

LESSONS FROM LUZERNE COUNTY: ZERO TOLERANCE

In recent years, many school administrators have adopted a zero tolerance approach to managing student behavior, abdicating the role of disciplinarian to school resource officers or other local law enforcement. While there is clearly no place for violent or threatening behavior in the school setting, most school referrals to the juvenile justice system are for behaviors that should be addressed at school.

Unnecessarily ushering children into the justice system for typical adolescent misbehaviors has lasting negative impact on youth, including the stigma of system involvement, the long-term consequences of a juvenile record, shame and loss of peer support. **Luzerne County's widespread acceptance of zero tolerance policies greatly contributed to the tragic consequences affecting thousands of children and allowed former judge Mark Ciavarella to easily traffic children from their homes and schools to detention centers.**

Policies and legislation should be put in place to reduce school-based referrals to the juvenile justice system.

- Juvenile court judges should create collaborative committees with school districts to support at-risk students, end unnecessary and inappropriate school referrals and expand the available range of diversion programs.
- Through collaborative committees and an individualized approach to student offenders, Pennsylvania can eliminate zero tolerance policies and build a juvenile justice system that does not indiscriminately punish children but rather affords them meaningful rehabilitation.
- By supporting at-risk students before they become offenders and expanding diversion programs, collaborative committees can ensure that detention in the juvenile justice system is used only as a last resort. Similarly, by creating policies to allow school referrals only in extreme cases, collaborative committees can greatly reduce the caseload burden on local juvenile courts and better enforce principles of balanced and restorative justice.
- Judges should review exemplary models found in Clayton County, GA and Birmingham, AL, where juvenile court judges have organized these county level committees.

School-wide Positive Behavioral Supports should be studied and implemented across Pennsylvania.

- Positive Behavioral Supports is a decision-making framework that guides selection, integration, and implementation of the best evidence-based academic and behavioral practices for improving important academic and behavior outcomes for all students.
- A positive school climate is critical to safety, student achievement, and teacher satisfaction and retention.
- Evidence-based efforts to improve school climate have proven effective and include:
 - increasing the number of adults in schools

- lowering the student-counselor ratio
- decreasing class size
- implementing resiliency, anti-bullying and peer mediation programs
- One approach in particular, adopting systems of school-wide Positive Behavior Support (PBS), has resulted in dramatic decreases in disciplinary referrals and improvement to school climate.
- Positive Behavioral Support is in use in more than 10,000 schools nationwide. One Pennsylvania school saw a reduction of 850 office referrals and 25 suspensions in a four-year period. This saved 231 hours in administrative time and 728 hours in instructional time by allowing teachers/administrators to focus on their primary duties rather than on disciplinary matters.