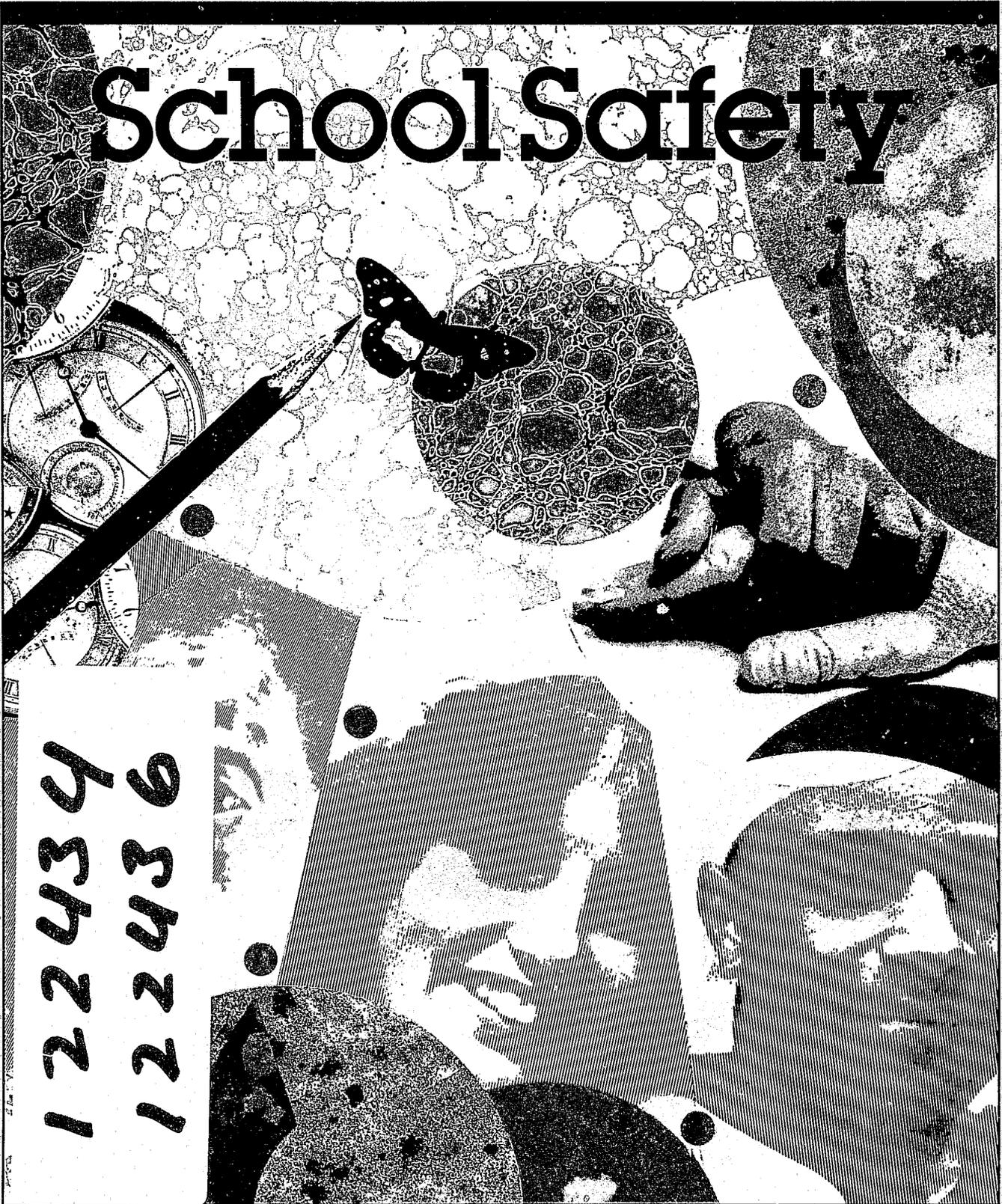


Youths and elder citizens both benefit by sharing their resources and experiences.

School Safety



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School Safety

School Safety is published by the National School Safety Center to communicate current trends and effective programs in school safety to educators, law enforcers, lawyers, judges, government officials, business leaders, journalists and the public. Publication dates are September (Fall issue), January (Winter issue) and May (Spring issue). Annual subscription: \$9.00.

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Prepared under Grant No. 85-MU-CX-0003 from the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice, U.S. Department of Education or Pepperdine University.

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About the cover:

The coming decade will inherit a new wave of senior-youth partnerships that move beyond symbolic gestures to mutually beneficial programs and changes in attitudes. Illustrations by Karen Watson. Copyright © 1990.

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BY JULIUS MENACKER, WARD WELDON AND EMANUEL HURWITZ

School rules are most effective, according to this new three-year study, when teachers, administrators, parents and students play a major role in their development.

