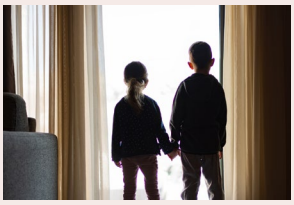
Informing and supporting parents, educators, service providers, and policymakers on research-based and promising practices, state and federal laws and policies, and the successes and challenges of invested educational partners as they work to improve and strengthen special education services for students with disabilities in California

THE SPECIAL EDge



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Disability and Juvenile Justice

What's Inside. . .

Letter from the State Director

Rachel Heenan, Ed.D.,
Director, Special Education Division, California Department of Education

This issue of *The Special EDge* focuses on students in the California juvenile justice system and the educational policies and practices that affect this unique population. As data show, many of these incarcerated youth have disabilities—both diagnosed and undiagnosed. Their stories often go untold, and when voiced, are often heartbreaking. As a collective system, we must begin to focus our attention on the unique needs of these students and direct our resources to improve outcomes and support services for them.

Michael Krezmien's article (page 3) distills important research and explains the challenges we face as educators, parents, policymakers, and service providers in our efforts to better serve students who find themselves at odds with the law. His data reveal that, collectively, we know the actions required to successfully support these students. And dedicated educators and administrators are finding creative and meaningful ways to change trajectories for these students.

The articles that follow strengthen Krezmien's recommendations of "best practice." These practices support California's continued educational focus on refining discipline policies through such approaches as positive behavioral interventions and supports (PBIS), social-emotional learning (SEL), and a multi-tiered system of support (MTSS) (page 11). When implemented with fidelity, these approaches help reduce the rate of recidivism and keep students in school—to learn and successfully prepare for their futures.

We also have known for years that when schools and other child-serving agencies work together, they can more effectively and efficiently meet the many challenges that students bring into the classroom. For example, the effects of childhood trauma must be addressed before students can even begin to learn (page 11). Other known challenges, such as addiction, need specialized, wrap-around services (page 19). California has made significant investments in the Community School model, which provides the kinds of comprehensive, coordinated services that promote successful outcomes for every child, regardless of individual challenge or need (pages 19 and 27).

Alongside these large-scale initiatives, the state is also supporting specific programs to help improve outcomes for these youth. In the Los Angeles area, Road to Success Academy is motivating and engaging incarcerated youth through thematic, project-based learning that addresses students' academic and mental health needs (page 27). In the Bay Area and across the state, the Rising Scholars program is helping justice-involved youth to seamlessly and successfully transition from the juvenile justice system into higher education (page 35).

Our state legislators are working to ensure the longevity of these many efforts. As slow as the legislative process may seem, California's laws are reflecting a new, clear, and ongoing commitment to juvenile justice reform (page 32).

Finally, we know that many injustices still exist and that efforts to address them may seem small and cumbersome. But we also know that dedicated people have always fought against the conditions that contribute to youth becoming incarcerated. We know the power of that one special person in the life of a child, the person who believes in the child and their limitless potential. These people lead with love and kindness (see page 24), and that is something we all can do.

In reorienting our thinking about what's inevitable and what is not, we have little to lose and everything to gain. I hope you enjoy—and are inspired by—the stories in this issue. ◄

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Students with Disabilities and the School-to-Prison Pipeline

By Michael Krezmien, Director of the Center for Youth Engagement, University of Massachusetts Amherst

Too many children and adolescents are directly or indirectly pushed out of schools. And as a result, too many end up in the juvenile and criminal justice systems.

Many of these students are suspended or expelled from school for infractions that could be addressed within the educational environment. Many students experience extensive levels of school failure that make educational settings aversive places for them; as a result, they disengage from school. The culmination of these negative experiences leads many high-risk students to incarceration in juvenile correctional facilities. Students with disabilities are especially at risk for disciplinary removals, academic failure, and negative encounters with school-based law enforcement.

The process for how this happens is often called "the school-to-prison pipeline."

The Indirect School-to-Prison Pathway

There are both direct and indirect ways that the school-to-prison pipeline operates. Indirectly, this occurs through extensive academic failures. Low scores, grade retention, and other negative academic markers all can increase the risk of students disengaging from school. Lacking interest, they skip classes or don't even show up at school and eventually spend increasing amounts of time outside the educational environment.

Students with learning disabilities are particularly at risk of academic challenges that lead to these behaviors and frequent school failure. They often struggle with core skills such as reading, writing, and mathematics due to deficits in processing speed, working memory, and executive functioning (*Swanson, 2006*). Impairments in decoding and reading comprehension lead to poor performance in courses that require strong literacy skills in order to access important content (*Lyon, 1996*).

Students with learning disabilities are particularly at risk of academic challenges that lead to disengaging from school.

Students with learning disabilities frequently have deficits in executive functioning skills that impair their ability to organize tasks, plan ahead, and manage their time effectively (*McCloskey, Perkins, & Van Divner, 2017*). They struggle to break down assignments into manageable steps or to monitor homework due dates and test preparation deadlines. As a result, they experience high levels of frustration and depressed academic performance (*Elliott, Gresham, & Witt, 2016*).

All of these struggles are frequently compounded by inadequate general education and special education support and by services that don't address the unique needs of these diverse learners (*Zirkel & Weathers, 2015*). Cumulatively, these issues result in failing grades, grade retention, and a pervasive sense of academic frustration, leading to disengagement from school (*Cortiella & Horowitz, 2014*).

Another part of this indirect pathway begins with students who become caught up in school disciplinary systems. These students first experience repeated office referrals for misbehavior, which is the initial step on the path to more severe disciplinary responses and eventually school removal.

Once a student is referred to the office for disciplinary action, administrators review the incident and make decisions. This process relies on administrator discretion and can result in inconsistent consequences from student to student (*Mendez & Knoff, 2003*), an inconsistency that can further alienate students. Those youth who receive multiple office referrals are at a higher risk of experiencing exclusionary discipline, including out-of-school suspension and expulsion (*Bradshaw, Mitchell, & Leaf, 2010*). As a result, these students become more vulnerable to any possible negative influences in the community.

Removed from their educational setting, the students accrue increasing levels of learning deficits, academic failure, school disengagement and, eventually, increased behavioral problems (*Bradshaw, Mitchell, & Leaf, 2010*).

Students with emotional and behavioral disabilities are disproportionately subjected to exclusionary disciplinary actions compared to their peers (*Krezmien et al., 2006*). They exhibit a range of challenging behaviors because of their disability; these behaviors can be disruptive and defiant. The students are then often seen as violating their school's disciplinary code of conduct (*Cullinan & Sabornie, 2004*). When these behaviors are the symptoms of underlying anxiety, depression, or trauma, the behaviors impair the students' ability to regulate responses to stressful circumstances in socially appropriate ways (*Kauffman & Landrum, 2013*).

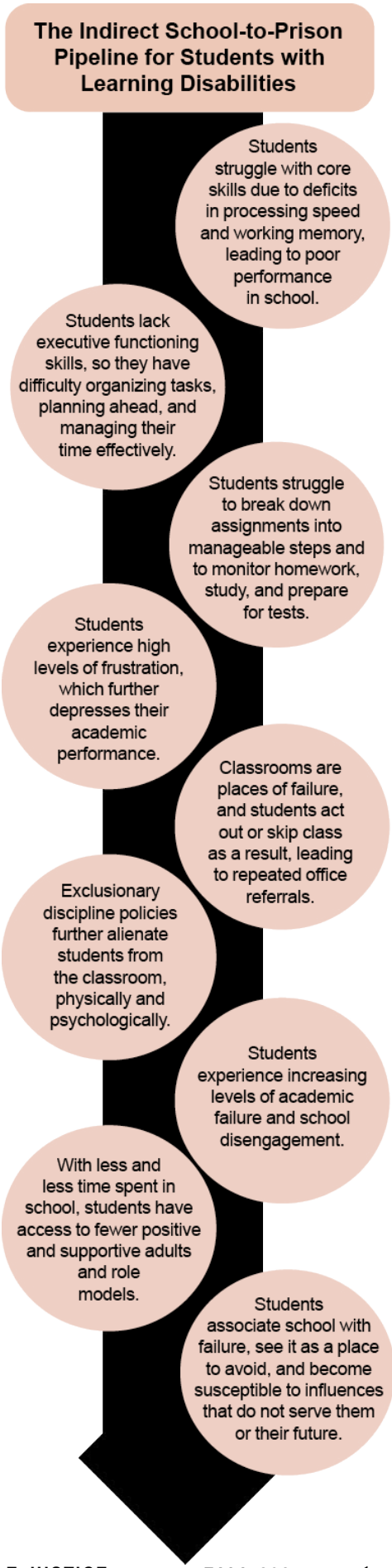
Specifically, students with emotional and behavioral disabilities are more likely than their peers to be disciplined for such behaviors as noncompliance and other minor infractions (*Krezmien et al., 2006*; *Skiba et al., 2002*). Punitive responses to these behaviors, especially suspensions and expulsions, reduce instructional time, limit the students' access to supportive resources, and serve to increase their sense of alienation from their school community.

Furthermore, a reliance on exclusionary discipline does not address the underlying emotional and behavioral issues. Instead, punitive responses perpetuate a cycle of misbehavior and punishment (*Krezmien et al., 2006*), not only failing to address the root causes of the behavior but also increasing the students' risk of disengagement from school and subsequent involvement in the juvenile justice system (*Gagnon & Leone, 2001*).

Negative Community Influences

Students who spend significant time out of school face numerous negative experiences that can harm their academic and social development. When they are suspended or expelled from school or when they are truant for any period of time, students disconnect from the structured and supportive environment of the school. This disconnection increases their exposure to negative community influences (*Losen & Whitaker, 2017*). They are more likely to encounter and be influenced by gangs, negative peer groups, community violence, and illicit substance use. Every one of these negative influences exacerbates their already extensive behavioral and academic challenges (*Welsh & Little, 2018*). And since time out of school interrupts student learning, that lost time makes any future return to school more challenging. In general, the more time students spend away from school, the less they feel a sense of belonging and engagement in the educational system (*Fabelo et al., 2016*).

As these students increase their exposure to and involvement with negative community influences, they also lose access to positive role models and supportive adults. This



loss leads to an increased likelihood of engaging in delinquent and even criminal activities (*Mittleman, 2018*) and a perpetuation of the school-to-prison pipeline.

Students with disabilities who already experience a host of negative school experiences are at much higher risk to become part of this pipeline, a perilous path that is harder to interrupt once a student is incarcerated.

The Direct School-to-Prison Pathway

The direct pathway involves more immediate contact with law enforcement due to the presence of school resource officers (SROs) and policies that treat disciplinary infractions as criminal offenses. School administrators may also directly refer students to law enforcement or judicial authorities for what might be considered typical school misbehaviors in other circumstances. This pathway thus directly involves students with law enforcement and judicial systems, bypassing traditional disciplinary measures.

The presence of SROs in schools is associated with increased student arrests for minor infractions and higher rates of juvenile justice involvement (*Na & Gottfredson, 2013*). The deployment of SROs can change the disciplinary systems of a school and lead to arrests for behaviors that would have been handled by school disciplinarians without the presence of law enforcement. This shift often results in a general pattern of treating routine disciplinary matters as law enforcement matters, leading to legal consequences for behaviors that could have been managed by school personnel (*Theriot, 2016*).

Students with disabilities are also disproportionately subjected to disciplinary actions involving SROs and for behaviors related to their disabilities. When viewed by the SROs (and through a criminogenic lens), these behaviors often are seen as willful misconduct rather than a reflection of a disability (*Perry & Morris, 2014*). Consequently, students with disabilities are arrested and referred to the juvenile justice system for behaviors that could be managed with appropriate educational interventions and supports (*Weissman, 2015*).

Academic interventions help to ensure that students do not experience repeated academic failures.

The presence of SROs thus can lead to the criminalization of disability-related behaviors (e.g., outbursts, noncompliance), which are manifestations of disabilities such as ADHD, autism, or emotional disturbances (*Mallett, 2016*). Fundamentally, the involvement of SROs in disciplinary matters disproportionately affects students with disabilities and contributes to their overrepresentation in the school-to-prison pipeline.

Impact of the School-to-Prison Pipeline on Students with Disabilities

When students with disabilities become involved in the juvenile justice system, they enter a world that is not set up to adequately address their pre-existing educational and behavioral challenges (*Leone, Krezmien, Mason, & Meisel, 2005*). Students with intense learning and behavioral needs require educational services and supports. Because juvenile justice systems typically lack the capacity to meet diverse learning needs, the students experience further academic and behavioral decline (*Quinn, Rutherford, Leone, Osher, & Poirier, 2005*). As well, they are less likely to receive behavioral and counseling interventions that address the root causes of their behavior (*Mallett, 2014*). These failures can perpetuate the frustration, disengagement from learning, and higher dropout rates upon reentry into traditional school settings.

The juvenile justice system also typically relies on punitive approaches instead of rehabilitative systems of support, so students with disabilities are even more likely to face harsh disciplinary measures (*Krezmien et al., 2015*). In short, the system's punitive model too often ends up exacerbating the behavioral challenges that led to juvenile justice involvement in the first place, worsening the cycle of recidivism (*Foley, 2001*).

Finally, little or no coordination exists between juvenile justice facilities and public schools. Transition planning for reentry

into school is often inadequate or nonexistent, and students with disabilities end up leaving the juvenile justice system without the supports they need to succeed academically and socially when they return to their home school (*Zhang, Barrett, Katsiyannis, & Yoon, 2011*). This failure to provide a comprehensive support system significantly diminishes the prospects for positive outcomes for students with disabilities, perpetuating a cycle of educational and social disadvantage.

Hope for Students

Despite the challenges facing students with disabilities involved in the school-to-prison pipeline, there is hope. Schools possess the personnel, expertise, and leadership to interrupt the pipeline. The work involved is difficult, but the impact can be transformational for students and for schools.

There are a number of interventions that are critical to supporting these students. As with any intervention, they must be implemented with fidelity. Anything less will not improve academic or behavioral outcomes and can often lead to worse outcomes than if no interventions were attempted at all.

