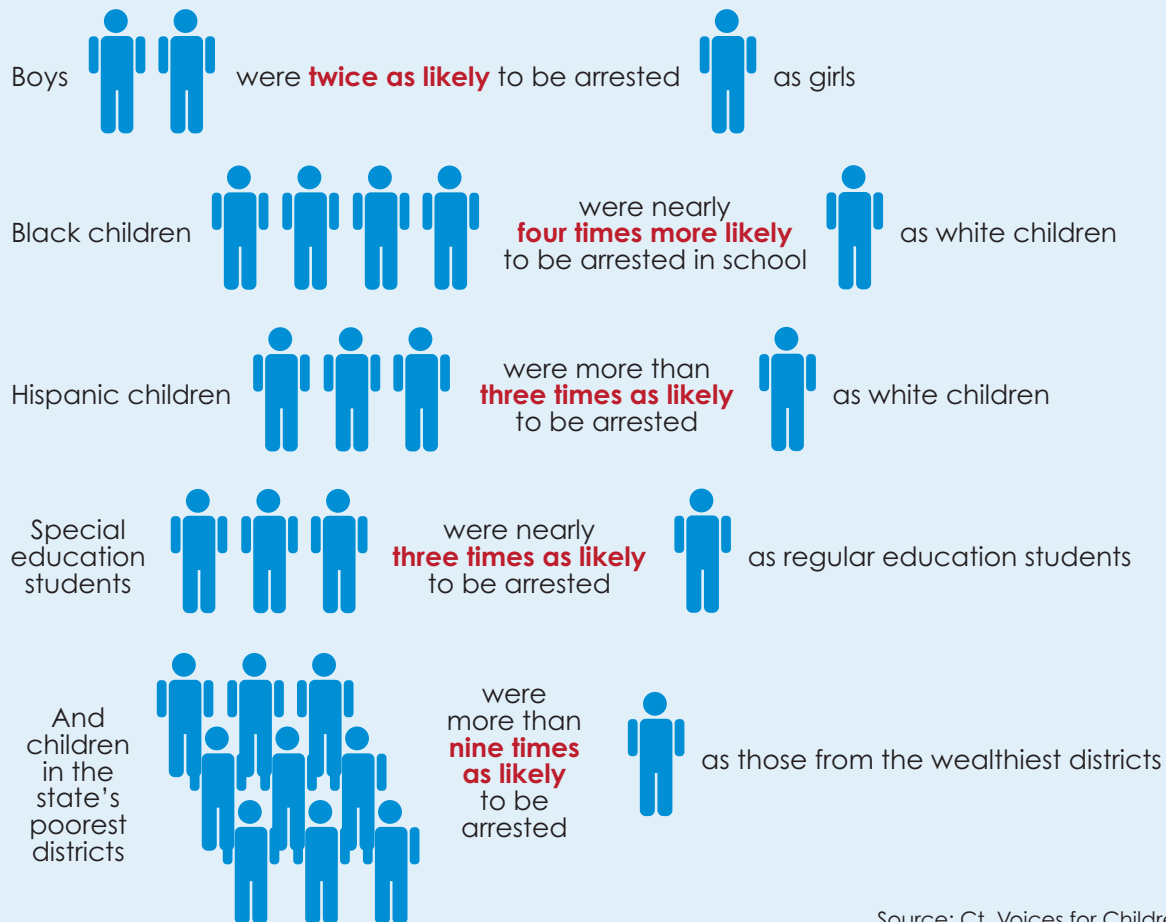
Sica does not have a reduced teaching load, so her days can stretch out as a result of the time she spends with her mentees. “If you can make a difference, who cares?” she said. Sica gets something out of it, too: “It’s just being able to make that connection and know you had that positive experience with that kid. You never know what that connection can do.”

teacher, parent and child sit down to discuss a troublesome behavior to when a child is simply taken away to the police station.

In the districts we’ll be profiling, finding the reasons behind bad behavior and helping the children find ways to do better were fundamental to efforts to reduce arrest. These efforts, at their core, were simply good teaching.

Like suspension and expulsion, arrest is an exclusionary punishment disproportionately visited upon boys, children of color, special education students and children from low-income communities. During the 2010–2011 school year in Connecticut, boys were twice as likely to be arrested as girls; black children were nearly four times more likely to be arrested in school than white children; Hispanic children were more than three times as likely to be arrested as white children; special education students were nearly three times as likely to be arrested as regular education students; and children in the state’s poorest districts were more than nine times as likely to be arrested as those from the wealthiest districts.⁸ “From what we see, a lot of these kids [who are being arrested in schools] are undiagnosed special education students, or they’re in failing school systems,” Martha Stone, executive director of the Center for Children’s Advocacy, told Connecticut Health Investigative Team reporter Lisa Chedekel.⁹

During the 2010–2011 school year in Connecticut ...



The consequences

Arrest, suspension and expulsion all cause a child to miss school and are linked to lower graduation rates, reduced achievement and a general feeling of disconnection on the student's part. Ironically, in its 2012 session when education reform was the primary issue, the Connecticut General Assembly failed to pass a raised bill that would have required communities to at least track the number of arrests made in public schools and report that data out by race.

Being arrested in school doubles the chances that a child will drop out, even when controlling for other factors like middle school grade point average, a 2006 study found.¹⁰ The same research demonstrated that a court appearance quadruples the chances a child will not finish high school. Keep in mind, that we are seeing children arrested for offenses like having cigarettes and refusing to surrender a cell phone to a teacher. Court involvement no longer means that a kid is what we would typically consider "delinquent." Kids who have misbehaved in quite minor ways are included in these statistics.

The link between school arrest and dropping out is bad news for students—and for the rest of us. A 2011 Northeastern University study calculated the net economic contributions of 18- to 64-year-olds by comparing their tax payments with the money they withdrew from the economy through public programs like food stamps.¹¹ The average annual net civic contribution was more than \$10,000 for all adults. High school dropouts, on the other hand, cost the public coffers \$1,500.