Schools lay down the law

School order and safety can be improved by more effective use of the law, such as state statutes, federal and state court decisions, and school board regulations. The Office of Juvenile Justice and Delinquency Prevention of the U.S. Department of Justice funded a three-year project (1986-89) in Chicago to validate this strategy.

The project centered on four K-8 schools (two experimental and two control) located in one of the poorest, most crime-ridden areas of Chicago. A steering committee of teachers and parents at the experimental schools was organized to develop a local school discipline code that, while within the guidelines of the districtwide discipline code, responded more adequately to the needs and issues confronting the experimental schools.

The local code was developed on the assumption that the law affecting school discipline was underused, not well-known and often misunderstood. Also, it was assumed that a local discipline code created by the combined input of school staff, parents and students would be a stronger instrument for improving school order and safety than one simply imposed upon these groups because of

the "psychological ownership of ideas" that would result from their involvement. Furthermore, it was assumed that as staff, students and parents became more familiar with the discipline conditions at the school and the legal provisions for discipline control, an atmosphere that supported school order and safety would develop.

Surveys of teachers and upper-grade students revealed little knowledge of both discipline-related law, such as statutes and court decisions, and school district discipline regulations. Interviews with school principals revealed that they viewed the code as a flexible resource to be used or ignored as they deemed appropriate. While this gave principals greater latitude in discipline policy and allowed them to better respond to individual needs, it also reduced the effectiveness of the uniform discipline code as a strong guiding force. Principals also unanimously felt that the biggest problem in enforcing order was the lack of parental involvement in discipline concerns of their children or the school generally.

After analyzing the schools' discipline records, it was found that the most frequent response to discipline infractions was to take no action. This occurred more often in matters of serious violations than in cases of relatively minor violations. Maximum penalties allowed by the uniform discipline code were al-

most never imposed. Thus, an inverse relationship existed between the seriousness of offenses and the strong disciplinary action in response to offenses, mainly because the schools did not have the human resources or time to deal with each reported offense in a careful, complete manner. This created a particular strain on serious cases that required expulsion, a disciplinary transfer out of the school or a police report.

Schools: Islands of safety

Survey results and interviews clearly showed that the schools were islands of safety surrounded by communities that represented oceans of danger. Both teachers and students reported feeling much safer in the schools than in the school parking lots or the neighborhoods in which the schools were set, and many students reported they avoided the shortest routes to school for safety considerations. Police data revealed a high rate of murders, robberies, muggings and rapes, which confirmed the accuracy of these feelings.

The steering committee was provided with these data and then took part in classes on the law as it affects school discipline and on psychological, educational and administrative concepts that relate to effective school discipline, order and safety. The faculty and parents were surprised to learn that legislation and court decisions strongly sup-

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MENACKER, WELDON AND HURWITZ

ported school authorities who imposed strict order, safety and discipline measures. While the classes covered decisions supportive of student rights — such as *Tinker v. DesMoines*, 1969 (student expression rights); *Goss v. Lopez*, 1975 (student due process rights); and *Honig v. Doe*, 1988 (protections against suspension/expulsion for special education students) — they also included decisions — such as *New Jersey v. T.L.O.*, 1985 (easing Fourth Amendment search restrictions on school officials); *Bethel v. Fraser*, 1986 (strengthening school control of student expression); and *Hazelwood v. Kuhlmeier*, 1988 (strengthening school control of student publications) — which supported school efforts at imposing control over student conduct.

Since faculty, administrators and par-

whom she initiated a fight continued to fight after the teacher had been subdued (*In Interest of D.N.*, 1988);

- upheld the school's right to bar a male high school student from wearing an earring, which the school considered to be a gang symbol, against the student's free expression claim (*Oleson v. Board*, 1987); and
- upheld a change in the Illinois criminal code that provided for the automatic transfer from juvenile court to criminal court of minors found in illegal possession or use of weapons on school grounds (*People v. M.A., a Minor*, 1988).

Educators and parents were also interested in learning about a variety of recent Illinois laws of which they were unaware, including statutes that:

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ents were not only uninformed about school order and control law, but also felt that the law generally supported misbehaving students and put adults trying to control them at legal risk, much of the time was spent providing information such as recent Illinois court decisions that:

- overturned the dismissal of a public school teacher for severe discipline because the court considered the incident to be an isolated one (*Swayme v. Board*, 1986);
- favored a teacher in a student battery suit brought by parents (*Illinois v. Wehmeyer*, 1987);
- upheld the dismissal of teachers in separate cases for failure to maintain proper discipline (*Combs v. Board*, 1986, *Stamper v. Board*, 1986);
- favored a teacher in a battery suit against her because the student with

- increased battery and assault charges to aggravated battery and assault when committed on school grounds and/or when the victim was known to be a school employee;
- required Chicago principals to promptly report all acts of intimidation to local law enforcement authorities; required superintendents to promptly report all complaints from school personnel about incidents of battery against them to local law enforcement authorities; and
- made parents or guardians liable for damages suffered from the willful or malicious act of a minor causing injury to a person or damage to property.