Academic Interventions

Academic interventions play a critical role in supporting students with disabilities, ensuring that they do not experience the repeated academic failures that contribute to their risk for involvement in the school-to-prison pipeline. Some of the most effective academic interventions include such evidence-based strategies as differentiated instruction and explicit instruction in reading and mathematics (*Fuchs, Fuchs, & Vaughn, 2014*). Assistive technology, such as speech-to-text software and audio books, can significantly enhance a student's access to the curriculum and lead to improved academic performance (*Marino, Sameshima, & Beecher, 2017*).

To support the success of students with disabilities, schools need to carefully monitor their academic performance via response to intervention (RTI), *multi-tiered system of support* (MTSS), or other systems. By tracking and analyzing these students' academic performance, schools are able to identify academic difficulties early and provide timely and targeted interventions that address their specific needs (*Deno, 2016*).

The use of data-driven decision-making is particularly important for students with individualized educational programs (IEPs). Using data in this way ensures that interventions for students with learning disabilities are effective and allows educators to adjust interventions as students' needs evolve (*Shapiro, 2011*). Communication and collaboration are critical. Special education teams and school-based data management teams must be in constant communication and share a commitment to integrating how they implement and monitor the interventions used for students with disabilities.

Behavioral Interventions

The success of students with disabilities depends upon the use of evidence-based interventions that are carefully monitored using the aforementioned data management systems. The effectiveness of the following four interventions is proven:

- **Cognitive-behavioral interventions** (CBIs) promote self-regulation, problem-solving, and emotional control, thereby reducing the frequency and intensity of disruptive behaviors (*Forness, Freeman, Paparella, Kauffman, & Walker, 2012*).
- **Check-In/Check-Out** (CICO) provides consistent positive reinforcement and feedback to improve behavior and academic engagement (*Campbell & Anderson, 2011*).
- **Self-management strategies**—a set of strategies in which the students themselves are trained—can be used to teach students to monitor and regulate their own behavior, which reduces disruptive behaviors and increases academic engagement (*Briesch & Chafouleas, 2009*).

When students with disabilities present continued behavioral challenges, schools should then consider and develop **Functional Behavioral Assessments** (FBAs) and implement associated **Behavior Intervention Plans** (BIPs). FBAs provide valuable insights into the environmental, social, and psychological factors that contribute to problematic behaviors, allowing educators to develop BIPs that employ evidence-based, antecedent-based interventions and replacement behaviors individualized to the context of each unique student (*Scott, Anderson, & Alter, 2012*).

As with all interventions, BIPs must be implemented with fidelity. When used within a tiered system of support, they significantly improve behavioral outcomes for students with disabilities and enhance student engagement and school success (*Conroy, Sutherland, Snyder, & Marsh, 2008*).

Discipline Interventions

Schools can be effective at interrupting the school-to-prison pipeline by creating discipline systems that are designed to (a) closely monitor students at risk for repeated exclusionary discipline and (b) utilize alternative to suspension initiatives with fidelity.

School personnel should be made aware of the school-to-prison pipeline and the perils that students with disabilities face.

First, it is critical for schools to closely monitor any student who is being repeatedly excluded from class or from school, especially when the student has a disability. This approach requires administrators to closely monitor all use of disciplinary referrals and disciplinary exclusion, and to closely coordinate with any multi-tiered system of support (MTSS) or program of positive behavioral interventions and support (PBIS). Then, it is critical for administrators to ensure that these students are receiving interventions and supports that are implemented with fidelity and carefully monitored for effectiveness.

To frame and organize these interventions and supports, schools should develop individualized discipline prevention plans for any student who is at risk for repeated disciplinary referrals and, especially, disciplinary removals.

Second, schools can limit their use of exclusionary discipline by developing and implementing an Alternative to Suspension Intervention System (ASIS) for both in-school and out-of-school suspensions. Students with disabilities referred to ASIS receive support in their academic work as well as evidence-based behavioral interventions from licensed and/or credentialed professionals while in ASIS. This transforms suspension or expulsion into a mechanism for providing increased support and targeted interventions that are designed to reduce the likelihood of any future disciplinary infractions and subsequent removal.

Transitions Back to School

Finally, schools can play a pivotal role in transitioning students with disabilities back to school after incarceration. Effective transition programs are critical to identifying and responding to the educational, social, and emotional needs of returning students (*Leone & Weinberg, 2012*). For these programs to be successful, however, school personnel need to understand that students with disabilities who return from juvenile corrections settings may have regressed in some areas. As a result, they may require more services and supports than when they first left the school (*Leone & Weinberg, 2012*). The following

three approaches can help to ensure significantly improved school trajectory for these students:

- **Creating Formal Transition Plans**. Successful transition programs include individualized transition plans, which involve collaboration among juvenile justice facilities, schools, and community services. These plans serve to provide consistent support and resources across the settings that youth will engage (*Mathur & Schoenfeld, 2010*). The plans should include specific academic and behavioral interventions designed to support the students as they manage the ongoing challenges of returning to school, and they should include mentoring or counseling to facilitate social and emotional adjustment (*Griller Clark, Mathur, & Helding, 2011*).
- **Anticipating Challenges**. Schools should consider potential disciplinary challenges the student may encounter and develop prevention and intervention strategies that the student and educators can employ to alleviate such challenges. (See the behavioral interventions listed above.)
- **Strengthening the Individualized Education Program**. Finally, the Individualized Education Program (IEP) team should carefully review the IEP plan and ensure that the student is receiving all services and supports necessary to be successful in the public school and make any appropriate changes to the plan.

When transition services are implemented with fidelity, they significantly improve academic performance, increase prosocial behavior, and reduce the risk of recidivism. Ultimately, these plans lead to positive and sustained outcomes for youth transitioning from juvenile justice settings back to school (*Gagnon & Richards, 2008*).

Interrupting the School-to-Prison Pipeline for Students with Disabilities

Schools can interrupt the school-to-prison pipeline by implementing comprehensive academic and behavioral strategies based on evidence-based practices, enacting innovative alternative discipline systems, and supporting the successful transition back to school for students already involved in the juvenile justice system. There are three important components of this effort:

- **Increasing the availability of behavioral health resources and counseling services** to address underlying issues that may contribute to behavioral problems (*Eklund, Rossen, & Koriakin, 2018*).
- **Examining the role of law enforcement in disciplinary issues** and ensuring that law enforcement, including SROs, only intervene when there is a crime.
- **Increasing training for teachers about students with disabilities** and ensuring that all educators who work with students with disabilities understand each student's unique disability-related needs and implement appropriate interventions with fidelity.

Finally, school personnel should be made aware of the school-to-prison pipeline and aware of the perils that students with disabilities face when they land on this pathway. Through strong leadership and integrated efforts, schools can create an equitable and responsive educational environment designed to support vulnerable youth and to counter the range of negative influences

associated with juvenile justice involvement and the school-to-prison pipeline. ◄

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School Discipline and the Juvenile Justice System

More than half of the young people who are involved in the juvenile justice system have a disability. Researchers estimate that as many as 70 percent of youth who enter this system "have a mental health, sensory, or learning disability."[1]

Perhaps even more concerning is the fact that any one of these students "is more likely to stay engaged" in that system, according to research by the National Center for Learning Disabilities.[2] And, not surprisingly, it turns out that any degree of contact with the justice system—even minimal—results in "long-term harm to young people," wrote the Alliance for Boys and Men of Color.[3]

How do kids end up getting caught up in this system in the first place? Numerous factors, often in combination, can lead (or push) someone in this direction. For example, children whose parents have been incarcerated are three times more likely than their peers to end up involved in the juvenile justice system.[4] Dangerous neighborhoods and peer behavior can also contribute.[5] Another common path is the school-to-prison pipeline: a "series of practices and policies that funnel children and adolescents from public schools into our juvenile and criminal systems," according to the American Bar Association (ABA).

Despite Supreme Court rulings "that children are not to be treated as little adults," ABA also states that this pipeline has criminalized "childhood and adolescence and has disproportionately affected our most vulnerable populations—youth of color, youth with mental health issues, youth with educational disabilities, and youth who identify as LGBTQ+."[6]

The pipeline often starts with punitive discipline practices, according to researchers in sociology and justice studies from Bowling Green: "Youth who experience punitive punishment in schools are increasingly enmeshed within the criminal justice system."[7] These practices include suspensions, expulsions, and detentions, all of which "remove from the learning environment many of the very students who could benefit most from being in school."

While many researchers call these practices "reactive, exclusionary, and ineffective,"[8] they paradoxically tend to increase the severity and incidence of the very behaviors

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5. Chung, H. L, & Laurence Steinberg, L. (March 2006). "Relations Between Neighborhood Factors, Parenting Behaviors, Peer Deviance, and Delinquency Among Serious Juvenile Offenders." Developmental Psychology, 42(2): 319–331. *https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2791995/*
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7. Hemez, P., Brent, J. J., & Mowen, T. J. (July 2020). Exploring the school-to-prison pipeline: How school suspensions influence incarceration during young adulthood. *Youth Violence and Juvenile Justice. 18*(3): 235–255. *https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8277150/*
8. Liaupsin, C. J., Jolivette, K., & Scott, T. M. (2004). School wide systems of behavior support: Maximizing student success in schools. In R. B. Rutherford, M. M. Quinn, & S. R. Mathur (Eds.). *Handbook of Research in Emotional and Behavioral Disorders* (pp. 487–501). New York: Guilford Press).

that schools are ostensibly trying to decrease or eliminate.[9] Other school practices that strengthen the pipeline include zero tolerance policies; the use of metal detectors, pat-downs and frisks, and police involvement when incidents could be handled within the school.

Arguments in favor of punitive approaches to school discipline typically insist on the need for safety in schools. Yet The Advancement Project found that serious behavioral infractions "were actually declining before zero tolerance policies took hold."[10] What these policies actually reflect, according to research, are the pressures that schools are often under to improve graduation rates and testing scores, which can be artificially achieved by "pushing out low-performing students into GED programs and the juvenile justice system."[11] Other policy studies suggest that the privatization of prisons has created incentives for over-incarcerating people of all ages.[12]

Punitive and exclusionary practices are unjust and disproportionately applied.[13] Students of color, students from low-income backgrounds, English learners, students with disabilities, and students who identify as LGBTQ are most often on the receiving end. According to research from the U.S. Department of Education, these patterns start as early as preschool.[14]

Additionally damaging is how these practices "other" students, that is, place them outside of the school community psychologically as well as physically. Decades of research shows that "schools are cultural contexts that have the power and potential to promote students' cultural assets." Punitive discipline policies do the opposite; they "other youth in a way that keeps them from creating meaningful academic identities."[15]

No one is suggesting that youth who misbehave—regardless of ability, disability, or identity—should be summarily excused from taking responsibility for their behavior; nor that their infractions should be ignored or diminished. But since research has shown for years that punitive discipline practices do not help the very students in most need of their school's support, what does work? How can schools keep order, and promote learning—while preventing youth from having even the minimal

A Turning Point

One research review refers to punitive school discipline practices as "a turning point both toward increased risk of arrest and increased levels of offending as youth progress through school." This same study goes on to describe how punitive school discipline also "can contribute to increased turmoil within the family, sever student bonds to their family and school, and place youth at greater risk of dropping out of school."

—Paul Hemez, John Brent, and Thomas J. Mowen. (2020). "Exploring the School-to-Prison Pipeline: How School Suspensions Influence Incarceration During Young Adulthood." *Youth Violence and Juvenile Justice. 18*(3): 235–255. https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8277150/

9. Turnbull, A., Edmonson, H., Griggs, P., Wickham, D., Sailor, W., Freeman, et al. (2002). A blueprint for school wide positive behavior support. *Exceptional Children, 68*, 377–402.
10. Advancement Project. (March 2005). *Education on Lockdown: The Schoolhouse to Jailhouse Track*. Author, p. 11. *https://www.njjn.org/uploads/digital-library/Education-on-Lockdown_Advancement-Project_2005.pdf*
11. Villalobos, J. G., & Bohannan, T. L. (2017). The Intersection of Juvenile Courts and Exclusionary School. National Council of Juvenile and Family Court Judges. *https://www.ncjfcj.org/wp-content/uploads/2017/10/NCJFCJ_SJP_Courts_SchoolDiscipline_Final.pd*
12. Young, S. (2020). Capital and the carceral state: Prison privatization in the United States and United Kingdom. Harvard International Review. *https://hir.harvard.edu/us-uk-prison-privatization/*
13. Education Policy Innovation Center. (2021). *From Exclusionary to Restorative: An Intentional, Trauma-Sensitive Approach to Interrupting Racial Disparities, Reducing Violence, Strengthening Communities, and Accelerating Student Learning,* page 13. *https://educationminnesota.org/wp-content/uploads/2021/08/EPIC-student-discipline-report.pdf*
14. U. S. Department of Education. (2020). Guiding Principles for Creating Safe, Inclusive, Supportive, and Fair School Climates. *https://www2.ed.gov/policy/gen/guid/school-discipline/guiding-principles.pdf*
15. Yeh, C., Cruz, I., Berero, N., & Suda, J.(2012). School as a context for "othering" youth and promoting cultural assets. February 2012. *Teachers College Record 114*(2):13. *https://www.researchgate.net/publication/265848395_School_as_a_Context_for_Othering_Youth_and_Promoting_Cultural_Assets*

contact with juvenile justice that results in "long-term harm"?

What To Do Instead

Decades of both experience and research have pointed to several proven approaches to school discipline that help struggling students learn how to behave and, perhaps as important, re-engage constructively with their school community after an occasion of misbehavior. Restorative justice practices, culturally informed teaching, trauma-informed classrooms, and school-wide positive behavioral interventions and supports (SWPBIS) head the list of the most successful ways to address the needs of all students—while keeping struggling students engaged in their classes, out of the juvenile justice system, and on track for a successful launch into adulthood.