Making schools safe and orderly

Police Chief Marc Montminy was frustrated by the number of fights his officers were breaking up at Manchester High School. “We’re not going to allow the high school to be a place that harbors violence,” he told the superintendent of schools.

He estimates about 6 percent of the students were habitually getting into serious trouble at the school, and that meant 94 percent of students had their education disrupted through no fault of their own. Montminy knew kids who would videotape fights on their cell phones and send them to their parents with the message, “This is what I have to deal with.”

Police could have addressed the problem through a harsh crack down and even more arrests. But because Montminy embraced Manchester’s student arrest reduction work, Manchester has made its schools safer while reducing arrests.

He believes that school resource officers had replaced teachers as the enforcers of discipline at the school. “Whatever happened in the hallway didn’t concern (teachers),” said Montminy. When officers are charged with keeping order, they are bound to use the tools commonly at their disposal, including arrest. “When you’re a hammer, everything looks like a nail,” he said.

MAPS put teachers back in charge of discipline and gave them tools, such as making a home visit or encouraging a child to participate in Play By the Rules, to address problems before they escalated into violence.

Today, Manchester High School feels like a different, more orderly place to Montminy, and “definitely safer.”

Montminy also believes MAPS will reduce crime in his community as more students graduate without having ever been arrested. Early exposure to court takes the fear out of arrest for kids, he explained, and strips involvement with the law of the deterrent effect it’s meant to have.

So, the net cost to taxpayers for a kid pushed toward dropping out is more than \$11,000 a year. But the emotional cost borne immediately and permanently by a child is even worse. As an Advancement Project report so eloquently puts it:

“Zero tolerance policies inherently conflict with prescriptions for healthy child development. They are designed primarily to punish and offer few opportunities for instruction or help for students. They frequently fall into the category of overly harsh punishment that, in the words of noted psychologists James Comer and Alvin Poussaint, ‘either destroys a child’s spirit, has no effect at all, worsens the problem, or makes it more difficult for you to work with the child in school—he or she no longer trusts you.’”¹²

Connecticut takes action:

This paper is primarily concerned with the communities of Manchester, Stamford and Windham, where the Connecticut Juvenile Justice Alliance has worked closely with stakeholders to reduce student arrests. Fortunately, these efforts are not happening in isolation. Across the state, individuals and organizations are attacking the issue using their own particular strengths.

Public awareness has been key to this endeavor. In order to gain public support for more measured approaches to school discipline, advocates needed to dispel the myth that student arrests were increasing primarily in response to violence and serious crime. The Alliance reached out to reporters to get more thoughtful coverage of school discipline. We partnered with Connecticut

Public Television to hold community forums on CPTV's documentary *Education vs. Incarceration: The real cost of failing our kids*. This created a climate where reasonable, well-intentioned people could push back on student arrests without appearing "soft on crime."

The Judicial Branch took initiative to show communities the extent to which arrest was overused in schools. In the absence of data from schools or police, probation supervisors started counting juvenile arrests coming in from schools. This effort allowed the conversation about student arrests to move from anecdotal to quantified and gave communities solid numbers to look at when discussing the issue. The Branch now tracks where arrests take place as part of its regular data collection efforts and is making that information available on a town-by-town, school-by-school basis.

The Branch's Court Support Services Division also began returning cases to schools statewide for alternative handling if the complaint was relatively minor.

CSSD began exercising its statutory right to refuse to accept or process arrests when: "The summons is for school incidents that are in keeping with normal adolescent behavior, given that adolescents lack good decision making and typically do not analyze the consequences for their behaviors such as: wearing a hat in school; talking back to staff; running in the halls; swearing; acting in a disruptive manner but no violence took place, no destruction of property occurred and no injuries were sustained."¹³

Connecticut's Juvenile Justice Advisory Committee, (JJAC) a governor-appointed group of leaders, was a key ally to the Alliance in much of its work. The JJAC funded Judges Steven Teske, of Georgia, and Brian Huff, of Alabama, to present on their own highly successful school arrest reduction collaboratives in an event that kicked off the work in Manchester, Stamford, Windham and other communities around the state. Then-Chief Administrative Judge for Juvenile Matters Christine Keller encouraged juvenile court judges to work with the broader community in similar ways to divert more children from court, and she called for alternative services to be made more widely available and supported the expansion of community-based programs.

The JJAC also researched and authored a model memorandum of agreement for school systems and police departments to make clear the roles and responsibilities of each in school discipline. The JJAC's **JUST.START** program awards competitive grants to schools that sign an MOA with a locally tailored graduated response model and that undertake projects to reduce student arrests. A graduated response model outlines actions schools can take in response to specific behaviors and reserves arrest for the most serious incidents. At least 11 communities in the state now have such agreements in place. These MOAs were the foundation of arrest-reduction

Communities taking care of their own

A juvenile review board is a restorative justice model that diverts kids from the juvenile justice system. JRBs are locally run and can vary by community. But there is a general outline of: taking responsibility, making restitution, and participating in services that will head off future trouble.

As arrests in Windham schools dropped, referrals to the Juvenile Review Board rose proportionately. When communities turn to JRBs to avoid student arrests, it is important that they be funded at a level that allows for expanded capacity. (Remember: Handling kids through a JRB is far cheaper than the juvenile justice system.) JRBs are a key tool in preventing unnecessary student arrests, but they should not be used in cases where in-school solutions—like a parent-teacher conference or a detention—would suffice.

The Court Support Service Division of the Judicial Branch is using resources efficiently by making slots in existing service contracts available to the JRBs in Rocky Hill, New Britain, East Hartford, Southington and Andover/Hebron/Marlborough. In these pilot communities, kids can get services the state is already paying for without becoming involved in the juvenile justice system.

work in all the communities the Alliance partnered with, whether they received JUST.START funding or not.