This legal knowledge imbued the steering committee with enthusiasm and confidence about the value and potential

impact of producing a local school discipline code. They became eager to reflect the principles of court decisions and legislation into the local code. This legal knowledge also helped restrain them from imposing overly harsh, unfair discipline measures that, for example, violated principles of due process, freedom of expression and reasonable search. Code drafts were reviewed by the entire school staff, parents and students, and revisions were made based upon feedback from these groups. The final draft of the discipline code was produced after approval by parents and staff. In addition:

- Each teacher was required to be a "discipline educator," which requires, among other things, teaching good discipline and establishing a classroom discipline code within the framework of the school code.
- Parents were given copies of the code and were required to return a signed form indicating that they were aware of it.
- A dress code (which teachers had assumed was not permissible under the district code) was developed in accordance with applicable court decisions.
- Discipline councils were established in each school composed of a teacher, administrator, parent and student to review policy and offer judgments about important discipline cases. The code is subject to annual review.
- Annual reports on discipline conditions were distributed to faculty and parents.
- Rewards for good behavior were established along with punishments for bad behavior.
- Clear due process guidelines were established for handling discipline cases.
- In one school, teachers agreed to increase class size so that an in-school suspension program staffed by an excellent teacher/counselor and disciplinarian could be established. This contributed to greatly improved discipline administration in that school.
- Procedures to prevent (as well as im-

pose penalties for) student fights, defiance of authority and offensive language/gestures were strengthened and clarified.

- The school discipline code was the subject of in-service sessions. The principal informed teachers that knowledge of the code, as well as adherence to it, was an important staff professional responsibility.

Legal statutes improve discipline

The discipline code has been in force in the two experimental schools for a little more than a year. Results are still being analyzed, but preliminary reviews are encouraging. For example, the experimental school that established an in-school suspension program has almost done away with out-of-school suspensions and both experimental schools have greatly reduced the number of "no action taken" responses to infractions. At the school with the in-school suspension program, "no action" is now the least frequent response to discipline infractions, whereas it was the most frequent response when the project began. It is also reasonably clear that overall discipline, order and safety have improved at the experimental schools.

This project revealed the following key points about school discipline and order:

- School order and safety must be viewed in its community context. In poor, inner-city neighborhoods, the negative influences of the environment (crime, drug abuse, etc.) must be considered in prescriptions for improving school order and safety. There must be outreach into the community by municipal government agencies working in cooperation with the school. It should be kept in mind that the school is generally the safest place in many of these communities.
- The law applicable to school order, safety and discipline is relatively unknown or misunderstood by many educators and parents in poor urban communities. Parents and educators are often fearful of negative repercussions

from exerting forceful discipline. Vigorous efforts are needed to properly educate adults about the strong measures they can take in support of school order and safety without fear of negative consequences.

- The single greatest need for improving school order and safety is the effective involvement of parents. Many parents have not had satisfactory school experiences themselves. Therefore, even those who want to cooperate need training and support to help them have a positive influence on the education and proper behavior of their children.
- Patterns of discipline administration at disorderly, unsafe schools are often inconsistent and inefficient. While there may be many reasons for this, the lack of organization and resources to adequately cope with high levels of crime and disorder is a primary cause. Schools are not organized as prisons, nor are teachers trained or inclined to be guards or wardens. Among the most productive ways to address this problem are the introduction of in-school suspension programs, efficient cooperation with police and related authorities, more staff and other resources devoted to such matters as parental involvement and training, discipline education and the development of positive responses to pro-social student behavior.
- Perhaps most importantly, school rules are far more meaningful and effective when those affected by the standards (parents, students, teachers, administrators) play a major role in their development. □

This article was prepared under Grant No. 87-MV-CX-004 from the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. Points of view or opinions in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

Juvenile justice resources available

More than 3,500 individuals and organizations seek assistance each year from the Juvenile Justice Clearinghouse (JJC), an information collection and distribution center for the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP).

Founded in 1979 to fulfill OJJDP's congressional requirement to provide "a coordinating center for the collection, preparation and dissemination of useful data," the Clearinghouse has a wide range of prevention-oriented material on topics from juvenile delinquency to illegal drug use. As part of the National Criminal Justice Reference Service (NCJRS), JJC has access to NCJRS' 100,000-document database.

Through a toll-free number, juvenile justice officials, legislators, school administrators, teachers, students, parents and other concerned citizens can contact JJC for information or get a referral to another, more specialized organization. Recent U.S. Department of Justice publications also may be sent to callers.

Registered users of JJC receive a free bimonthly journal and other mailings that include new findings or developments in juvenile justice activities and research.

The national toll-free number for JJC is 1-800-837-8736. (In the metropolitan Washington, D.C., area or Maryland, call 301/251-5500.) JJC's address is: Juvenile Justice Clearinghouse, Box 6000, Rockville, Maryland 20850.