Restorative Justice

A fight takes place in school. But rather than suspending or expelling the students involved, those students sit down to talk—with adults trained in mediation—about what happened, why it happened, what harm was done, and what can be done to repair that harm.

The discovery process in these conversations—which are part of a restorative justice approach to school discipline—are crucial to healing and change for all students. Perhaps the student who threw the first punch was being bullied. Or perhaps his grandmother had just died. Or her sister was missing.

By looking to the source of the conflict (and often the student's pain), school staff can find the information they need to offer long-term support—and avoid unhelpful punishment. In this way, restorative justice also helps to create a culture of diversion so that no student becomes involved with the police or the juvenile justice system except as a very last resort and in the wake of outright criminal behavior.

Research by the National Council of Juvenile and Family Court Judges shows that a significant percentage of students are in fact suspended or expelled for trivial or minor offenses (e.g., "being disrespectful" or violating school dress code).[16] Restorative justice helps to counter this trend. And as a research-proven approach to fully addressing any harm that a person causes, restorative justice emphasizes the process of healing the relationships that were disrupted. The goal is to guide the person who is responsible for harm to do right by the community, and then for the community to find an authentic way to welcome the individual back as a full and respected member.

Culturally Responsive Schools

When a student questions a classroom order or a school rule, one teacher might praise the student for her critical thinking skills and go on to engage the child and her schoolmates in further discussion about the student's question—the reasons behind the rule, any school history that shaped the rule, the importance of thinking critically about anything we're asked to do, and so on. Another teacher may see the same question as disrespectful, disruptive, or defiant. And then, "one of two things may take place," especially if the student is culturally and linguistically diverse (CLD), according to the National Center on Culturally Responsive Education Systems: "Many CLD students are referred for special education evaluation and consequently diagnosed with Emotional/Behavioral Disorders (EBD) or else become part of a cycle of suspension with greater risk for school expulsion."[17] Students of color, especially boys, and students with disabilities also are disproportionately punished in schools, with punishments often very subjectively applied.[18]

Educators can correct these kinds of disparities by using culturally responsive discipline policies and practices, which help all school staff respond with an understanding of how behavior is shaped by culture—and address challenges in a way that both supports the students and holds them accountable for their behavior.

Specifically, culturally responsive classrooms are led by educators

16. Villalobos, J. G., & Bohannan, T. L. (2017). *The Intersection of Juvenile Courts and Exclusionary School.* National Council of Juvenile and Family Court Judges. ***https://www.ncjfcj.org/wp-content/uploads/2017/10/NCJFCJ_SJP_Courts_SchoolDiscipline_Final.pdf***

17. King, K. A., Harris-Murri, N. J., & Artiles, A. J. (2006). Proactive culturally responsive discipline. *Exemplar Brief Series*. National Center for Culturally Responsive Educational Systems (NCCRESt). Tempe, AZ: The Equity Alliance.

18. Johnston, E. M, Montalbano, P. D., & Kirkland, D. E. (2017). *Culturally Responsive Education: A Primer for Policy and Practice*. New York: Metropolitan Center for Research on Equity and the Transformation of Schools, New York University. ***https://docs.steinhardt.nyu.edu/pdfs/metrocenter/atn293/pdf/CRE_Brief_2017_PrintBooklet_170817.pdf***

who are knowledgeable about the cultures of the students they teach. The teachers learn as much as they can about the values, practices, and beliefs of those cultures and how each element might influence a child's behavior, approach to learning, and motivation. The teacher invites the students themselves to help create classroom norms. Students see themselves and their cultures reflected in assignments. At the same time, all students are held to the highest standard, regardless of race, culture, or socio-economic level.

Culturally responsive teaching may be more work, but it reduces student discipline problems, promotes academic success, and prevents the disproportionate representation of culturally and linguistically diverse students in special education.[19]

Trauma-Informed Classrooms

Children and youth who experience personal or even secondary trauma often cannot learn. To ignore this fact is to ignore human neurology.[20]

A wide range of experiences can be traumatic for a child—bullying in the lunch room (or on social media), for example, or the death of a family member, a natural disaster, sexual abuse or physical violence in the home. The list is long.[21]

Signs of trauma can include aggressive or sexualized behavior, poor impulse control, and oppositional behavior, as well as inattention, an inability to solve problems or to focus, and difficulty processing information.[22,23] In a school with conventional discipline policies, every one of these signs of trauma can be categorized as "misbehavior" and deserving of punishment.

But when schools and classrooms are trauma informed, punishment is never a first response. Teachers recognize the symptoms of trauma and know how to respond. They also know that behavior, especially challenging or puzzling behavior, is an attempt to communicate; and they develop the ability to listen and reflect, to consider what is behind the behavior, and to invite the child to share in the effort to figure it out.

But teachers are not, and should not be expected to be, therapists. Trauma-informed schools provide backup so that teachers can refer a struggling child to someone more expert. This might be the school counselor, social worker, or assistant principal—all of whom then are trained to respond to behavior that stems from trauma. In a trauma-informed school, "all administrators, staff, students, families, and community members recognize and respond to the potentially negative behavioral, relational, and academic impact of traumatic stress."[24]

A trauma-informed classroom involves even more, however, than a knowledgeable and discerning teacher backed up by a trauma-informed personnel and referral protocols. Exposure to trauma can significantly disrupt a person's ability to self-regulate, both physically and emotionally—two forms of control that contribute to a child's school success.[25] Attending to the social-emotional needs of children by teaching these regulation skills is an important part of a trauma-informed classroom.

Finally, these classrooms are designed so that the learning environment is predictable and students have some agency over how they learn and participate. This kind of environment gives children who have experienced trauma a sense of safety and control over what is going to happen and how they learn—something that trauma often deprives them of. In general, a predictable classroom reflects the principles of Universal Design for Learning (UDL), which benefits all students.

Positive Behavioral Interventions and Supports

19. King, Harris-Murri, & Artiles, 2006.
20. Suzuki, H., et al. (May 10, 2014). Early life stress and trauma and enhanced limbic activation to emotionally valenced faces in depressed and healthy children. *The Journal of the American Academy of Child and Adolescent Psychiatry, 53* (7):800–13. *https://pubmed.ncbi.nlm.nih.gov/24954829/*
21. National Child Traumatic Stress Network. (n.d.). Trauma types. *https://www.nctsn.org/what-is-child-trauma/trauma-types*
22. The National Child Traumatic Stress Network. (n.d.). What is a traumatic event? *https://www.nctsn.org/what-is-child-trauma/about-child-trauma*
23. Center for Early Childhood Mental Health. (n.d.) Trauma signs and symptoms" *https://www.ecmhc.org/tutorials/trauma/mod3_1.html*
24. The National Child Traumatic Stress Network. (n.d.). *Creating, Supporting, and Sustaining Trauma-Informed Schools: A System Framework. https://www.nctsn.org/sites/default/files/resources/creating_supporting_sustaining_trauma_informed_schools_a_systems_framework.pdf*
25. Brickman, S., Fox, M., & Pat-Horenczyk, R. (2022). Self-regulation capacities in children exposed to trauma and political violence. In C. W. Greenbaum, et al. (Eds.), *Handbook of Political Violence and Children: Psychosocial Effects, Intervention, and Prevention Policy*, pp. 323–343. *https://academic.oup.com/book/36915/chapter-abstract/322181566*

Positive Behavioral Interventions and Supports (PBIS) treats behavior as a subject to be learned by all students. Within a PBIS structure, school staff do not assume that children know how to behave. Instead, students are given direct instruction on the norms and protocols of school life, activities, and behaviors (e.g., how to wait in line, how to pass by other students in the hallway, how to take turns talking in class). As well as being explicitly taught, these behaviors are positively and consistently reinforced throughout the school campus by all staff, from principals to custodial engineers to teachers and classroom aides.

PBIS is also an ongoing commitment to supporting students, educators, and families by creating a school system that does the following:

- Engages students, families, and community members to co-create culturally responsive practices.
- Uses data to make sure practices are effective.
- Relies on a designated team to guide the implementation of these practices.
- Implements universal screening so that all students are given the level of support they need.
- Uses coaching and on-going professional development to support all school staff (principals, custodial engineers, teachers, bus drivers, lunch room servers, coaches, etc.) so they develop the expertise to best respond to and support all students.

Research from the National Institutes for Health has shown that when an entire school staff is trained in school-wide PBIS (SWPBIS), the approach works: behavioral problems diminish and positive behaviors increase.[26] The approach also helps to prevent violent behavior[27] and bullying.[28]

The Disability Rights and Defense Fund refers to SWPBIS as one way to disrupt the school-to-prison pipeline.[29] And while many schools that implement SWPBIS continue to use exclusionary and punitive discipline practices, this co-existence can reflect a lack of commitment to every student more than a failure of PBIS.

When executed with fidelity, PBIS creates a tiered system of support that makes it possible to address the behavioral needs of every student—from the boy who was so excited about making the volleyball team that he forgot that he wasn't supposed to run in the hall to the girl who physically threatened a classmate for stealing her Percocet.

Making Progress

No school leader would see as easy the task of incorporating into a school system any one of these approaches. But when each—restorative justice practices, trauma-informed classrooms, culturally-responsive teaching, SWPBIS—is used with fidelity within a school culture that values relationships, school becomes the place where children learn, make mistakes, and then learn some more. ◄

Additional Resources

Building a Positive School Environment Through Restorative Practices. S. Klevan (October 2021). Learning Policy Institute. *https://learningpolicyinstitute.org/product/wce-positive-school-climate-restorative-practices-brief*

Helping Traumatized Children Learn. (n.d.).Trauma and Learning Policy Initiative. *https://traumasensitiveschools.org/*

26. Bradshaw, C. P., Waasdorp, T. E., & Leaf, P. J. (November 2012). Effects of school-wide positive behavioral interventions and supports on child behavior problems. *Pediatrics, 130*(5): e1136–e1145. *https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3483890/*
27. PBIS Leadership. (2019). Preventing & Responding to Violent Behavior in Schools. PBIS. *https://www.pbis.org/resource/preventing-responding-to-violent-behavior-in-schools*
28. PBIS. (n.d.). "Bullying Prevention." *https://www.pbis.org/topics/bullying-prevention*
29. Disability Rights Education and Defense Fund. School to Prison Pipeline. DREDF. *https://dredf.org/legal-advocacy/school-to-prison-pipeline/*

Diversion

Any formal or informal effort to prevent a young person from becoming involved in the juvenile justice system is called "diversion." These approaches do not minimize problem behavior. They hold youth accountable for the wrong they have done but "without resorting to legal sanctions, court oversight, or the threat of confinement."[1]

According to research by the Annie E. Casey Foundation, "at least 60 percent of juvenile cases—and likely a larger percentage—could be safely diverted if formal probation was limited to only youth with serious offenses or those otherwise assessed to be a risk to public safety." As important are the decades of research showing that "diversion is more effective in reducing recidivism than conventional judicial interventions."

Diversion efforts are most successful when they are flexible and responsive to each person and situation. The most common approaches to diversion include one or several of the following components:

- Crisis intervention
- Screening and assessment for trauma, mental health challenges, and disability
- Tutoring services or other kinds of educational supports
- Counseling and education about substance use and abuse
- Treatment for mental health disorders
- Family counseling
- Supports for rebuilding family relationships
- Service-learning programs (service learning connects academic curriculum to community problem-solving[2])
- Enrichment opportunities, such as art and music; and recreational activities, such as organized sports programs

Family involvement is often key to successful diversion efforts. When a school includes a student's parents, guardian, or other family members in the work of diverting a student from delinquent behavior and toward school engagement and beneficial out-of-school activities, the likelihood of the student leaving behind self-sabotaging or destructive behaviors improves significantly.

Whatever form it takes, the purpose of diversion is to give young people the time they need to mature into adulthood, without being thrown off track by the negative effects of justice system involvement, "including a criminal record that can seriously damage young people's future opportunities for employment and higher education."

In simple financial terms, diversion makes sense. According to the National Conference of State Legislatures, "it costs an average of $588 per day to incarcerate a young person; alternatives like diversion can cost approximately $75 a day." ◄

1. The Annie E. Casey Foundation. (2020). What Is Diversion in Juvenile Justice? *https://www.aecf.org/blog/what-is-juvenile-diversion*
2. Youth.gov. (n.d.). Service-Learning. *https://youth.gov/youth-topics/civic-engagement-and-volunteering/service-learning*

Miguel's Story: What Helps

Miguel was 15 when he was charged with "premeditated, attempted murder." This happened in 2010 in Southern California. Miguel is now married, a father, and an Ombudsperson Liaison for the Office of Youth and Community Restoration (OYCR). He attributes the peace and purpose he has found to "the support I received while I was inside" juvenile detention. This support, he writes, "transformed my outlook and set me up for success after release."

In an email exchange, Miguel wrote at length about what made this success possible. He describes the therapy he received as "a crucial support, helping me address past trauma and experiences. . . . I've learned the importance of addressing underlying issues that lead to harm—while also making sure that accountability is taken."

This therapy was part of a restorative justice approach to rehabilitation in Miguel's detention center. Restorative justice requires "the acknowledgement of harm caused. And I had to confront that head on," Miguel writes.

"When I committed my crime at 15, I thought I had only caused harm to the victim and his family. Over time I realized that my actions had a much bigger impact. The crime, having happened on my school campus, not only affected those directly involved but also the broader school community. This realization made me see how I had contributed to a narrative of fear, reinforcing the idea that schools were not safe."

These were not easy realizations for Miguel to absorb. "Prior to getting out, I had a moment where I was in a vulnerable state, just really struggling," he writes. "I remember sitting down in my room and the only thing keeping me alive was my brain, thinking, "I hope I don't die."

The opportunity to reflect, however, "made me realize that I was ready for change, and ready to start investing in myself." Miguel shares that therapy also helped "me articulate my aspirations. Reflection and self-realization definitely contributed to my readiness" to leave behind his previous life and associations and prepare to engage in the world in a new way. "I backed away from some people and circumstances that weren't good for me."