The Connecticut-based Center for Children's Advocacy is working with a national group—the Center for Children's Law and Policy—in Hartford and Bridgeport to address the over-representation of children of color in the juvenile justice system. With funding from the Tow Foundation and the Public Welfare Foundation, the partners are taking a data-driven approach that is leading them to look at schools as a key point of entry into the juvenile justice system. They used data to identify schools with particularly high arrest rates and focused interventions there. Bridgeport and Hartford subsequently developed memorandums of agreement to reduce arrests in schools, using the JJAC model as their starting point.

The Connecticut School-Based Diversion Initiative, operated by the Child Health and Development Institute, links schools to mental health resources. Approximately 65–70 percent of youth in juvenile detention have a diagnosable behavioral health condition.¹⁴ By addressing those mental health needs, communities can prevent arrests and improve outcomes for young people. To do this, SBDI strengthens relationships between schools and their local Emergency Mobile Psychiatric Services Crisis Intervention team, an historically underused resource that provides emergency mental health services to children in crisis as an alternative to calling the police for children who are out of control. Results collected from participating SBDI schools in 2010–2011 indicate that student arrests dropped 50–69 percent per school, in-school suspensions decreased by 9 percent, and out-of-school suspensions decreased by 8 percent.¹⁵ Only 10 percent of youth referred to the service for a behavioral intervention had a subsequent court referral, compared with about 55 percent directly referred to the court.¹⁶

Connecticut Voices for Children analyzed the use of arrests as a form of student discipline in Connecticut public schools, thus providing an extensive data resource to drive change. Their forthcoming report documents the prevalence of this practice over the last five years, including the types of students and communities most affected and the reasons for arrest and highlights schools and communities with the highest and lowest arrest rates.

Connecticut benefits tremendously from the fact that the overuse of student arrest is being attacked on many fronts by many players. All of these organizations are working collaboratively to ensure that their efforts are complementary rather than duplicative or conflicting. One of the Alliance's roles is as a convener and information hub, ensuring that all communities striving to improve in this area can draw on every available resource.

Three communities at the forefront:

In October of 2010, the JJAC and the Alliance invited juvenile court Judges Steven Teske, of Georgia, and Brian Huff, of Alabama, to present about arrest reduction initiatives.

The judges shared remarkable data and stories on reforms they had led.¹⁷ For example, since a memorandum of agreement was signed in Birmingham, AL, the average detention population fell 72 percent and the commitments to juvenile prison are down 73 percent. In Clayton County, GA, graduation rates increased as arrests and suspensions fell.

They also riled up the room with pithy appeals to common sense. "Zero tolerance is zero intelligence!" declared Teske.

After the presentation, communities broke up into groups that included police, educators, youth services providers and representatives from the Department of Children and Families and the Judicial Branch. Could their towns and cities achieve the kinds of results the southern judges described? Were they willing to put in the work to get there?

The following summer, the judges returned with a training team to work with representatives from Manchester, Stamford and Windham, the three communities that stepped forward and began the work of reducing arrests in their schools. This technical assistance was funded by the Annie E.

Casey Foundation's Juvenile Detention Alternatives Initiative, which is supporting the replication of the models that worked so well in Georgia and Alabama. That technical assistance involved training Alliance Deputy Director Lara Herscovitch, who worked intensively with the pilot communities.

Manchester, Stamford and Windham spent the next year working with the Alliance to craft strategies to support students and reduce arrests. At the end of the first year, results were dramatic.

Manchester reduced the arrest rate in the high school by 78 percent in 2011–2012, the program's first year (see page 8). It also achieved impressive declines in expulsions (63 percent district-wide). Manchester was also a JUST.START grantee and participated in the Connecticut School-Based Diversion Initiative. It may be significant that this community that had comprehensive support and resources achieved such stunning results. Windham was able to reduce arrests districtwide by 34 percent and also saw declines in in-school suspensions. Stamford started implementation of its program in 2012–2013.

What follows are the reflections of the people on the front lines of these impressive changes. While each community is different, some common denominators emerged:

Schools are safer when arrest is a last resort. Better supports for students mean that conflicts are managed before they erupt into violence.

Payoff comes quickly. Though the districts continue to refine and improve their efforts, they saw drops in arrests within the first month.

This work can be done anywhere. All the districts profiled here have diverse, urban populations. Windham's school system is currently under state supervision.

Money is an important, but not overriding, factor. Manchester, which had modest additional funding, achieved the most marked decrease in arrests. But Windham, which relied on existing resources, also made significant progress. Funding this work is certainly a key to accelerating improvement. But any school district, regardless of its resources, can make positive change.

Success comes when all stakeholders collaborate. In each case, senior leaders from the school system, police department, courts, youth services and the Department of Children and Families worked on these projects. The work of each improved as a result of the partnership. A greater familiarity with other programs that serve youth helped adults connect kids with the most appropriate and effective services. The larger and broader the coalition, the better it will be able to survive staff turnover.

It's not solely about reducing arrests. Each district profiled is working to change its culture, to be more supportive of every student and more proactive in the way it teaches kids how to be cooperative members of a community rather than reactively using exclusionary discipline. In other words, each district is becoming more like the kind of place we all want to send our children.

Leaders must take responsibility for the work. There needs to be a leader—or two—who takes charge of moving the agenda forward and bringing stakeholders together.

Manchester increases order, reduces arrests

When Manchester Youth Services Bureau Director Erica Bromley saw Judges Teske and Huff describe their arrest reduction work, she thought it was “all very interesting, and I’ll take it back—but I’m not sure.” Two months later there was a fight in Manchester High School that led to 19 student arrests and was termed a “riot” by the media.¹⁸

Bromley disputes that characterization, as does Heidi Macchi, outreach social worker for Manchester Public Schools. There were “little fires” around the school that told educators tensions were high, said Macchi, who believes the fight could have been prevented. The pair agreed on something else: A positive result could emerge from this incident. The time was ripe for Manchester to rethink school discipline.

