

School Safety

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The National School Safety Center is a partnership of the U.S. Department of Justice, U.S. Department of Education and Pepperdine University. NSSC's mission is to coalesce public, private and academic resources throughout the United States and provide a central headquarters to assist school boards, educators, law enforcers, lawyers and the public to ensure all our schools are safe, secure and peaceful places of learning.

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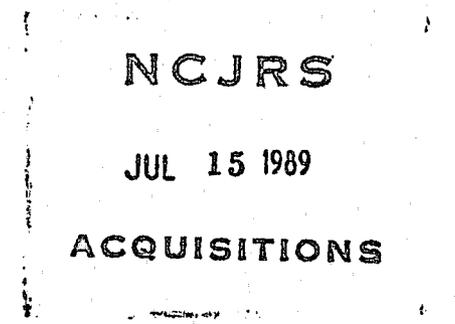
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Special insert

Missing children poster

Courtrooms Classrooms

By John M. Yeaman

“Without first establishing discipline and maintaining order, teachers cannot begin to educate their students. And apart from education, the school has the obligation to protect pupils from mistreatment by other children, and also to protect teachers themselves from violence by the few students whose conduct in recent years has prompted national concern.”

Justice Lewis Powell
U.S. Supreme Court
(*New Jersey v. T.L.O.*, 1985)

Without any doubt the nation's schools are implicated in the problem of delinquent, abused, neglected, truant or missing children. Time and again studies report children who like school, do well in school and regularly attend school are far less likely to get in trouble with the law than those who dislike school, do not achieve and skip or disrupt class.

Schools are implicated in yet another way. They are the primary setting for much of the serious delinquency occurring today. Also, schools are the best and most valued information source for detecting and preventing child abuse and neglect. The National Council of Juvenile and Family Court Judges (NCJFCJ) adopted these official policy statements to introduce its concerns:

A close liaison should be maintained between the court and school.

There should be a close and continuing relationship between the juvenile court and school authorities in every community.

The court, school and police should cooperate to develop and implement policies to deal with the problems of delinquency. There is a pressing need to examine the relationships between student abilities, inclinations and performance, classroom curricula, school

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attendance and delinquency.

Families and schools should be strengthened to reduce delinquency.

Strong evidence indicates prevention of serious delinquency by family, friends, school and socially organized communities is often more effective than that provided by the law.

When social institutions are strong, communities well organized, parents and schools competent and caring, there is a very small problem of serious delinquency. The deterrence provided by the juvenile justice system in such communities is an important backup and should be supported and strengthened by the court. However, when social institutions are weak and provide little or no prevention, serious questions may be raised about any substantial effect by the court.

The impact of school problems on delinquency should be researched.

Research is needed to assist the court and community in formulating policy for truancy enforcement, compulsory school laws, crime in the schools, under-education and frustrated learning experiences.

Society needs to know how curriculum tracking, or its absence, in elementary and secondary schools affects delinquency. Research is needed to indicate which truants should be compelled to return to school and which should be encouraged in vocational directions. Districts must learn how to recruit and retain highly skilled and motivated teachers for inner city schools. Also needed is data on why some schools or administrators are successful in keeping truancy and serious delinquency low while others are not.

These policy statements, from the NCJFCJ publication *The Juvenile Court and Serious Offenders: 38 Recommendations*, have been distributed to thousands of policymakers, including judges, legislators and school officials. The council is working to implement this policy throughout the country and seeks to end the *hands off* attitude often existing between juvenile justice and school systems.

In large jurisdictions, judges, super-

intendents, administrators and teachers often are dealing with the same problems and with the same active or potential delinquent, neglected, truant or runaway child. The two major governmental entities working closest with children are juvenile/family courts and schools. Both must confront delinquency, substance and alcohol abuse and trafficking, vandalism, daytime burglary, assaults on students and teachers, extortion, expulsion and suspension policies and probationer supervision.

In matters protecting the best interests of children, courts and schools *must* collaborate by sharing information, seeking additional resources, and detecting and treating delinquency, abuse, neglect and drug and alcohol abuse. Issues of school safety, discipline and missing, truant or runaway children also require joint efforts by schools and courts.

Judges should offer support for better schools.

The courts should not interfere with school discipline, administration, curricula, safety and other school problems, policies or procedures. Judges, however, acting as child advocates, should support school efforts. Together judges and educators must:

- Identify and report learning disabled, abused, neglected and problem children and provide them with special programs, counseling and instruction;
- Coordinate school suspension and absences with the court;
- Encourage vocational education;
- Assure appropriate discipline and safety;
- Conduct parenting classes for children and parents;
- Teach children the dangers of drugs and alcohol;
- Maximize use of school facilities for day care and child supervision;
- Develop alternative programs for *at-risk* children;
- Reduce dropout and truancy levels through motivation and better teaching;
- Teach moral and social values and values clarification; and
- Instruct students how to avoid being victimized and abused:

Truancy should not be ignored by the courts.