Miguel then took advantage of opportunities to learn and find mentors. Those opportunities, however, almost didn't happen. Miguel had first been sentenced as an adult. Had that sentencing been irrevocable, he writes, "I would have been deprived of crucial resources, such as scholarships and access to a high school diploma completion program." His mother, though, was able to secure an attorney who got Miguel committed to the Department of Juvenile Justice instead of adult prison—which has made all the difference.

Along with therapy and personal work, he started enrolling in college courses, learning about vocational trades, and taking advantage of leadership programs. All of these areas "provided me with invaluable opportunities for skill development."

He also sought out friends who were "facing similar challenges and shared ambition for success upon re-entry," along with "mentors who could offer guidance and serve as positive role models."

"I know from my experience," writes Miguel, "that trauma and bad experiences lead to risky behaviors. And many youth

use substances to cope with existing trauma. So it's crucial for young people to have support systems that focus on healing methods to equip them to handle their emotions." His personal experiences in the juvenile justice system "taught me that young people need healing approaches that are tailored to their needs to help them reflect and learn about themselves."

Miguel's success story started inside juvenile detention and continues to this day. Inside the facility, he became "the lead laborer for the Inmate Ward Labor (IWL) program," which made it possible for him to save $5,000 "before I even got out." He earned $4,500 in scholarships from the Citizens Advisory Committee in Ventura County, which supported his educational goals. And when the filmmaker Scott Budnick visited the detention center, Miguel met Budnick, who connected Miguel with Assemblymember José Medina, "which led to a six-month internship upon my release."

In his current job, Miguel works to ensure that support systems are in place for youth detained in juvenile institutions. He also advocates for their "access to age-appropriate programs and resources for their holistic development." He also makes sure that these youth "have the opportunity to voice concerns about the adequacy of their treatment."

Not surprisingly, Miguel urges schools to use restorative justice practices in their approach to discipline. He is also a proponent of social-emotional learning (SEL). SEL programs, he writes, "teach us how to handle our emotions and deal with the challenges we face, which is especially important in communities under stress." He describes his past self "as a young brown Hispanic man growing up around gangs and drugs and feeling the pressures of a recession and neighborhood disinvestment." He believes that an SEL program in school could have made a significant difference in how he coped with adversity.

"Reflecting on my own school days," he writes, "I see a troubling pattern. Initially, I faced harsh discipline for minor infractions, like stealing books in third grade, which only escalated over time due to a lack of positive support at school and in other areas of life. This punitive approach ultimately led to more severe consequences by my sophomore year."

Punitive discipline practices, in Miguel's experience, "push students toward the school-to-prison pipeline. The most crucial thing schools can offer is a safe and supportive environment focused on restorative justice rather than punitive measures."

He adds, "It's important for all adults in schools to believe that every student can succeed—academically and in their future careers." ◄

Preventing Addiction and Supporting Recovery in Schools

Most adults who look back on their adolescence remember some kind of misbehavior—and even a few embarrassing mistakes. In fact, making mistakes during the pre-teen and teen years is developmentally normal, and at times even appropriate.[1] Most people grow up and grow out of whatever immature tendencies they had in their youth.

But for some, that misbehavior leads to involvement in the juvenile justice system. Oftentimes this involvement goes hand in hand with drug or alcohol use.[2]

Few would argue against the importance of supporting both the recovery of these young people and their smooth re-entry into their neighborhood public schools, whether they're transitioning from a recovery program or a court school. Most parents and educators understand the importance of guiding all young people toward not engaging in substance abuse in the first place, and recovery schools provide ideas for what this kind of guidance can look like.

Recovery High Schools

Since the late 1970s, recovery high schools have focused on creating a social and educational environment to support students with substance use issues to not use drugs or alcohol (i.e., stay "clean and sober")[3] while earning a high school diploma. These schools are not treatment programs, even though many of their students have been through treatment for addiction. The only requirement for attending a recovery school is the desire to stop "using." This single qualification turns out to be central to the success of these schools, as it creates a collective identity and exerts "this other type of peer pressure, a pressure not to use," says Andy Finch.

Finch is a professor of counseling at Vanderbilt University. He is also co-founder of the *Association of Recovery Schools*,[4] which was created in 2002 to support and inspire recovery schools across the country.[5]

At the same time, Finch would like to see less need for these schools. Public schools could help, he says, by effectively educating students about drugs and alcohol and by providing appropriate early identification and interventions when a student starts showing signs of drug or alcohol misuse.

Statistics for Juvenile Drug and Alcohol Use

- **Drug use went up by 61 percent among eighth graders between 2016 and 2020.**
- **Of teenagers in twelfth grade, 62 percent have abused alcohol.**
- **Fifty percent of teenagers have misused a drug at least once.**

—National Center for Drug Abuse Statistics. "Drug Use Among Youth: Facts and Statistics." *https://drugabusestatistics.org/teen-drug-use/*

Accurate Information

Fifty percent of 15-year-olds say they have tried alcohol. That number increases to almost 70 percent by the time students are seniors in high school, at which point 50 percent also will have experimented with illegal drugs, and "more than 20 percent will have used a prescription drug for a nonmedical purpose," according to the Substance Abuse and Mental Health Services Administration.[6]

Most kids will experiment and come to no harm. But some

1. Jiloha, R. C. (2017). Prevention, early intervention, and harm reduction of substance use in adolescents. *Indian Journal of Psychiatry, 59*(1): 111–118. *https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5418996/*
2. Mulvey, E. P., Schubert, C. A., & Chassin, L.. (2010). Substance use and delinquent behavior among serious adolescent offenders. *Juvenile Justice Bulletin*. U. S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. *https://www.ojp.gov/pdffiles1/ojjdp/232790.pdf*
3. Weimer, D. L., Moberg, D. P., French, F., Tanner-Smith, E. E., & Finch, A. J. (2019). Net benefits of Recovery High Schools: Higher cost but increased sobriety and increased probability of high school graduation. *Journal of Mental Health Policy and Economics, 22*(3), 109–120. *https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6901088/*
4. Read more about the Association of Recovery Schools at *https://recoveryschools.org/*
5. White, W. & Finch, A. (2006). The recovery school movement: Its history and future. *Counselor, 7*(2), 54–58. *https://www.chestnut.org/resources/f8fc9c19-3acc-460a-af0c-0f5069071e55/2006TheRecoverySchoolMovement.pdf*
6. Substance Abuse and Mental Health Services Administration (SAMHSA). *Why You Should Talk with Your Child About Alcohol and Other Drugs. https://www.samhsa.gov/sites/default/files/talk-with-your-child-about-alcohol-drugs.pdf*

will founder. In the face of these facts (see also sidebars), what can schools do to help those who are vulnerable?

Finch does not think that schools can solve every issue that students have, especially problems with drugs and alcohol, which, he says, often reflect a set of complicated factors that need specialized treatment. "But our schools have a very central role in the lives of our children. Teachers are with our kids seven, eight hours a day. They have a captive audience."

With this degree of influence, Finch would like to see schools "promoting realistic messages around alcohol and drugs, using real data and developmentally appropriate information," and "promoting healthy use strategies" (see sidebar). In effect, he would like to see every school adopt policies for "educational programming on alcohol and drugs" that begins as soon as children enter elementary school. This kind of information, says Finch, "is all that most kids will need" to avoid getting caught up in substance misuse and addiction.

Finch cautions against placing more burdens on teachers. "We shouldn't be expecting our teachers to be our interventionists or to be doing our screenings," he says. But he does recommend training teachers to be aware of the issues and the signs.

"Whether it's learning disabilities, mental health issues, trauma, or substance use issues, there are a lot of things that our teachers need to have an awareness of," says Finch. Being aware of drug and alcohol use, he says, and knowing what to do when they sense a problem can help start the process of getting a student back on a healthy trajectory—but it's only a first of several critical steps.

"Teachers need somebody in the building" who can respond to their concerns, "someone trained in alcohol and drug awareness issues," says Finch. This could be a school counselor, a social worker, or an alcohol and drug counselor. Once a teacher senses something out of order, the person with the specialized training can then take over.

"The reality," says Finch, "is that if kids are going to develop a problem—and some are—they're starting at a young age. Middle school is an appropriate time to start doing things like screening"—something that the trained referral person can

Deaths from Overdose

An average of 22 adolescents 14 to 18 years of age died in the United States each week in 2022 from drug overdoses, raising the death rate for this group to 5.2 per 100,000. The presence of fentanyl in counterfeit pills is the primary cause.

—UCLA Health. *https://www.uclahealth.org/news/release/about-22-high-school-age-adolescents-died-each-week#:~:text=An%20average%20of%2022%20adolescents,counterfeit%20pills%2C%20new%20research%20finds*

Healthy-Use Strategies from Andy Finch

Perhaps the healthiest use strategy is to delay the onset of using as long as possible to allow the brain to develop. But if a teenager is going to drink or use drugs, healthy use strategies involve such things as:

- **Being aware of what one is using (e.g., making sure nothing has been put into a drink or laced with fentanyl).**
- **Knowing how what you're using might affect you based on your biology (size, age, sex, etc.) and genetics.**
- **Moderating your use.**
- **Using in a safe setting and with supportive peers (to reduce risks of physical and sexual violence, theft, etc.).**
- **Making sure you have overdose protection (such as having Narcan nearby, fentanyl test strips, etc.).**
- **Being mindful of diet (such as having water available to hydrate and not drinking on an empty stomach).**
- **Having designated drivers.**
- **Having a way to leave a party or event if you don't feel safe or want to stop using or not use.**

Learn more about "harm reduction" strategies in the article "Developing Harm Reduction in the Context of Youth Substance Use: Insights from a Multi-site Qualitative Analysis of Young People's Harm Minimization Strategies," by Emily K. Jenkins, Allie Slemon, and Rebecca J. Haines-Saah, in Harm Reduction Journal 14(53).

conduct. "But a screening is only helpful if you then have the follow-up," says Finch. "You also need an administration and a school district that value the information" that a screening provides and then are willing to intervene as appropriate. "Committed leadership and a team approach in a school are essential for even these first two steps to happen." While Finch cautions that a screening is not a diagnosis, it can indicate whether a student is engaging in problematic drug or alcohol use.

In support of these efforts, Finch sees value in creating a place in school where students can receive counseling for their use. "For a large number of students, that's all it would take to bring awareness to a growing alcohol or drug issue and maybe even put them on a path to either not using or, if they are going to use, to do so more responsibly."

There will always be students "who need a more targeted message. Very few are going to require treatment, but you could do a lot with early intervention for kids who are developing problematic drug and alcohol use."

When students are found with drugs or alcohol in school, Finch would like to see the attitudes and responses that schools take "turned on their heads. Instead of seeing it as an infraction or a challenge, see it as a huge opportunity," he says. "You now can intervene early.[7] You could also be taking kids off the path of going to jail. "

"All of these things," he says, "are not lessons from recovery high schools but just lessons from what we know about what works in the field of substance use."

Keeping It Real

Regardless of the approach a school takes to addressing issues of drug and alcohol use, Finch advises everyone involved to be realistic about how adolescents recover from addiction. "We now know that addiction is a chronic relapsing condition," he says. "To expect someone who is 15 to not return to use after deciding to stop is probably unrealistic."

Zero-tolerance is one of the most harmful things we've had in our school system.

And whatever schools do with students who are found possessing or using drugs or alcohol, "do not," Finch says, "adopt a punitive strategy." Punitive responses to behavior—suspension and expulsion, for example, and zero tolerance policies—aren't beneficial to any student, "but especially around alcohol or drug abuse."

Other scholars agree. Russell Skiba, director of the Equity Project at Indiana University, writes in *The Failure of Zero Tolerance* that, "ironically, zero tolerance policies, once promoted as a solution to youth violence, have created a school to prison pipeline."[8]

Finch calls zero-tolerance "one of the most harmful things we've had in our school system. To throw a kid out of school for any length of time for an alcohol or drug infraction, you're basically kicking a kid out of their support system and giving them license to use more alcohol and drugs because they have a lot of down time. It's a very harmful approach."

Alex Duncan teaches at a recovery high school in Denver, Colorado. (According to the Association of Recovery Schools, at least 11 recovery high school operated in California between 1989 and 2019, but California currently has no school solely designated for students in recovery.) In Duncan's school—named 52809 for Denver's altitude—"we shy very far away from anything punitive." Instead, the school uses restorative justice practices, which Duncan describes as "the most important aspect of what we do."

Through these practices, he says, students are held accountable for their behavior. "We guide them in a way that helps them restore any relationships that were damaged from the harm that they caused."

Duncan sees profound value in living out the principle of

7. For early intervention strategies, see:
SAMHSA. (2021). *State Performance & Best Practices for the Prevention and Reduction of Underage Drinking 2020*. *https://www.samhsa.gov/resource/ebp/state-performance-best-practices-prevention-reduction-underage-drinking*; and
SAMHSA. (2021). *Preventing Marijuana Use Among Youth*. *https://www.samhsa.gov/resource/ebp/preventing-marijuana-use-among-youth*
8. Skiba, R. J. (2014). The failure of zero tolerance. *Reclaiming Children and Youth, 22*(4), 27–33. *https://eric.ed.gov/?id=EJ1038609*
9. 5280 High School. *https://www.5280highschool.org*

accountability—in having honest conversations, taking responsibility, standing in front of the person who was harmed or who did the harming. "Students here have a really high emotional intelligence," says Duncan, "because we teach them accountability."

Through restorative justice, the school also focuses on "whatever is happening that is causing the student to have this behavior," says Duncan. With some understanding of the causes, a school can provide the support the students need to recalibrate their thinking, develop healthy habits, and seek experiences that help them heal from their addiction.

A companion focus for many recovery schools is trauma. "We have students as young as twelve with substance abuse issues," says Duncan. "And you don't have these issues unless you have experienced trauma of some kind." Part of creating a healthy place for traumatized youth, he says, is providing professional development training for staff on how traumatized students act and how to respond.

"We have a high population of queer students," says Duncan. "That is a vulnerable group that is more susceptible to drug and alcohol use," as are students who have lived with racism. The school does "a lot of work educating our students and staff on queer topics, and we have affinity groups for anti-racist work."