District Overall		2011	2012	# change 2011–2012	% change 2011–2012
In School Suspension		614	694	80	13
Out of School Suspension		389	416	27	7
Expulsion		30	11	-19	-63
Arrest (PD)		137	53	-84	-61
Illing Middle School		2011	2012	# change 2011–2012	% change 2011–2012
In School Suspension		207	244	37	18
Out of School Suspension		132	101	-31	-23
Expulsion		4	3	-1	-25
Arrest (PD)	missing data		23	n/a	n/a
Manchester High School		2011	2012	# change 2011–2012	% change 2011–2012
In School Suspension		407	450	43	11
Out of School Suspension		257	315	58	23
Expulsion		26	8	-18	-69
Arrest (PD)		137	30	-107	-78

The city took on this challenge through a local coalition called MAPS (Manchester Agencies, Police and Schools Collaborative). Bromley and Macchi co-chair the effort, which includes police, educators, the courts, DCF, and youth services providers. Broadly stated, Manchester made a commitment to look at the root causes of misbehavior and give children the help they need to improve—to look at misbehavior as a teachable moment. As part of that commitment, they applied for state funding to support the work. The group put in a broad range of measures to reduce arrests, including:

A Memorandum of Agreement between schools and police, using the JJAC model, that spells out how both parties will work together to keep kids safe while making arrest a last resort.

A Graduated Response Model that prescribes specific steps to be taken short of arrest in response to different behaviors.

A School Safety Review Board that connects kids to services designed to help them address the root causes of their behavior.

Participation in the School Based Diversion Initiative

A School Attendance Review Board that explores and addresses reasons behind persistent absence. (See “*It’s About The Kids*”)

School Climate Training A six-day training by Marta Koonz of One Caring Adult focused on adults interactions and responses that effect students. Graduates of the training conduct professional development and ongoing staff training for all district employees.

Family Outreach Manchester’s SAFE (Student and Family Engagement) Center provides case management, mentoring and advocacy. Parents are now more included in decision-making.

Substance Abuse Diversion Programs Students may be referred to a community provider for an initial assessment which may recommend counseling or attendance at a substance abuse education group.

Therapeutic Detention (See *Silence Is Not the Answer*)

It’s important to note that, in addition to fighting, students were getting arrested for minor behaviors before MAPS. When Judge Jorge Símon arrived in Rockville Juvenile Court (the regional court that covers the Manchester area) in 2008, he was surprised at the nature of the cases coming before him. “We were being inundated with children being referred to us for smoking,” he recalled. (Though probation officers initially handled these cases non-judicially, after two non-judicial matters a child automatically goes to court.)

Símon became a proponent of MAPS and praises many elements of the collaborative, including the work of probation officers and new training for school resource officers. “In the long run, it’s still the police and the schools that determine what should be the types of cases that are referred to court,” he said.

Police Chief Marc Montminy said that he originally envisioned school resource officers as “Officer Friendly.” But student-on-student fights at the high school changed that. “Those SROs were doing more work than any street cop,” he said. Montminy wanted his officers to spend less time arresting students, but simply issuing guidelines to ease off arrests wasn’t enough. “If the police are going to step back, then the school has to step up,” said Montminy.

He wanted clear definitions of roles. For example, he said, it might make sense not to arrest a student with a small amount of pot. But police still need to be involved to make the decision to refer the student to a substance abuse program and to safely dispose of the drugs. There are other areas—Montminy gave the example of a large bag of cocaine—where police will automatically arrest.

Police and schools “both had to give ground a little bit. We both tried to stow the egos and think about what’s best for the kids,” Montminy said.

MAPS is successful in part because it has a leader inside the schools (Macchi) and a leader in the community who had a longstanding relationship with police (Bromley), the pair agreed. They also had the support of the school superintendent, initially Dr. Kathy Ouelette, who has since become chief of Waterbury’s school system, and now Acting Superintendent of Schools Dr. Richard Kisiel.

Kisiel came out of retirement to step in as temporary steward of Manchester’s school system. He thinks the assignment was meant to be. Kisiel served as a consultant to the plaintiffs in the landmark school desegregation lawsuit *Sheff vs. O’Neill* and sees a strong link between education and justice. He reads every arrest report and suspension letter personally and will question administrators when punishments seem out of line.

Kisiel calls arrest “the easy way out,” as opposed to working with a kid and family. “If we really believe that we’re here to meet all kids’ needs, then we need a theory of action that supports that,” he said.

As the program moves into its second year, Kisiel sees racial disparity in discipline as a major target and data as his weapon of choice. “Is race a factor?” asked Kisiel. “I think if you look at our data it is. There was a reluctance in the fall (of 2011) to talk about it.” Going forward, Manchester will not only track suspensions, expulsions and arrests, but will disaggregate the data by race. That will establish the extent of disparities and allow MAPS members to begin identifying the causes of race-based differences. “That’s the tough work, but I think we’re up for it,” he said.

Silence Is Not the Answer

Has anyone ever solved a problem by not talking about it? In Manchester, middle and high school students who are given a detention can choose the traditional silent detention or they can opt for Play By the Rules, a program where they spend their detention time working on improving their behavior.

Kids talk with each other about their behavior, why it happened, and what they might do differently next time. “It’s so much more powerful coming from another student,” explained Brenda Lorange, who facilitates Play By the Rules. The program uses a curriculum created by the Alabama Center for Law & Civic Education, edited for Connecticut by Civics First, Inc. and Supervisory Juvenile Prosecutor Francis J. Carino and brought to Connecticut by Civics First, Inc.