Juvenile and family courts must re-establish the preventive role they once played through fair, but forceful, intervention in cases of habitual truancy. Habitually truant children are heading for trouble and need the best diagnostic and treatment services available. The court and community must support school programs to prevent truancy. Special and vocational education, counseling and other interventions must be maintained.

Federal policies requiring courts to ignore status offenders, including truants, incorrigibles and runaways, do not recognize the juvenile court's role in prevention and rehabilitation. Judges maintain we do neither the child nor the community justice when troubled and ignored children go without help. Rarely, judges contend, should a status offender be institutionalized. However, an unintended consequence of the movement to deinstitutionalize is that too often the status offender is ignored and unhelped. Status offenders often need more intervention and treatment than delinquents. Society must re-examine deinstitutionalizing status offenders to determine if it is in the best interest of juveniles whose chronic behavior constitutes a clear and present danger to themselves and society.

Runaways are missing children and should be detained and helped.

Juvenile and family court judges should recognize runaways, many already abused and neglected, are most likely to become exploited as child victims of pimps, pornographers, drug pushers and thieves. Sometimes secured detention should be used to protect these children until investigations uncover parental abuse or other problems motivating the children to run away. Forcing runaways to return to the home is not always the answer. Emergency shelters, hot-lines, crisis care, half-way houses, substitute parents, job and drug counseling and school special education programs should be explored as alternatives to statutory apathy or incarceration of runaways.

Priority treatment should go to

preventing truants, dropouts, missing children and runaways.

Juvenile and family court judges, school authorities and other community policy-makers should give priority to solving these problems. Schools should be required to notify parents daily if a child is absent. Excessive absences should be treated as an indication of a potential problem to be addressed by school, law enforcement and court. Juvenile and family courts should be notified when students are suspended for excessive absence. Parents should be required by law to provide school authorities with work and home phone numbers or the phone number of a responsible adult who can be contacted by the school.

Possibly the greatest potential for protecting our children from harm at school and home lies in continuing and effective training in parenting skills. Ideally, parenting instruction should begin with children in grammar school and continue through high school, resuming with pregnancy and continuing for both parents throughout their children's adolescence. Parenting training also should be provided to abusing and neglecting parents. Parenthood preparation classes should be offered all parents and potential parents. Schools can help meet this need.

Juvenile and family courts should provide leadership to coordinate community resources to provide an early warning system for *at-risk* children. Schools and teachers, in collaboration with child protection, law enforcement, juvenile probation, public and private mental health practitioners and hospitals, should share information to prevent and detect abuse and neglect. All professionals regularly in contact with children need training to recognize and report signs of actual abuse and neglect and of *at-risk* children.

In spite of pilot attempts at school-based prevention efforts and law-related education, not much has been accomplished at the local policy-making level between the two systems. This is particularly true in large cities. In locations where school and delinquency problems are most severe, the very size and complexity of court and school systems often prevent even rudimentary

interaction and communication.

School and legal personnel show a mutual reluctance to assist.

Many educators are reluctant to report students, to enmesh them in the juvenile justice system. Child protection workers and probation officers have been slow to realize what does or does not happen in school directly affects their client's potential for rehabilitation. At issue is the willingness of leaders and policymakers within both systems to come to grips with what is best for the child and to identify the child's potential problems long before *acting out* behavior forces contact with the courts. The inherent reluctance of both court and school to perceive and implement effective cooperative roles must be better understood and significant obstacles overcome.

A frustrated and overworked probation officer invading a sacrosanct school hallway to demand that a similarly frustrated and overworked teacher cooperate with a much misunderstood system which cites children for truancy is not the point to begin building effective and lasting change.

Rather, a workable and rational framework for joint understanding and cooperation is among those in the highest levels of both systems - judges, court administrators, school board members and district superintendents. Successful experiences must be gathered, analyzed and, where appropriate, replicated in jurisdictions across the country. A school and court policy level forum is needed in each community to analyze common but complex problems, frame workable solutions and test them.

Juvenile and family court judges are in a unique position to speak knowledgeably about school and court issues. Too often the juvenile court has followed rather than led debate on truancy enforcement, compulsory school laws and crimes in the schools. The tragedies of under-education, learning frustration and fear of victimization reveal themselves on an all too regular basis to the juvenile court judges. To deny that school problems are juvenile justice problems in the end is simply to ignore the facts. □