Supporting Student Recovery in California

Using restorative justice practice, creating trauma-informed classrooms, providing education about and for vulnerable populations, maintaining personnel who are trained in addressing substance use issues—any school can adopt these prevention and response strategies. Not every school, however, can maintain a singular focus on sobriety in the way that recovery schools can.

"When you look at most school settings," says Finch, "kids are managing their use—drinking, smoking, whatever they're doing—and seem to be fine." This typical school setting, however, isn't going to provide "the safest peer group for the kids who need and want to stop using. The drug and alcohol focus of the [recovery] school seems to be really important. You need to create a milieu in which the students aren't actively using during the school day, aren't bringing drugs onto the campus, and are trying to stay sober when they go home." This milieu, says Finch, ensures that students "actually have people to hang out with"—a feature that is critically important, given the power of the peer group at this age. In a recovery school, says Duncan, "partying no longer means using."

While the economics may not make it possible for every community to have a recovery school set up exclusively for students who want to quit using drugs or alcohol, California's community school movement[10] may offer an opportunity to provide the kinds of support these students need within a junior high or high school setting. Finch believes that this model could create and contain an effective hybrid recovery school for students dealing with addiction. He imagines "a recovery high

10. For more information about community schools in California, go to *https://www.cde.ca.gov/ci/gs/hs/ccspp.asp*

school within a larger community school."

The host school, he says, would want to "build some boundaries between the kids who don't have a substance use disorder and the kids who do. But you could share staff. You could teach the first half of the day in one part of the building and the second half of the day in the other part. You could share a counselor and administrator." This way, he says, the students in recovery would "have their own space, their own schedule, their own program, without blending."

Community schools, says Finch, could also provide what he calls "a cascade of care." Through their partnerships with local agencies, these schools could offer outpatient treatment and substance use interventions on site during the school day or after school. This treatment could put students on the path to recovery, says Finch, at which point they could transition into the recovery high school that is part of the school. Then, if a student returns to active use after enrolling in the recovery school, "they could receive services on site from a local agency to get back on track with their recovery." These multi-levels of care, delivered seamlessly in the same setting, "could substantially impact substance use disorders and start erasing the school-to-prison pipeline."

The California Department of Education has, in addition to community schools, initiated and supported numerous other initiatives to prevent students from developing problems with substance use and to support those who are struggling with substance use issues. The state's recent commitments—to social and emotional learning,11 positive behavioral interventions and supports,12 a whole child model of instruction,13 and universal design for learning14—all can help to prevent addiction and to intervene early when there is a problem.

Ultimately, says Duncan, successful outcomes for students in recovery happen in a caring community. The degree to which California's schools can use the state's many initiatives to create responsive and caring communities may suggest a reliable formula for the school success of all students, including those in recovery. t

Additional Resources

"'Hard to Get Sober Young': Inside One of the Country's Few Recovery High Schools." Stephanie Daniels. 2023. KFF Health News. *https://kffhealthnews.org/news/article/teen-substance-misuse-recovery-schools-5280-high-school-denver/*

"High Schools for Addicts." Dylan Peers McCoy. May 11, 2016. *The Atlantic*. *https://www.theatlantic.com/education/archive/2016/05/high-schools-for-addicts/482214/*

11. The California Department of Education's approach to social-emotional learning is explained at *https://www.cde.ca.gov/ci/se/index.asp*
12. The scope of California's commitment to positive behavioral interventions and supports is shown at *https://www.cde.ca.gov/fg/fo/profile.asp?id=6230*
13. Learn more about California's whole-child model of instruction at *https://www.cde.ca.gov/eo/in/onesystem.asp*
14. See *Empowering Universal Design for Learning in California*, by the California Collaborative for Educational Excellence, at *https://ccee-ca.org/enhancing-capacity-and-coherence-for-implementation-of-universal-design-for-learning-in-california/*

Making Kindness the Norm

For students with disabilities, students of color, and students who have experienced trauma, patterns of exclusionary discipline are often set early in their school career.

Anything that pulls a student out of a classroom—from out-of-school suspensions or expulsion, to time-outs and trips to the principal's office—disrupts learning and can lead to further negative interactions with school. It is the responsibility of adults to break the pattern, and kindness is a good place to start.

Behavior Is Communication

Figuring out the reasons behind a child's disruptive behavior in the classroom is key to identifying an appropriate response. If teachers and administrators see all behavior as communication, they can work with families to mitigate problem behavior and build the protective factors to help students succeed.

Heather Snipes is now a program support specialist for the Supporting Inclusive Practices (SIP) project, which provides statewide technical assistance on inclusive and equitable practices. She started her career, however, in the early childhood classroom. From those teaching days, she remembers a two-year old student in a beginning preschool class who communicated loud and clear—through biting. "She bit me many times, and she bit others many times, and there were so many opportunities for the teachers to say, 'This isn't working for me. She's got to go.'"

But Snipes set aside her adult needs and focused on the child. This required relinquishing some control. She chose to be the student's companion at nap times, helping the two-year-old regulate her emotions and remain still by rubbing her back. "It really helped build a relationship, and she started to trust me."

They started to talk. "I'd tell her, 'You know you bit me earlier today, and it really hurt. We're not going to do that again,' and we talked about alternatives." Eventually Snipes started to recognize when the student was feeling the need to bite, and she intervened with kindness and understanding.

When you lead with kindness, says Snipes, "you really do eliminate the times when you might exclude a child. It's a lot easier to look at the solution when you are coming at it with a strengths-based approach."

The Numbers

Students with disabilities—including those with attention deficit disorder, attention deficit hyperactivity disorder, or documented behavioral or conduct problems—are much more likely to experience exclusionary discipline. In one study, parents of children with autism reported that one out of six had been expelled from a preschool or child-care setting prior to elementary school.

Behavioral problems in the classroom also can be signs of trauma or defense mechanisms learned in response to unsafe environments. Teachers who observe signs of hunger, child abuse, alcohol or other drug abuse, or learning disabilities have a chance to intervene in a positive way.

Monica Borunda, a licensed marriage and family therapist in Glendale who specializes in early developmental trauma, says we need to shift the way we think about students who may be acting out.

"Having someone who is on your side, who takes the time to get to know you, believes in you and cares

about you—this is a basic need, just like food, clothing, and shelter. And many kids today are reporting that they do not have an adult like this in their lives," Borunda says. "If we could have a little more compassion and curiosity when we encounter a challenging kid, then we're more likely to be able to connect and ask questions."

Discipline is also applied disproportionally to children of color, often in response to relatively minor infractions. Equipping teachers and administrators with tools to recognize their own vulnerable decision points—moments when they are more likely to be influenced by their unconscious bias—can lead to more thoughtful interventions when problem behavior arises. The opportunity to develop positive behaviors is the foundation for preventing youth crime and violence.

Snipes points out that even "soft" expulsions can be detrimental, though they may be well-intentioned. "You can put a cute label on it and call the parents to say 'so-and-so is extra tired today,'" and ask the parent to come and get the child. "But in reality, you are suspending the child for the day. The second you exclude a child from a setting, you're creating an experience in which they feel they don't belong," she says, and that normalizes exclusion for the child.

Educator Training

Educators must work to build protective factors rather than punishment if they want to disrupt the patterns that lead some kids from the principal's office to juvenile hall. Developing positive school climates and early learning environments while improving disciplinary policies and practices starts with an investment in the educator workforce.

Snipes believes that the solution begins with teacher preparation programs, community college classes, and credential programs—anywhere adults are learning how to become educators.

She says these programs need to embed concepts such as Positive Behavioral Interventions and Supports (PBIS), a multi-tiered framework for supporting students' behavioral, academic, social, emotional, and mental health; and Universal Design for Learning (UDL), a teaching approach that works to accommodate the needs and abilities of all learners, eliminates unnecessary hurdles in the learning process, and has been proven to help educators avoid exclusionary discipline.

The second you exclude a child from a setting, you're creating an experience in which they feel they don't belong.

In a PBIS context, "It makes it a lot easier to do those Tier 2 and Tier 3 supports when teachers have the Tier 1 supports embedded in a strong way," says Snipes. "It takes work off everyone's shoulders in the long run."

Snipes likes the metaphor of the 7/10 split in bowling used by Dr. Shelley Moore. The idea is to design your program to include those on the margin, rather than aiming for the middle. This approach is the heart of UDL.

"Before you even meet your kids you should have certain things in place that are going to support that kid who needs an alternative to 'criss-cross-applesauce' sitting during circle time, for example," Snipes says. "Realizing a child can get just as much from a lesson standing, rocking, or lying down often results in a deeper level of engagement—and lower levels of stress—for everyone."

Intervene early and plan carefully to present a welcoming environment for all students from the start, says Snipes, because exclusion begets exclusion.

The Harder Road

In a 2015 study of incarcerated youth in Los Angeles, adolescents contrasted the path through school with the path to jail, reporting that the path to jail felt easier.

Elizabeth Vermilyea, deputy director of Child Parent Institute (CPI) in Santa Rosa, believes educators must increase the pathways for students to succeed in school. "It can be circuitous, it can be challenging, but there's always a way through." CPI operates a nonpublic school serving students from grades 5–12, all of whom are referred through the Individualized Education Program (IEP) process.

Vermilyea encourages teachers and staff to treat students "like

human beings who matter to us, especially when they are in distress or acting out."

She says that exclusion can take several forms: physical, emotional, or attentional—and each one looks different. But they all convey that adults are not going to help, which can lead to further dysregulation for the student. "When we take time to be real with students, they can tell we're sincere," she says. "It makes a huge difference."

Vermilyea cautions against zero tolerance policies "because if you get caught, you are out and your life is over. Ruined." Instead, she encourages connecting with the student and with the rest of the school team. "When kids see that the team is connected and mutually supportive and attached to each other, then they feel safer. And when they feel safer, they act out less."

She points out that a lot of youth are responding directly to the failure of adults to protect them. This might include problems at home that have led to involvement with the child welfare system, which is then correlated with justice involvement, and is also disproportionally applied to children who are Black, Native American, and low income.

And lastly, she urges educators to not let fear guide their actions. One of the things schools struggle with is seeing liability before they see a child, and she thinks this overly cautious approach only leads to more liability.

Recognizing the Signs

Recognizing the signs of stress and trauma in students is key. From her experience as a therapist, Borunda says that educators should pay attention to any extremes in behavior, from aggression and bullying, to withdrawal, isolation, or lack of eye contact. She says other signs can be excessive absences without explanation, or continual tardiness, or stealing. She urges educators to be curious about what may be going on behind the scenes. In interactions with struggling students, she counsels adults to "be a nice, decent human without judgment. You can say 'I've noticed you've been late every day since the school year started. I'm wondering what's going on.'"

A lot of youth are responding directly to the failure of adults to protect them.

She encourages educators to be most kind to the ones who might seem most difficult to connect with, just as Snipes was with her two-year-old student. "That's probably the kid who needs a warm, nurturing adult the most," Borunda says.

Trauma-Informed

A trauma-informed approach, Vermilyea says, considers the whole child and sees their vulnerabilities as strengths. "The student who is unsheltered, or who has been in a car all night driving around avoiding a domestic violence scene at home, is without their basic needs." She points to Bruce Perry's neurosequential model1 and urges educators to use it to help students succeed "at every level."

We also know that no single factor can explain why an individual may experience negative outcomes such as delinquency. That makes it all the more important for everyone, from educators to community members, to intervene and support kids as much as possible.

Teachers may not always know when they have made the difference for a child, but Snipes got that opportunity with the two-year-old who had bit her.

Recently, she got a call from that same child who is now 17 and who wanted to share her location with Snipes through her smartphone. She told Snipes "We're basically family—you've known me since I was two.'"

Snipes had been the trusted adult that the child needed. And it all began with kindness. ◄

Additional Resources

American Psychological Association (2012). Resilience guide for parents and teachers. https://www.apa.org/topics/resilience/guide-parents-teachers

Glenn, Jonathan (2019). Resilience Matters: Examining the School to Prison Pipeline through the Lens of School-based Problem Behaviors. Justice Policy Journal. *https://www.cjcj.org/media/import/documents/resilience_matters_school_to_prison_pipeline_school_based_behavior_problems.pdf*

1. Learn more about Bruce Perry's neurosequential model of therapeutics at *https://www.bdperry.com*.

Creating a Way Out: The Road to Success Academy

The Empire State Building is taking shape. The base has been laid, and the walls have begun to climb. When finished, it will be an exactly-to-scale, six-foot replica of the famous skyscraper. This is a school project, and the scale model is the student's way of showing what he has learned in class. What's unexpected is that the school is part of a secure juvenile detention facility run by the Los Angeles County Probation Department, and the budding architect is a high school student who is incarcerated there.

This is Road to Success Academy (RTSA), an innovative approach to education for incarcerated youth that combines a California standards-based curriculum with social-emotional learning. Developed by the Los Angeles County Office of Education (LACOE), the school aims to change the academic and personal trajectory of youth, including students with disabilities, by engaging them in learning that is relevant to their own experiences and empowering them to make positive changes in their lives. An RTSA school is a place where the students are seen as "at-promise youth" rather than "at-risk," and as learners rather than inmates.

RTSA schools span the county—from secure facilities like Barry J. Nidorf (BJN) in Sylmar, where most of the incarcerated youth are serving seven-year sentences, to facilities like Camps Glenn Rockey and Afflerbaugh, nestled high in the forested hills above LaVerne, where the average stay is five months.

Academic Component

The guiding philosophy of an RTSA education is three-pronged: Thematic, Interdisciplinary, and Project-based (TIP). Student lessons are built around the themes of discovery, empowerment, transformation, and resilience—"the journey we want to take them through," says Diana Velasquez, executive director of educational programs at LACOE. "Students reflect on the themes through the content of their classes."