That session is often just the beginning for kids as they look for adult support to succeed in school. “It’s like a work in progress,” said Lorange. “It doesn’t end with the hour.” She’s a monitor, walking the halls of Manchester High School all day. After a Play By the Rules session, kids tend to see her as a resource. She tells them that they can approach anyone with a radio (monitors, school security or school resource officers) and get in touch with her immediately if they’re in a situation they don’t know how to handle. Lorange has been able to defuse conflicts between students this way.

As with many of Manchester’s discipline reforms, Play By the Rules focuses on the root causes of behavior. “The baggage I hear about is so sad,” said Lorange.

For example, she worked with a boy who emigrated from Africa. He’s a native French speaker who didn’t begin attending school until the age of 13. He began roaming within the school, a problem that Lorange also sees in kids with special education needs that aren’t being met. These students are also at high risk of truancy. “That’s their way of taking charge of their lives—by leaving the building,” she said. Lorange becomes an advocate for these kids and works with administrators to “cut through a bunch of red tape” and get them appropriate supports quickly.

Lorange is excited about a planned lunchtime art therapy option for students. “This is going to be absolutely wonderful,” she said.

Like many adults interviewed for this report, school arrest reduction has been an energizing, inspiring project for Lorange. “I love it,” she said. “It’s very rewarding to actually feel like you’re doing something.”

Windham comes together to serve kids

Windham Superintendent of Schools Annie Ortiz had been in the U.S. Air Force before she became an educator. “Discipline is ingrained in me,” said Ortiz. But discipline needs to make sense. “We definitely were arresting kids for almost breathing,” said Ortiz. Her predecessor’s policy was that students should be arrested whenever there was a fight. Even more kids were getting arrested for cursing at teachers. When she became superintendent in 2010, Ortiz resolved to change that.

District Overall				
	2011	2012	# change 2011–2012	% change 2011–2012
In School Suspension	1563	1477	-86	-6
Out of School Suspension	515	532	17	3
Expulsion	16	18	2	13
Arrest (Schools)	56	37	-19	-34
Windham Middle School				
	2011	2012	# change 2011–2012	% change 2011–2012
In School Suspension	825	716	-109	-13
Out of School Suspension	171	263	92	54
Expulsion	3	0	-3	-100*
Arrest (Schools)	8	6	-2	-25
Windham High School				
	2011	2012	# change 2011–2012	% change 2011–2012
In School Suspension	738	761	23	3
Out of School Suspension	344	269	-75	-22
Expulsion	13	18	5	38
Arrest (Schools)	48	31	-17	-35

* In 2012, 11 students were expelled, 7 were listed as in OSS pending expulsion

Ortiz, Police Chief Lisa Maruzo-Bolduc and several administrators attended the southern state judges’ presentation on reducing school arrests that same year.

“Holy Cow, we can do this!” thought Youth Services Bureau Director Patricia Calvo.

They formed the School-Based Arrest Reduction Collaborative (SBARC) and produced:

A new discipline policy that states most problems should be resolved by students, teachers, parents and administrators.

A memorandum of agreement between schools and police, based on the JJAC model, that spelled out the roles of each.

A graduated response model that lists actions to be taken for specific misbehaviors before turning to law enforcement.

Increased use of the Juvenile Review Board, a restorative justice model that diverts youth from court.

The key to making such collaboratives effective, around the country and in Connecticut, has been bringing a broad coalition of key players to the table, including judges, superintendents,

police chiefs, youth service bureau directors, probation officers, prosecutors, public defenders, advocates and others. Assembling that high-powered group was relatively easy in Windham, said Calvo. Communities east of the Connecticut River have historically complained that state resources and services are not available in their region. “We’ve always had high levels of collaboration in the community due to lack of resources,” said Calvo.

The collaborative “increased my awareness of the problems in the community, some of the problems kids are having, needs for services, needs for communication,” said Juvenile Court Judge Richard Dyer, who supervises Windham. It’s been “eye opening” for him to look at diversionary services in Windham, the most urban municipality in the region. That’s increased his commitment to get kids help who live in outlying rural areas. For example, Dyer was disappointed that Windham was the only town in the Northeast corner of the state with a Juvenile Review Board (JRB). Since then, two additional regional JRBs were established to serve about two-thirds of “The Quiet Corner.”

The Local Interagency Service Team (LIST), a group of community-based service providers, spearheaded the creation of the new JRBs. “What makes JRBs and YSBs (Youth Service Bureaus) work is that they’re community-based,” said Richard Szegda, co-chair of the LIST. Getting local support for community-based solutions depends on engaging local officials and state representatives, whose work rarely puts them in contact with at-risk youth. “We have to educate them,” said Szegda.

One Teacher, A World of Difference

“I was horrible. I was so, so, so bad,” remembers Sacha Gomez, 18. Poverty was just one of the issues that confronted her at home. Gomez was angry, and that anger led her into trouble more than once.

By 8th grade she would just leave school in the middle of the day. Why not? She was flunking out anyway. Police would come looking for her. In high school, she was arrested three times at school for fighting.

Sophomore year she was on the verge of getting expelled—fighting again—when she was sent to Lynn Frazier, a reading teacher at Willimantic High School who coaches The Young Poets, a group that empowers kids to be writers. (Willimantic is a small city within the larger town of Windham.) Gomez was told to read a book she’d already read and disliked. “Yo, I’m not doing this for you,” she told Frazier, before letting loose with a torrent of expletives.

Frazier let her vent for a while, then asked, “Are you ready? Are you OK?” The teacher went on to say that she didn’t much like the book either and encouraged Gomez to finish the reading quickly so they could move to more interesting work.

That night Gomez had a dream about doing a talent show at school. “In our school, they only focus on the bad stuff. They never focus on what’s good, like the talents,” she explained. The following morning she shared her idea with Frazier, who loved it. Gomez did host a talent show that year, and her junior and senior years as well. They were fund-raisers, contributing to causes like supporting The Young Poets and purchasing an accessible van for a disabled student. Gomez, who is now a student at community college, also works as a counselor at the town’s teen center. Dealing with kids at the center, she’s adopted Frazier’s approach. “You can’t ask for respect,” she said. “You’ve got to give them some respect.”