With Universal Design for Learning (UDL) in all classrooms, students are able to show what they have learned in individual, creative ways, like building a scale model of the Empire State Building. "We were in the midst of teaching The Roaring '20s," says Charlie Phelps, a history teacher at BJN. As part of a unit on empowerment, the class was answering the question, "What did empowerment or the lack of it look like for nations around the world in the aftermath of World War I?" In America, it was a time when many skyscrapers were rising.

As a teacher, Phelps says, "you look for what the students gravitate to" in the lessons. The Empire State Building project was inspired, he says, when he sat down with the student "and I learned that his favorite subject was math and that he wanted to get into engineering and construction. So why not build the Empire State Building?" The student studied the skyscraper in detail and worked with his math teacher, Jay Chandi, to calculate the right measurements for his scale model.

Walk into classrooms at BJN or Rockey and Afflerbaugh and you might see a life-size clay sculpture of an iguana and listen as the student-sculptor eagerly tells you everything he has learned about iguanas in science class. You might see an ant farm and hear the student

who built it talk about how the ants work together on the farm. Or you may watch as another student plays the video he made to show the perseverance and resilience needed to become an astronaut. You can even pick up a copy of "Z News," a slick, student-authored publication that includes articles on Russia's invasion of Ukraine and the birth of imperialism.

Even within the shorter times that students are at Glenn Rockey and Afflerbaugh, "We plant seeds," says Principal Susan Brannen-Sarrategui. "We show them some things they can use in life and in a career." Regular career fairs are held at the facilities, "and most students will hit one," she says. A recent fair included representatives from Long Beach City College, the U.S. Army, and the Carpenters Union.

As they do their classwork, many students are also acquiring credits toward a high school diploma. BJN Principal Bridget Whitaker says she has seen a recent uptick in graduates. LACOE holds a traditional annual graduation ceremony for any student who earned a diploma during the past 12 months. It's held at Disney Hall, home of the Los Angeles Philharmonic.

After graduation, RTSA students may attend optional online classes at local community colleges, and several have earned AA degrees. "The academic pipeline is there for those who want to follow it," Whitaker says.

Social-emotional Competence

"One of the things we know when it comes to teaching children who are justice involved is that they've experienced some unique life challenges," says LACOE Superintendent Debra Duardo. "I'd say 100 percent of them have experienced trauma simply from the fact that they've been separated from their family, their community.

Thematic Units: Road to Success Academy

"To teach children who've experienced a lot of trauma—actually, to teach any child—you have to make it relevant," Duardo says. "You have to ensure that they are going to be engaged. They have to feel that you care about them and their unique experiences. And in the end, they have to trust you."

At an RTSA school, the social-emotional component often takes priority when the youth first enter the facility. "Some of the students are so disengaged from learning that academics initially have to take a back seat," says school psychologist Chris Morales. "Rather than going over the rules and policies, it starts with them being able to trust you, to know that you are there as a human person they can talk to. They haven't established connections with adults; as a school community we give them that attachment." Morales says he often asks a new student to share a story, to "tell me how I can learn what works for you."

Staff, he says, "is trained so we know how to look at them through a trauma lens, to recognize when something is bothering them, to ask what's going on, and to listen to them."

Morales had his own involvement in the juvenile justice system as a youth. He knows how education changed his life, and he brings that perspective to his work with incarcerated youth, focusing primarily on students with disabilities. "It's important that students have a voice and the power to say, 'This is what I want to learn.'" Morales and Wellness Coordinator Stephanie John conduct wellness circles where youth deal with such questions as What's your greatest fear? or What motivates you?

Students might write about how they feel that day or reflect on a positive moment they experienced in class.

Project-based learning is particularly supportive of social-emotional learning. When students are involved in this approach, Morales says, "they collaborate on a project, they learn how to interact, to socialize as human beings."

History

The county is required to provide compulsory public education for incarcerated juveniles. Before the first Road to Success Academy opened in September 2010, juvenile justice schools "were more concerned about safety" than education, says Constance Nwanze, former RTSA coordinator, "and the level of student engagement was very low."

"We knew we had to do something," Velasquez recalls. A pilot committee organized by LACOE and co-chaired by Velasquez decided to focus on developing a new model of

A Voice from Inside

Let's call him Juan—which is not his real name.

He's wearing gray, elastic-waist pants and a white, lightweight sweatshirt, the standard uniform for a student at Road to Success Academy.

He's been here at this school in a juvenile court facility in Los Angeles County for two years, and he is not the same young man he was two years ago.

He knows that.

His mother knows that.

The school psychologist knows that.

A one-time high school dropout, Juan says he "started taking things seriously" at RTSA. "Here they push you to do the work, to know that school is important."

And to see a future.

Juan has earned a high school diploma during his time at the academy, and he is now taking online classes in Chicano studies at a community college. "I want to get an AA degree; I think it will help me in a lot of jobs," he says. He even knows the job he will seek. "I want to be an electrician," he says, "because a lot more cars are going to be electric."

Two programs at the facility have been key to Juan's journey.

A Victim Awareness program run by a community-based organization "opened our eyes to the trauma and hurt we caused our victims," he says. "It showed us that our actions have consequences." And a dog training program at the facility "taught me a lot of patience," he says. "They are homeless dogs, and once we train them, they are adopted." Before then, he says, "I show them a lot of affection."

It was a history class on The Gilded Age that first sparked Juan's interest in his studies. During this class he realized that, while there was fabulous wealth for a few then, "the poor didn't have any rights," he says, "so I wrote a little speech" as a class project. He delivered that speech on civil rights and empowerment—and how to have a voice—in front of officials from the county department of justice.

Two people have closely watched Juan's journey.

"He was stuck in the middle of change from a gang lifestyle to a focus on himself," says Chris Morales, a psychologist at the facility. "Through conversations, motivational interviews, I could start to see the self-awareness. And I saw him in class. He was respectful, seeking guidance and coaching."

"I've seen a big change," says Juan's mother. "He's more outgoing, more positive. It's the programming there." She cites the dog training, which, she says, "gives them a feeling of being useful." A regular visitor to the facility, she also attends events like a Mother's Day brunch. "It was the first time in two years that I sat with my son for a meal," she says. "It was just like home."

education at a juvenile detention camp for girls, with the hope that the model could be expanded to other court schools. Committee members included representatives of the camp staff, the teachers' union, the Probation Department, the County Department of Mental Health, and local community organizations.

After nearly a year of research and travel to observe other programs, committee members decided to create their own. "We knew the girls had so many needs and we would have to address their emotional as well as academic needs," Velasquez says. "That's when we came up with TIP: our lessons would be thematic, interdisciplinary, and project-based. And we would provide content through a social-emotional lens."

The girls quickly embraced the program and even chose "Road to Success Academy" as the school's name.

RTSA was a major change for all the stakeholders. There may have been initial pushback that comes with any change, "but there was less resistance because everyone was included on the planning committee," Velasquez says. Many long-term teachers welcomed the new approach.

Charlie Phelps says his teaching career began at a college prep school, but when he started to work as a substitute teacher in juvenile detention facilities, "I found my calling. These kids haven't had the successes in school; their victories mean so much. You give them a seed, and they turn it into a plant that is meaningful to them."

Adds Ty Rastendiek, a math and science teacher at Camp Glenn Rockey, "If I can give them their first positive experience of school, that's great."

Over the years, RTSA has expanded to 13 juvenile court schools. Today it operates at seven sites, as fewer youth are being referred to detention.

Special Education

More than a third of the students in RTSA schools are students with disabilities, a considerably higher percentage than in the general school population. All have mild-to-moderate disabilities and are fully integrated into all classes. Staff know which students have Individualized Education Programs (IEPs), but "the kids don't know, unless they self-identify," says Principal Whitaker.

Full inclusion was another change for long-term court school staff. Phelps, who is project lead at BJN, says, "I worked with the special education teachers to build an inclusion model." Now general and special education staff teach together, and both work with all students.

"Within the first few days of a student's arrival we get an IEP and list of accommodations," Phelps says. Every teacher has electronic access to the "IEP at a glance" which describes the student's eligibility for special education services, his goals, and any needed accommodations. With a continuous flow of students entering the facilities, IEPs are being written year-round.

Scott Aalund is a special education teacher at BJN. He tells of one of his students in an economics class who wanted to own his own business, a tattoo parlor. "The kid was trying to be a leader of the pack in a negative way, and I said to myself, 'I gotta hook this kid," Aalund recalls. "Kids can tell when you're interested in teaching them. He became a good student." The student designed a logo for the business and a PowerPoint presentation on how to build a company.

Kids can sense a teacher's interest. Speaking of one of his teachers, a 17-year-old student says, "He knew I was capable of doing better. It made me work harder. You can't do it by yourself. You build relationships here. They care about how you feel."

Evaluation

The Center for the Transformation of Schools at the University of California Los Angeles studied the Road to Success Academy model at two juvenile justice schools. The center's 2022 report, "Centering Care and Engagement," is based on data, classroom observations, and student interviews gathered prior to the onset of the Covid-19 pandemic. It concluded that "the designers of RTSA took some of the most innovative, research-based educational practices centered on student engagement and created a model that shows great promise for elevating educational delivery in the juvenile justice system."

Angela James was the principal writer of the report. "Overall," she says, "the model has enormous potential." The report found high levels of student engagement and excitement about their projects. "It is important to listen to the young people who say that they were getting something here that is impactful," James says. But she also says that implementation challenges remain, including the need for "intentional accountability measures for this population." The report found "modest gains" in reading among RTSA students but noted the difficulty of assessing such a transient population.

"We continue to try to improve the data," Velasquez says. "The data we capture now is traditional school data, but it's not built for this population because some students leave so quickly." LACOE's 2022–23 annual report also shows modest gains in reading as well as math scores on California Standardized Testing and Reporting (STAR) tests among students in its juvenile court schools.

The UCLA report urged greater coordination with the county's mental health and probation departments. Velasquez says LACOE is "trying to have more interagency meetings, especially with mental health," but that "probation's support of the RTSA model is very organic." Probation officers are a constant presence at the facilities and in the schools. Officers escort the youth from their dormitories to class and are present in the classrooms. Officers who see positive outcomes for the students, "become involved themselves," even contributing to the lesson," she says. "It's extremely valuable when that happens."

Sharing the Model

"In 2010 we were ahead of the game," says Velasquez. "LACOE was a leader in the state and the nation, and educators came to observe our program."

Today, Duardo says, "We do a lot of professional development with all 80 districts [in Los Angeles County], and we share the RTSA model as a model that works really well, not just with incarcerated youth but also with other vulnerable youth," including students with disabilities.

At the request of the Palmdale Unified School District, which was trying to implement ways to better engage its special education population, Constance Nwanze is showing staff at an elementary school how RTSA can engage students with disabilities. "We said, 'Teach your curriculum, but teach it in a different way,'" says Nwanze. "The teachers were willing to try something new, and we did six months of intensive training."

The classes at Palmdale followed the same project-based, academic/social-emotional nexus that defines RTSA in carceral settings. "People don't think kids in elementary school can do this," Nwanze says, "but they are participating; they are doing projects."

"And now," Velasaquez adds, "the middle school wants to do this, too, and the superintendent is very supportive." For RTSA to take hold more broadly in noncarceral settings, she says, "we would need site administrators who believe in this model, or it would be an uphill battle. But if we could do some disruption of the pipeline in elementary and middle school, we won't see the numbers in our juvenile facilities."

Disrupting the school-to-prison pipeline is the ultimate goal, Duardo says. Many young people are incarcerated, she says, "because we have let them down. As a society, as a community, we have not identified these families early and provided needed resources and supports." When those needs are unmet, she says, "is when we see the students who ultimately end up incarcerated." Identification and support should begin in early childhood education, she says, followed by K–12 community schools that offer onsite services and support for students and families, "and then have strong, engaging instruction models for those kids who do end up incarcerated.

"We can help at every level." ◄

From Incarceration to Education

By David Muhammad, Executive Director of the National Institute for Criminal Justice Reform (NICJR) and a leader in the fields of criminal justice, violence prevention, and youth development for more than two decades.

Children land in juvenile detention facilities for countless reasons. Their risk factors for getting there are easy to list: low socioeconomic status, substance misuse, abusive parents, school failure, bullying from peers, neighborhood violence, gang membership, trauma, exposure to violence, and weak social ties, among others.[1]

When these students "re-enter" their communities after time in juvenile detention, most will face even more obstacles, not the least of which are educational. In their time away from their neighborhood schools, many have fallen further behind academically, which can lead to deeper entrenchment into the justice system.

This vicious cycle is particularly acute for youth with special education needs. According to the National Center on Learning Disabilities, these students come into the system already underserved or disconnected, and they can "easily find themselves with compounded academic challenges after their time in a correctional facility and may quickly fall behind."[2] Again.

Juvenile detention facilities could be great places for youth to advance their education. While many of these young people are struggling and vulnerable, it is that very vulnerability that can make them receptive to positive influences and learning. The reality, though, often falls short of the promise. Despite the compulsory nature of education within these facilities, insufficient resources and a punitive rather than supportive approach only serves to hamper efforts to address the educational needs of incarcerated youth.

David Muhammad

Most states claim that the purpose of the juvenile system is to rehabilitate youth. However, a report from the National Institutes of Health offers a counter claim that the "inadequacy of various services in juvenile justice settings still persists due to the lack of social consensus around the role and philosophy of juvenile justice agencies. . . . In some instances, the goal is not rehabilitation but control through punishment—to teach them a lesson. Therefore, relatively few resources are devoted to addressing the mental health and educational needs of justice-involved youth."[3] EdSource recently reported that high school students typically leave court schools reading at grade-school levels.4

California

Many factors contribute to a student's educational success, including varying abilities and access throughout a youth's life. California's juvenile justice system has also come under scrutiny for its failure to adequately address the educational needs of incarcerated youth. Reports have highlighted the poor state of education within the state's court schools, with many failing to provide even basic levels of instruction. According to a report by the national Youth Law Center:

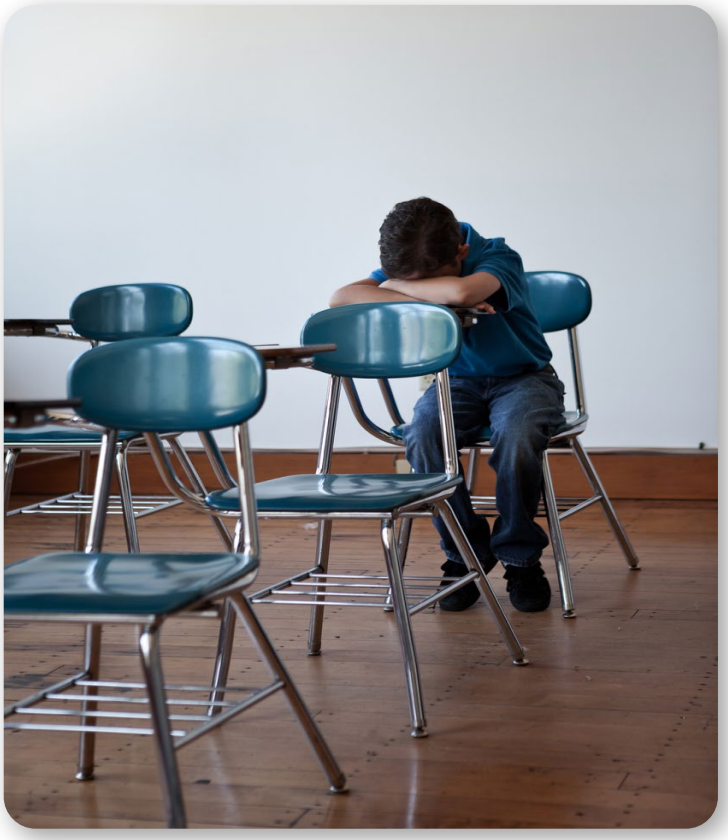
1. American University. (2021). Who is Most Affected by the School to Prison Pipeline? *https://soeonline.american.edu/blog/school-to-prison-pipeline/#:~:text=Additionally%2C%20Black%20students%20are%20more,than%20that%20of%20white%20students*
2. Snydman, J. (2022). *Unlocking futures: Youth with learning disabilities and the juvenile justice system*. Washington, DC: National Center for Learning Disabilities, p. 18. *https://ncld.org/wp-content/uploads/2023/08/NCLD-Unlocking-Futures-Final-7th-Dec-Updated-.pdf*
3. Kim, B. E., Johnson, J., Rhinehart, L., Logan-Greene, P., Lomeli, J., & Nurius, P. S. (2021). The school-to-prison pipeline for probation youth with special education needs. T*he American Journal of Orthopsychiatry*, 91(3), 375–385.
4. Marquez, R. B., & Willis, D. J. (2023). In California's youth justice system, many high schoolers graduate with grade-school reading skills. EdSource. *https://edsource.org/2023/in-californias-youth-justice-system-high-school-graduates-with-grade-school-reading-skills/688955*

"This system takes in some of the most challenged youth in our communities and promises to provide them treatment, care, guidance, rehabilitation, and a better path forward. . . . But rather than lifting youth up, the juvenile justice system's 'court schools' provide a fast-track to dismal outcomes. Where they should be pushing youth toward a diploma and higher education or career training, many court schools are not providing even the most basic level of education to the youth in their charge."[5]

Legislative Efforts

People are working hard to improve education within court schools. In 2023, the California School Boards Association (CSBA), California County Superintendents, and the Los Angeles County Office of Education (LACOE) sponsored Assembly Bill 906, which would have increased the base level of funding for the educational services provided in these schools. While AB 906 failed to be heard in the 2023 legislative session, the bill's sponsors "will continue to advocate for greater support of students in juvenile court and county community schools through the education budget trailer bill process."[6]

Efforts to break patterns of recidivism have been somewhat more successful. In the mid 2010s, 16 counties in California made a commitment to strengthening transition processes for those students leaving court schools and re-entering their neighborhood schools. These counties employed "transition specialists" to work with the students, coordinate assessments, verify records, compile and evaluate transcripts, and plan for transition to community schools.[7] Some counties even have transition centers where re-entry specialists assist with transition.[8]



More recent legislation in California recognized that, despite these efforts, the state was still falling short in terms of transition planning. In 2019, Assembly Bill 1354 delineated specific requirements to rectify the failings. In the wake of this bill, the juvenile justice system now must collaborate with the youth's home school; engage in transition planning; share records, including Individualized Education Program plans (IEPs) for students eligible for special education; and transfer credits from court schools.9 By prioritizing reintegration into community schools and addressing educational needs, transition planning offers a pathway to stability and success.

Transition planning, however, cannot be just a box-checking exercise. It must be individualized and strategic, with diligent follow-

5. Youth Law Center. (2016). *Educational injustice: Barriers to achievement and higher Education for youth in California juvenile court schools.* *https://ylc.org/wp-content/uploads/2019/05/EDUCATIONAL-INJUSTICE.pdf*
6. LACOE. (2023). Fight to Better Support Students in California's Juvenile Court and County Community Schools. *https://www.lacoe.edu/news/2023-04-26-support-juvenile-court-county-community-schools*
7. Collier, M. (2016). Counties turn to 'transition specialists' to help students in court schools succeed. EdSource. *https://edsource.org/2016/counties-turn-to-transition-specialists-to-help-students-in-court-schools-succeed/568940*
8. Collier, 2016.
9. California Legislative Information. Assembly Bill No. 1354: Juvenile court school pupils: Joint transition planning policy: Individualized transition plan. *https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1354*

up to ensure full implementation. Transition planning must start the moment a youth enters detention and must continue beyond physical exit from the facility. The transition isn't just about the planning, it's about the implementation.

Alameda County provides one model of this kind of diligence and success. In 2010, Alameda's Health and Care Services department, the county's Probation Department, and the Oakland Unified School District began working together to open an innovative Transition Center.[10] The City of Oakland later joined the partnership. As a result of this collaboration, all youth released from juvenile hall go through the Transition Center, where they receive any follow-up medical support, are assigned their probation officer, and are given information about their next court hearing.[11]

Perhaps more importantly, half of the youth who are being released to the city of Oakland are enrolled in school before leaving juvenile hall. The youth are also connected to a life coach from a community-based organization before they are released—a service funded by the city. This coordinated approach to transition planning serves as a model for other counties. An external evaluation found that youth who were connected to life coaches had reduced drop-out rates and reduced arrests in the first 12 months after release.[12]

Conclusion

Senate Bill 823 was an important step in the state's effort to better serve incarcerated youth. Passed in 2020, this legislation required California's Department of Juvenile Justice facilities to close by 2023 "and instead provides resources to counties for supervision and service delivery to youth in conflict with the law." The goal was to create safe rehabilitation facilities and services that focus on recovery, repair, and reintegration.

A commitment to successfully rehabilitate youth and reintegrate them into their neighborhood schools and communities can significantly change life trajectories and provide opportunities that lead to futures free of incarceration. Breaking the cycle, however, requires a commitment from numerous sectors—education, justice, and community stakeholders—along with a coordinated effort to provide comprehensive services.

Whether or not schools and juvenile justice settings hold this commitment will directly influence whether students become trapped in a cycle of recidivism or are able to find their footing outside of the legal system. The efficacy of California's legislative efforts to improve outcomes for all justice-involved youth remains to be seen. So much more can be done to take students off the School-to-Prison Pipeline and put them on the Detention-to-Education pipeline. ◀

10. Márquez Rosales, B. (2023). Collaboration at center of keeping students in school after juvenile detention. EdSource. *https://edsource.org/2023/collaboration-at-center-of-keeping-students-in-school-after-juvenile-detention/687597*
11. See Alameda County's Annual Plan at *https://bscc.ca.gov/wp-content/uploads/Alameda-2022-2023-Annual-Plan.pdf*
12. Oakland Unified School District. (2018). Oakland Unite 2017–2018 Strategy Evaluation: Life Coaching and Employment and Education Support for Youth at Risk of Violence. Mathematica. *https://www.mathematica.org/publications/oakland-unite-2017-2018-strategy-evaluation-life-coaching-and-employment-and-education-support*

Rising Scholars: A Path from Incarceration to Higher Education

By Nell Bernstein, former Soros Justice Media Fellow, winner of a White House Champion of Change award, and author of Burning Down the House: The End of Juvenile Prison *and* All Alone in the World: Children of the Incarcerated.

One of the first things MJ Hart does when they meet a student making the difficult journey from juvenile hall to a college campus is ask if the student has been tested for learning disabilities.

Hart, who uses the pronouns "they" and "them," isn't making assumptions. Instead, they are drawing from personal experience. They spent their adolescence in and out of juvenile detention—bouncing between court schools and community schools—while nobody noticed their dyslexia and dysgraphia. Though signs of learning disabilities were there, Hart was never evaluated for the IEP one teacher had recommended. After they were sent to juvenile hall, "my IEP was never processed, and I was forgotten in the system," they said.

Years later, Hart enrolled at Foothill College in Los Altos, where, by chance, they got a job working at the front desk of the Disability Resource Center coordinating screening tests. One day they left a hand-written note on the door of the person who administered the tests. Seeing something in the note, the administrator approached Hart the next day and asked whether they had a learning disability. When Hart said they didn't know, the administrator suggested they get screened. Only then, said Hart, "did I become aware of my diverse abilities and begin receiving the support I needed and deserved. This experience was crucial in developing my confidence and shifting my consciousness around mental health and equity in support services and education."

MJ Hart

Once they got the supports and accommodations they needed, Hart began to flourish academically. They transferred to UC Santa Cruz and graduated in 2020. The educational needs that weren't addressed during their years in detention, however, made that journey harder than necessary. Now Hart wants to make sure nothing similar happens to the young people coming up behind them. As the project coordinator for the Pathways to Education project at the Youth Law Center in San Francisco, Hart supports a statewide leadership cohort of formerly incarcerated college students who are attending college with the support of the Rising Scholars Network, a consortium of community colleges across California dedicated to opening opportunities and supporting academic achievement for students who have experienced the juvenile and/or criminal justice systems.

The goal, Hart said, is for every young person who has contact with the juvenile justice system to have the chance to make the transition to college in an environment where their unique educational needs are not only recognized but met. That's a lot more likely now, thanks to this Rising Scholars Network, which is currently rolling out at community colleges across California.

In 2022, Governor Gavin Newsom allocated $15 million in the state budget for as many as 45 community colleges to participate in the network, which links juvenile halls with community colleges to support students making the transition. An initiative of the California Community Colleges Chancellor's Office, the Rising Scholars Network now includes 400 practitioners from 75 community colleges.

Based on the award-winning Project Change—a decade-long collaboration between the San Mateo County Community College District and that county's Youth Services Center, which houses detained youth—the Rising Scholars model includes dual-enrollment classes that allow incarcerated teenagers to obtain college and high school credit simultaneously. It also offers a robust network of support to those students who go on to enroll in community college in person.

The statewide expansion of the Rising Scholars model is "a huge, historic move for California," said Katie Bliss, higher education coordinator for the state at the Youth Law Center. Bliss spent time in the San Mateo juvenile hall as a teenager, then went on to launch Project Change in 2015 while teaching English at the College of San Mateo.

"For too long, young people who are impacted by the juvenile justice system—which includes many young people with disabilities—have not been viewed as college material," Bliss said, and no clear academic pathway was available to them.

When she was in juvenile hall in the early 2000s, "you had to fight just to get your high school diploma. It's powerful to see that turning around. There isn't any other state in the country that has invested this kind of funding in higher education for this population."

Students with disabilities have long been over-represented in juvenile detention centers. According to a 2023 report from the Youth Law Center, students with disabilities comprise nearly 30 percent of those enrolled in court schools, more than twice the number in the general California public school population. And youth in court schools are well behind their peers in terms of educational attainment. During the 2021–2022 school year, nearly 62 percent of students at even the best performing juvenile court school failed to meet the California Assessment of Student Performance and Progress English language arts/literacy (CAASPP ELA) standard, and more than 86 percent failed to meet the CAASPP mathematics standard.

Katie Bliss

Students with disabilities are often overlooked once they become involved with the youth justice system, Bliss said. When young people bounce back and forth between court and community schools, IEPs can get lost in the shuffle. Even if the paperwork does make it to a detention facility, such accommodations as additional materials or extended time for testing are difficult to provide inside these often understaffed facilities. For this and numerous other reasons, many justice-involved youth do not graduate from high school.

Rising Scholars aims to change this. Inside juvenile detention centers, the program offers dual-enrollment classes that allow students to catch up on high school credits while also getting a head start on college. Liaisons from the community colleges coordinate with county offices of education to track down students' IEPs, coordinate multidisciplinary team meetings, and work with teachers to ensure students' needs are met. Once students make the transition to a community college campus, retention specialists help them connect with existing resources, such as campus Disability Resource Centers, and track down new ones according to individual student needs.

SB 178, the legislation that undergirds the Rising Scholars expansion, requires that every community college receiving funding has partnerships in place with other agencies to support justice-involved students with disabilities. These partnerships ensure that a young person with an IEP in juvenile hall in a participating county is offered college as part of a transition plan. A community college

representative also participates in multidisciplinary team meetings for the young person. The goal is that every student gets the message that college is an option—and gets the support they need to make it to graduation.

Making Dual Enrollment Work

Roger Viet Chung is the lead faculty for the Rising Scholars Initiative at Laney College in Oakland, where he is a professor in the Ethnic Studies Department. Young people who attend high school while they are incarcerated can be "motivated, brilliant people," he said, but "they're not necessarily going to be college prepared." Many have never had the opportunity to take an elective, or the "A through G " classes that are necessary to attend a University of California school. Some have never been assigned homework before.

Dual enrollment can make a real difference, Chung said, but making it work is difficult in detention settings where there are only small blocks of time available for youth to do schoolwork. Despite the obstacles, many high school students inside the juvenile justice facility in Alameda County are enrolled in college classes.