Frazier’s patient listening was something Gomez could have used much earlier in her education. “You want us to go to school and show you some respect, but you’re not listening to us,” Gomez said. Then she was quiet for a bit. “I don’t know why every teacher can’t be like Ms. Frazier,” she said.

Like in Manchester, and all communities using the JJAC JUST.START model MOA, the Windham collaborative has an MOA that includes a graduated response rubric. In developing this rubric, the group detailed the steps that schools and police should take to deal with specific behaviors. Typically, the response for a first offense is simple, for example a teacher warning the student not to repeat the behavior. If offenses are repeated, more severe punishments follow at the classroom and school office level. Only the most serious offenses, such as bringing weapons to school, would automatically be referred to police.

The SBARC's mission goes beyond simply not arresting kids; the true goal is to help students work on the problems that caused their misbehavior in the first place—to teach them a better way. For that to happen, kids must feel connected to the adults in their schools. “The intent is for it to change school climate,” said Ortiz.

School climate is difficult to define. Call it culture, environment or atmosphere. Is school a place kids feel safe? Do students feel teachers care about them? Do adults and children all treat each other with respect? These may sound like amorphous questions, but objective tools have been developed to evaluate school climate.¹⁹ In a positive school climate, arrests, suspensions and expulsions are rare because kids are getting the support they need to cope with frustrations, focus in the classroom, and get along with their peers. “Schools in which students perceived greater fairness and clarity of rules had less delinquent behavior and less student victimization,” according to a 2005 study.²⁰

Windham schools are improving climate by breaking large schools down into smaller “academies,” that give students more individualized attention. Ninth and 10th grades already operate under the academy model, which will later expand to 11th and 12th grades. While the restructuring of the schools was not specifically aimed at student arrest reduction but part of an overall improvement plan, that larger effort should also reduce arrests. “The better the school is in accommodating student needs and making students successful,” the fewer arrests the district should see, according to state-appointed Special Master Dr. Steven Adamowksi, a consultant overseeing the district. Under his and the superintendent's leadership, the district has also implemented Positive Behavioral Interventions and Supports, an evidence-based system to improve school climate. It builds on climate work already being done in the district.

“We've tried to make sure that we educate the community that this is a community/school/police effort,” Calvo said of SBARC.

There's still work to be done on getting community buy-in, said Ortiz. Windham is a changing district. Latinos now comprise the majority of students. Many are English language learners. Median household income is well below the state average, and a higher percentage of people live below the poverty level in Windham than in Connecticut generally.²¹ Many students have already been involved with the Department of Children and Families as suspected victims of abuse or neglect. “You have to talk differently to a kid who's been through the system,” said Ortiz.

Calvo does see the community coming around. The school budget is usually contentious, particularly around support for English language learners. In 2012, however, it passed easily.

“The benefits (of SBARC) are multiple for the entire community,” Calvo said. “As a homeowner, it's very important to me to have good schools, to have a community that cares.” Keeping house prices up is an incentive to all residents to support changes that allow more kids to succeed. But Calvo admits that her motives are a bit different: “What keeps us in it is knowing that if kids have a chance to stay in school, they will fare a lot better in life.”

Key players come off the bench

The projects described here began with an inspirational presentation by two out-of-state judges. They thrived in part because of judicial support here.

Then Chief Administrative Judge for Juvenile Matters Christine Keller was a strong advocate for reducing student arrests, and she asked every juvenile court to make it a priority as well.

Keller would look at her docket and find cases that made her say: “When I was a kid, no one would be arrested for this.” She’d think of the days of missed school for children and missed work for parents over matters so trivial that they would surely be dismissed.

“I know how hard it is to be a teacher and how hard it is not to be safe,” said Keller, herself the mother of a teacher. But that does not mean that any misbehavior should be turned into a crime by using conveniently broad definitions. “Disorderly conduct is anything that annoys anybody else,” she said.

Judges have a unique vantage on juvenile delinquency because they also hear child welfare neglect and abuse cases. Keller indicated a rolling case of child protective services files about the size of an infant’s crib. That was a single day’s docket.

When Keller meets kids who are accused of breaking the law, she knows that often their “behaviors are the effect of the neglect, the abuse and the trauma,” she said.

She also sees children getting into trouble in school because their special education or behavioral health needs are not being met, Keller said, noting that the court has a waiting list for educational advocacy. Keller hired more juvenile probation officers to provide kids with individual attention in the hopes that they won’t find themselves back in court again. “There is a sense that court should be a last resort,” she said.

Though Keller has increased the supportive services for children, she knows more is needed—a point echoed by nearly everyone involved in reducing school arrests. “If I could do anything at all, I’d say we need more community services,” said Judge Mary Sommer, who sat in Stamford.

Keeping kids out of the juvenile justice system is not only in children’s best interest, it also serves taxpayers well, said Keller. After 16-year-olds were added to the juvenile justice system, case numbers did not rise dramatically because communities are doing a better job of diverting kids who can be served outside the court, she said. (Until 2010, Connecticut was one of only three states prosecuting 16-year-olds as adults for minor offenses. Raise the Age legislation returned 16-year-olds and later 17-year-olds to juvenile jurisdiction.)

As less serious cases are diverted, the court can use its resources more wisely. “It allows us a greater amount of time to deal with the kids who do need court intervention,” said Judge Richard Dyer, who sits in Windham.

Arresting children for minor things minimizes the gravity and deterrent effect of the juvenile court, added Judge Jorge Símon, of Manchester. “The children see the frustration of the probation officer or even the court, even me sometimes, with the nature of the offense,” he said.