Making this happen has meant getting creative. Inside the Butler Academic Center in Alameda County's Juvenile Justice Center, Laney College offers such courses as English and Statistics, but also a one-unit Sports Fitness class that meets in the evening. Physical education is a common credit deficiency among young people who are incarcerated, according to Chung. Another class Laney offers in Alameda County is Media 155, a three-unit sound engineering class. Chung and his colleagues worked with the county probation department to create a music studio inside the juvenile detention center, where students put their new skills to use on the spot creating new music and editing videos.

Yefry Samael

As with every Rising Scholars program, the dual-enrollment program in Alameda County offers more than academics. Faculty members attend court dates with students to ensure that judges and probation officers are aware of their accomplishments. "We think that we've built a pretty thoughtful model around making college work in a variety of ways," Chung said, "—working with youth towards their freedom, working with youth towards loving themselves, and then working towards a degree or an occupation."

Redefining "College Material"

Yefry Samael completed his Associate Arts degree at Cabrillo College last spring and is on his way to Cal State Monterey Bay in the fall, where he will major in collaborative health and human services, with a concentration in public administration and nonprofit management. Getting there has been a long journey for Samael, 27, who spent time in juvenile hall and county jail before making his way to college. The Rising Scholars program, he said, "has been instrumental throughout this whole process," helping with not only testing and other educational needs but "in regards to life."

The challenges that formerly incarcerated students face are often material as well as educational. While the Rising Scholars program has given Samael opportunities for leadership and personal development, the program has also given him book vouchers, gas cards, even Target gift cards to buy diapers for his baby. When he was struggling with housing insecurity, the Nourishment and Essential Supports Team at Cabrillo College stepped in with an emergency housing grant, which made it possible for him to stay in school. He also sees a mentor and a therapist for support with anxiety and is in the process of arranging for testing for ADHD and other possible learning issues.

Being incarcerated as a teenager

"of course you lose your freedom, but you also lose your opportunity for a good education," said Samael, who founded a Rising Scholars club at Cabrillo College to help others deal with self-sabotaging feelings such as imposter syndrome. If he had been offered the kind of supports Rising Scholars provides earlier, said Samael, who was valedictorian of his high school class when he was incarcerated, "I would have a PhD by now."

Kelly Nadler works for the Community College Chancellor's Office where she coordinates the Rising Scholars Network, which serves more than 17,000 incarcerated, formerly incarcerated, and justice-involved students each semester. Since SB 178 was passed, the Chancellor's Office has awarded 44 of the possible 45 grants to community colleges, each of which now partners with a local juvenile detention center to offer dual-enrollment classes and a pathway to full-time college enrollment. The initiative, Nadler said, "places the dreams and needs of young people at the center of what we do."

While the program is still getting up and running on many campuses, the state funding will allow each participating college to bring on a full-time coordinator. These coordinators will visit juvenile halls and help young people start seeing themselves in a new light—making concrete plans to make college a reality. This personal attention is essential for students who have often had "disjointed educational experiences," Nadler said. "Many of them are way behind in high school credit completion. They may have attended multiple high schools and even middle schools. There's a high rate of students who have been pushed out of high school and have internalized that they are not school material. They're not smart enough. They're bad kids."

Young people with disabilities are especially susceptible to this messaging, Nadler said. For Black and brown students, ADHD is often treated as a disciplinary issue rather than a disability. Some participating colleges are tackling stigma and negative expectations by hiring credible messengers—successful college or masters-level students who have been incarcerated themselves and can help younger teens "build a sense of identity around being a college student" even before they leave juvenile hall.

Once justice-involved youth step onto a college campus and start getting the support they need in order to succeed, their sense of themselves and their potential is transformed, Nadler said. "I can't tell you how many young people have told me 'When I got my first A, it changed my life. All of a sudden, I felt so capable.'

"Our detained students have just as strong a right to education as any young person in California," said Nadler. "Every young person in California is college material." ◄

Serving Students with Disabilities in Juvenile Justice Facilities: The View from Los Angeles

By Saran Tugsjargal, Student Commissioner, California Advisory Commission on Special Education (ACSE)

I became a voting member of the California Advisory Commission on Special Education in 2023. I knew immediately the responsibility that I and other commissioners had to advise the governor, state legislators, the California Department of Education, and the California State Board of Education on the education of students with disabilities across the state. But one group stood out to me as needing a voice more than others: students with disabilities who are incarcerated.

I talked with two experts, Megan Stanton-Trehan and Jim Anderson, to get their advice on what needs to be done to improve and unite the systems of care for these students.

Stanton-Trehan is senior attorney for Disability Rights California. She advocates for system-involved youth in special education and school discipline proceedings. Working on behalf of the students, she has experienced first-hand how difficult it can be for each student's needs to be met.

Anderson is the director of the Los Angeles County Office of Education (LACOE) Special Education Local Plan Area (SELPA), which includes Juvenile Courts Schools served by LACOE. He has worked for more than 30 years in education as a special education teacher, school psychologist, assistant principal, principal and regional director. In his current role as SELPA director, he is directly involved in making and strengthening programs and policies and overseeing regional practices for supporting students with disabilities who are involved in juvenile detention facilities. Working within the system, he knows that it is imperfect and evolving.

These experts provide valuable insight from inside and outside the educational and juvenile justice systems. Here is what they had to say.

Assessment and Identification

Anderson says that when students come into juvenile hall, they have with them only what they were carrying at the time of their arrest. "So, we go through a pretty detailed process to identify whether or not they are a student with an IEP [Individualized Education Program] or a student with a[n unidentified] disability." Staff at the detention facility try to conduct assessments as soon as possible and begin services as quickly as they can, as required by the Child Find mandate of the Individuals with Disabilities Education Act (IDEA).

Stanton-Trehan says that she has a lot of clients with disabilities who come into detention facilities without an IEP. When they are assessed, they have "all these needs that a school has never met before." Instead of having addressed the student's needs, the school might have seen a behavioral problem and responded to it through disciplinary measures.

"And [in the justice facility] sometimes it's easier to just be like, 'Oh, well, they're going to leave soon, so why not just let the next place handle it?'"

First consideration: Make assessment for and identification of a disability a top priority in all schools.

Better Accommodation of Student Needs

Stanton-Trehan says that the juvenile justice system has to do a better job providing accommodations for students with disabilities. "I had a client that had access to headphones as an accommodation to address distractions. If he needed to focus, he was going to wear his headphones and listen to his music to focus." In juvenile detention "he was told, 'No, you can't have that because everyone else is going to want it, too.' Then when he tried to advocate for it, it escalated, and then you have a probation officer in the classroom, and it just becomes a challenge."

She says the classroom in the juvenile justice facility may not always feel like a school setting, even though it is one. In Los Angeles County there are probation officers in all the classrooms, which can feel threatening. Sometimes students do not feel like they are in a safe

space. And they don't always get the services they need, such as counseling, occupational therapy, or speech therapy.

Second consideration: Ensure necessary services and accommodations.

Coordination with High Turnover

As an educator, Anderson says that one of the biggest challenges he sees is the continuous turnover of students. Juvenile detention facilities have new students coming in every day, and at the same time they have other students leaving. He says that the average stay for youth in a juvenile hall school setting in Los Angeles is 7 to 21 days.

This pattern means that relational dynamics in classrooms are changing every single day, and teachers are writing IEPs continuously. They might write three times the number that a teacher in a public school classroom would write because of the continuous movement of students into the system—and because of the higher rates of disabilities for students in juvenile justice facilities. Furthermore, they might have to write all these IEPs on a short timeline.

If a student already has an IEP before entering detention, it can take a while for that information to be processed in the system and reach the facility. Staff at the juvenile justice facility can request the IEP, but they have to start educating the student immediately without knowing what accommodations and supports the student needs.

Anderson says, "in Los Angeles, we've built a system around trying to get records in a more timely way—the Educational Passport System—so that as our students move in and between different systems, we can pull down records to make sure we have them as timely as possible."

Third consideration: Adopt some version of the Educational Passport System everywhere.

Transitions After High School

Stanton-Trehan has seen challenges in helping students in juvenile facilities access higher education opportunities with the needed accommodations after they finish their high school coursework.

The classroom in the juvenile justice facility may not always feel like a school setting, even though it is one.

A transition IEP is critically important for a student inside a juvenile justice facility. These plans help staff in a facility know what accommodations the student needs in order to access—and succeed in—college classes, both inside and outside the facility.

Fourth consideration: Ensure transition services at every level.

Collaboration

Anderson says that his office is committed to providing support, guidance, and technical assistance including reports to sites to help them manage the needs of the students and the IEP compliance timelines. Staff at the detention facility hold IEP meetings in accordance with the legal requirements. "We're all involved in working to pay attention to the student's needs, but the first line would be the special education teacher." With a focus on inclusive practices and co-teaching, the court schools general education teacher and special education teacher work together to identify and meet the student's needs.

He says that the same laws apply to all school districts in the nation under the Individuals with Disabilities Education Act and this includes reaching out to include the parents. "I was in an IEP meeting here last month where I greeted the parent at the entrance to the juvenile hall. I walked the parent to the IEP team. That was a pleasure and a privilege."

Los Angeles has many foster youth with IEPs in its juvenile justice facilities. The facilities work with the students' court-appointed guardians and attorneys. These professionals represent a lot of people involved in the system in a complex way in a short timeline, but this collaboration is vital for the success of the student.

Fifth consideration: Improve communication and collaborations among educators, family members, guardians, agencies, and attorneys.

Connections with the Community

Stanton-Trehan recommends that educators and staff help incarcerated youth to remain connected to their community. They should be able to see their

family and should be offered resources to help them with re-entry into the community later.

She describes what one of her clients recently experienced: The client was in the foster care system and a counselor worked with him before he was detained in a juvenile hall. That counselor is continuing to work with him while he is detained and sees him every single day. When he leaves the facility, the counselor will be able to help him transition back into his community. Stanton-Trehan admits that this additional level of assistance represents more expense. "But without [the counselor], I feel like he wouldn't have felt comfortable enough to be successful in the [juvenile justice] environment," she says.

Sixth consideration: Keep kids connected with their families and communities.

Educator Training

Anderson says that educators in juvenile facilities in Los Angeles receive training on how to recognize when a student's emotions are escalating and how to respond to keep everybody safe.

They also receive training on writing IEPs and IEP goals, and how to track progress on those goals. He says that some of this training is delivered by the SELPA and some is provided by other entities, including California's System of Support technical assistance providers.

Stanton-Trehan recommends investing in educators who "look like our young people and come from the same background" when possible—and providing adequate training and resources to everyone working with the youth.

California has made some strong investments in teachers through such efforts as the Golden State Teacher Grant[1], but even more investment is needed.

Seventh consideration: Invest more in educators.

Mental Health Services

Anderson says that in Los Angeles, county mental health is involved in the juvenile court school settings. They offer trainings to professionals, along with services to support the students.

He points out that in serving students in these facilities, "if their amygdala isn't saying fight or flight, if they feel safe and comfortable, that emotional safety goes a long way toward the physical safety of everybody in those settings."

Anderson says, "Our trainings address the social emotional needs of students, focusing on themes of discovery, empowerment, and resilience, which they can carry with them when they leave detention."

Eighth consideration: Make mental health services a priority.

The "Why"

As a representative of an imperfect system, Anderson acknowledges that his job is not easy. But he believes that within every single human being there is a light. Sometimes that light has been muted, covered, or shines less brightly and it may not be readily apparent. He thinks that "every single individual interaction that we have with each other as human beings is an opportunity to help that individual find that light again within themselves."

And it goes both ways: "Every time we connect, we have the opportunity to help each other discover the light that we have inside of each of us." ◄

1. For more information about the Golden State Teacher Grant Program (GSTG), go to *https://www.csac.ca.gov/golden-state-teacher-grant-gstg-program*

The 2024 Heart of Inclusion Award

Bridgette Ealy

Bridgette Ealy was an exceptional program support specialist. She passed away in 2022. In her honor, the Supporting Inclusive Practices (SIP) project has established the Bridgette Ealy Heart of Inclusion award.

According to Kevin Schaefer, SIP's director of inclusive practices, the award "centers the attention on individuals and organizations that are not only committed to improving inclusive opportunities for students with disabilities but also to taking action every day to strengthen cultures, policies, and practices that ensure access, equity, and belonging for ALL students. It is through this vision that Bridgette's legacy lives on."

Three school districts were given the Bridgette Ealy Heart of Inclusion award this year: Moorpark Unified School District, Marysville Unified School District, and Kern High School District. They were honored at SIP's spring institute.

Moorpark Unified School District—Impact Award

Moorpark Unified School District has been steadfast in its pursuit of equitable outcomes and inclusive opportunities for all students. The district is building and expanding co-teaching and other inclusive practices in its schools. The work is driven by purposeful, intentional, and coherent leadership throughout the organization.

Marysville Joint Unified School District — Include Award

Over the past several years, Marysville Joint Unified School District has embraced a mission to build a system that not only includes all of its youngest learners but truly instills a sense of community and belonging in everyone who walks through the doors of its schools. The district has a leadership team that believes deeply in the work and prioritizes addressing district culture, policies, and practices to make true change happen.

Kern High School District—Innovate Award

Educators at Kern Valley High School District, California's largest 9–12th grade school district, have worked tirelessly to break down barriers and change mindsets about inclusion. This commitment is demonstrated through their work to continuously implement co-teaching practices in classrooms and more recently to implement a student-driven action research project that seeks to re-imagine what true inclusion looks like from the student's viewpoint.

Recipient of the 2024 SIP Spring Institute Challenge Coin

SIP also celebrates DJ B Diamond (Theresa Burnett) and her manager dad, Mark Burnett, who received the 2024 SIP Spring Institute Challenge Coin. DJ B Diamond is a person with Down syndrome who shares her love of music at all types of events, including SIP's Driving Inclusion Forward Conference. Supported by her loving family, she brings the magic of music to life.

Theresa Burnett (DJ B Diamond)

The SIP project is based at the Riverside and El Dorado County Offices of Education and is the parent project of *The Special EDge* newsletter. SIP provides statewide technical assistance to educational communities in their pursuit of inclusive and equitable systems. ◄