Acting in the community to make sure kids are not entering the system for matters better handled outside the court is new—but critical—work for judges, said Keller. “It’s hard to get judges out of our comfort zone. I’m really proud of the way they’ve stepped up,” she said. But the work is far from over. “We should be out there more,” Keller insisted.

Stamford takes a broad view

Washing the floor is more than just mopping. First you pick up clutter. Then you shake out rugs. The room is cleaner in many ways by the time you finish. Addressing the mess that is student arrests is much the same. In deciding to stop arresting kids, you commit to supporting kids, creating connections and responding evenhandedly to misbehavior. So you clean up other problems in the process, like suspensions, expulsions and disparate treatment of kids.

Stamford, which launched its effort with the start of the 2012–13 school year, has a relatively low arrest rate, but is using the project to advance goals like raising its graduation rate and ending racial disparities. For example, 42 black students in Stamford were suspended for “insubordination” in 2010–2011, compared with only 14 white students.²² Insubordination is commonly refusing to take off a hat, failing to surrender a cell phone, or similar acts.

The collaborative group in Stamford is determined to address inequality in discipline. “We know that in Connecticut we have the largest achievement gap of any state in the U.S.,” said Donn Reid, chief value officer and director of training services at DOMUS, and facilitator of the Stamford collaborative. DOMUS provides educational, community and residential services for vulnerable young people.

Former Stamford Juvenile Court Judge Mary Sommer agreed that preventing arrest was just part of the mission. She noted that kids who drop out no longer feed into school arrest numbers. “We can’t pat ourselves on the back that they’re removed from the school community.”

Exclusionary discipline like out-of-school suspensions and expulsions can push kids away from school, said Sommer. “They identify themselves as outsiders,” she said. Manchester and Windham both achieved improvements in other discipline categories as a result of their arrest reduction work.

The Stamford collaborative is providing training to public school teachers to make a difference in school discipline. For example, Reid is offering training in “life space interviews.” After an incident, a teacher talks with a child about what happened and why. The child is invited to brainstorm other ways to handle the situation. Because the alternative strategies came from them, students are more likely to employ them, said Reid. The interviews take about 15 minutes. “Yes, 15 minutes is hard for a teacher to grab,” said Reid. “But you must invest that time or you will just have problems recur.”

Other trainings include a forum on institutional racism and one on school climate. Many teachers are not trained in classroom management as part of their academic preparation. Offering teachers that kind of support is critical, said Reid. “People are grateful for the opportunity to have the training,” he said.

The program will also be reaching out to the community, particularly parents. “We have to figure out ways that people feel respected and make it easy for them to be engaged and understand what the child needs,” said Sommer. “You only get one chance to be a child.”

Conclusion

This report looked at three communities where leaders from many disciplines have come together to combat student arrests. Happily, the good work they have done is being replicated elsewhere in Connecticut. For example, Waterbury and Torrington are forming collaboratives modeled on the work done in these pilot communities. Not coincidentally, Waterbury's new superintendent was previously superintendent in Manchester. New London is beginning the MOA process. That's another district where Dr. Adamowski serves as special master. "That's something that I will certainly do my best to support. And yes, it will be an aspect of the implementation of the district strategic operating plan," he said. Those are examples of how this work can spread across the state as more professionals participate in school arrest reduction efforts.

Though much of the work to end inappropriate student arrests must be done at the local level, there are relevant factors at the state level:

Data collection. It is critical that schools be transparent with their communities about the prevalence of student arrests. That requires data that is uniform and reported in a timely manner. Connecticut Voices for Children, in particular, has done outstanding work on this front.

Alternative schools. Traditional schools may move students to alternative schools without a clear rationale and without parental consent. These schools, which serve especially vulnerable students, have no reporting requirements. Neither is an acceptable policy. For more information on this issue visit The Center for Children's Advocacy website, www.kidscounsel.org.

Racial disparity. The JJAC works diligently to reduce racial and ethnic disparities in the juvenile justice system. In recent years they recognized school arrests as a significant feeder into that system. It wisely used some of its federal funding to target efforts to reduce student arrests. These efforts should continue and be replicated wherever possible.

Coordination. Excellent work is going on throughout the state. Clear channels of communication remain open so that good ideas are shared, efficiencies are realized and duplication is avoided. The Alliance makes this a central part of its work.

Prevention. The juvenile justice system is among the most expensive places where a child can receive services. It is important to that lower-cost, local youth programming be funded adequately to divert kids from the system.

The Connecticut Juvenile Justice Alliance is committed to helping professionals in the vanguard of this work share their successes with their peers. They have a unique perspective on how these reforms benefit entire schools and indeed entire communities, through:

Safer schools

Increased teacher and administrator satisfaction

Less disruption in schools

Reduced caseload in the juvenile court and increased ability to impact pressing public safety matters

More police time to devote to addressing serious crime

More efficient use of taxpayer resources, including community services

Teaching kids how to behave better makes far more sense than waiting for them to fail and then imposing punishment. The decisions these communities have made will empower kids to be better students and ultimately better citizens.

To find out more about how to reduce student arrests in your community, please contact The [Connecticut Juvenile Justice Alliance](#).

Action Steps

Everyone has a role to play in reducing student arrests. There are lots of resources to help you.

- 1. Educate yourself about the problem.** You'll find information at ctjja.org/forum.
- 2. Find out what's happening in your community.** Ask for data on student arrests. How often do they happen in your community? What kinds of behavior are kids getting arrested for? Connecticut Voices for Children's forthcoming report will offer data specific to your district. See www.ctvoices.org.
- 3. If the data are not available, ask why.** Work with your board of education, police department and other leaders, including your region's Local Interagency Services Team (LIST), to start tracking student arrests.
- 4. Make it clear that you care.** Tell your elected officials that you think arrests are an important measure of a school's quality.
- 5. Bring a broad coalition of stakeholders to the table.** Successful partnerships to reduce student arrests usually include the juvenile court judge, superintendent and police chief. Who else in your community has an interest and an ability to help kids?
- 6. Make sure students, families and teachers all have a voice in your work.**
- 7. Together with key partners, create a memorandum of agreement making the role police in school discipline clear.** The JJAC has developed a model MOA, and communities that use it are eligible to apply for grants through the JUST.START program: www.ctjuststart.org
- 8. Make good use of existing resources.** Your community probably already has good programs in place—within and outside the school walls—that can help kids become better citizens in school and address the causes of their misbehavior. Check with your Youth Services Bureau and others about ways to connect kids to these resources. You can access a list of Connecticut's Youth Service Bureaus here: www.ctyouthservices.org/ysblist.php
- 9. Keep collecting data.** You need to demonstrate that your efforts are working. Track data on student arrests, suspensions and expulsions before and after you put a new policy or programming in place. You'll be able to demonstrate your success and find opportunities to fine-tune your efforts and serve kids better.
- 10. Share your story.** Reducing student arrests benefits the whole community. Publicly celebrate your success while reaching out to area businesses, agencies and individuals to be part of the work of supporting kids.
- 11. Understand that signing a MOA is just the first step.** Teachers, police officers, administrators, and others need to be oriented and trained in what is in the MOA and its graduated response model. With turnover typically high, new professionals will need to be oriented, and leaders will need to stay committed over time.
- 12. Respond to students with mental health needs.** The School-Based Diversion Initiative offers a free toolkit (www.chdi.org) to help you adopt some of the successful practices of that program.
- 13. Apply for a JUST.START grant (www.ctjuststart.org)** available to support programs in districts where a memorandum of agreement to reduce school arrests is in place.

Notes

- ¹ This report addresses arrests that are directly related to schools. These include arrests for alleged misbehavior in school or at a school event, such as a dance or sporting match. It does not address arrests for incidents in the community, even if the arrest is executed at school.
- ² Youth Violence Project. <http://youthviolence.edschool.virginia.edu/violence-in-schools/national-statistics.html> Accessed 7/27/2012.
- ³ Advancement Project, EDUCATION ON LOCKDOWN: THE SCHOOLHOUSE TO JAILHOUSE TRACK (Mar. 2005), p. 15.
- ⁴ See: Arrested Futures <http://www.cfjj.org/arrestedfutures.php>; Breaking School Rules <http://justicecenter.csg.org/resources/juveniles/report>, and Kept Out, <http://www.law.georgetown.edu/news/report-launch-kept-out.cfm>.
- ⁵ Court Support Services Division.
- ⁶ Youth Violence Project.
- ⁷ Rizga, Krista. "Everything You've Heard About Failing Schools is Wrong" *Mother Jones*, Sept./Oct. 2012 Accessed <http://www.motherjones.com/media/2012/08/mission-high-false-low-performing-school?page=2>
- ⁸ Connecticut Voices for Children analysis of data provided by Connecticut Department of Education as cited in testimony of Sarah Esty to the Connecticut General Assembly, March 12, 2012.
- ⁹ School arrests bring new scrutiny, reforms. http://c-hit.newhavenindependent.org/health/entry/school_arrests_bring_new_scrutiny_reforms/ Accessed July 30, 2012.
- ¹⁰ Sweeten, Gary, "Who Will Graduate? Disruption of High School Education by Arrest and Court Involvement" 24.4, *Justice Quarterly*, (December 2006)
- ¹¹ Sum, Andrew, et. al. "High School Dropouts in Chicago and Illinois The Growing Labor Market, Income, Civic, Social and Fiscal Costs of Dropping out of High School" Chicago Alternative Schools Network, November 2011.
- ¹² Advancement Project "Opportunities Suspended: The Devastating Consequences of Zero-Tolerance and School Discipline" July, 2002.
- ¹³ CSSD
- ¹⁴ Council of State Governments Justice Center (July 19, 2011). *Breaking schools' rules: A statewide study of how school discipline relates to students' success and juvenile justice involvement*; Richetelli, D.M., Hartstone, E.C., & Murphy, K.L. (May 15, 2009). A second reassessment of disproportionate minority contact in Connecticut's Juvenile Justice System. Report submitted to the State of Connecticut Office of Policy and Management, Criminal Justice Policy and Planning Division.
- ¹⁵ Bracey, J., et. al. "Connecticut's Comprehensive Approach to Reducing In-School Arrests: Changes in Statewide Policy, Systems Coordination, and School Practices. Published in "Keeping Kids in School and Out of Court: A Collection of Reports to Inform the National Leadership Summit on School-Justice Partnerships. Albany, NY: New York State Permanent Judicial Commission on Justice for Children.
- ¹⁶ O'Connell, M. (in prep.). Connecticut's School-Based Diversion Initiative Evaluation Report.
- ¹⁷ Huff, B., Teske S. Presentation to Connecticut stakeholders. Accessible <http://www.docstoc.com/docs/81517536/PRESENTATION--The-Connecticut-Juvenile-Justice-Alliance>
- ¹⁸ The decrease in student arrests in Manchester did not simply spring from following the year with a single large incident. After the MOA was put in place, arrests decreased every month but one when compared with the same month the previous year.
- ¹⁹ National School Climate Center, The Comprehensive School Climate Inventory <http://www.schoolclimate.org/programs/csci.php>
- ²⁰ Gottfredson, et. al. "School Climate Predictors of School Disorder: Results from a National Study of Delinquency Prevention in Schools." *Journal of Research in Crime & Delinquency*. November, 2005. Accessed <http://jrc.sagepub.com/content/42/4/412.abstract>
- ²¹ U.S. Census. Accessed <http://quickfacts.census.gov/qfd/states/09/09015.html>.
- ²² Stamford Advocate www.stamfordadvocate.com/news/article/Fair-punishment-Racial-disparities-in-school-2448504.php



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