



AUGUST 2019 // TOOLKIT
A STEP-BY-STEP GUIDE TO IMPLEMENTING A SCHOOL JUSTICE PARTNERSHIP



School Justice
Partnership
NORTH CAROLINA



EDUCATING THE
MIND WITHOUT
EDUCATING
THE HEART IS
NO EDUCATION
AT ALL.

—ARISTOTLE



AUGUST 2019
TOOLKIT

**A STEP-BY-STEP GUIDE TO IMPLEMENTING
A SCHOOL JUSTICE PARTNERSHIP**



A program managed by the North Carolina Judicial Branch's Administrative Office of the Courts, as recommended by the final report of the North Carolina Commission on the Administration of Law and Justice (NCCALJ), to keep kids in school and out of court.

SCHOOL JUSTICE PARTNERSHIP
NORTH CAROLINA ADMINISTRATIVE
OFFICE OF THE COURTS
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IT IS EASIER
TO BUILD
STRONG
CHILDREN
THAN TO
REPAIR
BROKEN MEN.

— FREDERICK DOUGLASS



ABOUT SCHOOL JUSTICE PARTNERSHIP // NORTH CAROLINA

The School Justice Partnership (SJP) is a group of community stakeholders — including school administrators, the law enforcement community, court system actors, juvenile justice personnel, and others — that develops and implements effective strategies to address student misconduct. SJPs work to reduce the number of suspensions, expulsions, and referrals to the justice system by timely and constructively addressing student misconduct when and where it happens, helping students succeed in school and preventing negative outcomes for both youth and their communities. To learn more about School Justice Partnership North Carolina, visit SJP.nccourts.gov or call 919-890-2468.

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INTRODUCTION

ABOUT THE TOOLKIT

The Toolkit offers judges the tools they need to begin the process of implementing school justice partnerships (SJPs) in their local communities. The Toolkit contains a step-by-step guide for bringing together key stakeholders, learning about SJPs, and adopting a memorandum of understanding. Resources include templates, research, decision-making flowcharts, and other tools.

The objective of the Toolkit is to provide community stakeholders with resources needed to develop a partnership that meets the specific needs of the local community. A successful SJP will reflect input from all community partners, taking into account the needs and resources specific to the local community.

ABOUT SCHOOL JUSTICE PARTNERSHIPS

An SJP is a group of community stakeholders—including school administrators, law enforcement officers, court officials and staff, juvenile justice personnel, and others—who develop and implement effective strategies to address student misconduct. Currently, many student misconduct issues are addressed through exclusionary discipline practices such as suspension, expulsion, and referrals to the justice system. But research shows that these responses are counterproductive. Responding to this research, SJPs work to reduce the number of suspensions, expulsions, and referrals to the justice system by timely and constructively addressing student misconduct when and where it happens, helping students succeed in school and preventing negative outcomes for both youth and their communities.

SCHOOL VIOLENCE AND SAFETY CONCERNS

SJPs don't change anything about how schools respond to violent and serious misconduct. Rather, SJPs seek to address only low-level, minor misbehavior that currently is being referred to the justice system when it may be best addressed in the schools and in the community. Examples of the type of misconduct that may be addressed by SJPs include the student who yells at a teacher and might otherwise be charged with disorderly conduct; two boys who get into a fight at school over a girl and might otherwise be charged with affray; or a student who takes another child's sneakers and might otherwise be charged with larceny. The SJP does not hinder schools or law enforcement personnel from taking any steps necessary to maintain school safety in situations involving serious or violent misconduct. In addition, the SJP does not hinder

the exclusive authority of law enforcement to determine the appropriate intervention when a student's actions constitute a criminal law violation.

CORE PRINCIPLES FOR SJPs

SJPs are based upon the following core principles:

- Most student misconduct is best addressed through classroom, in-school, family, and community support strategies, and by maintaining a positive climate within the school rather than involvement of the justice system.
- Responses to school misconduct should be reasonable, consistent, and fair, with appropriate consideration of relevant factors such as the student's age, the nature and severity of the conduct, and the conduct's impact on the learning environment.
- Students should be held accountable for their misconduct through a graduated response model that provides a continuum of services and increasingly severe sanctions for continued misbehavior.
- Students should receive appropriate redirection and support from in-school and community resources before the involvement of law enforcement or the justice system is considered.
- Referral to the justice system should not be the only pathway for students to receive appropriate in-school and community resources.
- Clarifying the responsibilities of school and law enforcement personnel with regard to non-emergency misconduct at school and at school-related events promotes the best interests of the student, the school system, law enforcement, and the community.

THE SJP MEMORANDUM OF UNDERSTANDING

While it is not statutorily mandated, the ultimate goal of the SJP is for local community partners to adopt a memorandum of understanding (MOU) specifying ways to better address student misconduct. The MOU will set out the goals and purposes of the SJP and adopt a graduated response model for addressing school-based misconduct within the school system and the community—rather than by a referral to the justice system. Because student misconduct requires immediate responses, the MOU should identify age-appropriate graduated responses that increase in severity as

misconduct persists. The MOU also should clarify guidelines for the conduct of law enforcement personnel on school property and at school events. A Model School Justice Partnership MOU is included in the Appendix as Attachment A.

Your local community partners are critical to creating an effective agreement that meets the needs of your community. School partners will provide information about school policies and procedures, while other community partners may provide additional information about local trends, programs, and strategies. All community partners must work together to create an agreement that reflects local needs, objectives, and resources.

the negative impact of exclusionary discipline practices on student outcomes such as increased recidivism, lower academic achievement, and disparate impact on certain student populations.

North Carolina’s 2017 [Raise the Age law](#) authorized the director of the North Carolina Administrative Office of the Courts (NCAOC) to establish policies and procedures for chief district court judges to partner with local stakeholders to establish an SJP. The director’s policy, included in the Appendix as Attachment B, designates chief district court judges as “conveners” of the SJPs and specifies that this Toolkit will be provided to assist in their implementation.

NCAOC POLICY ON THE IMPLEMENTATION OF SJPs

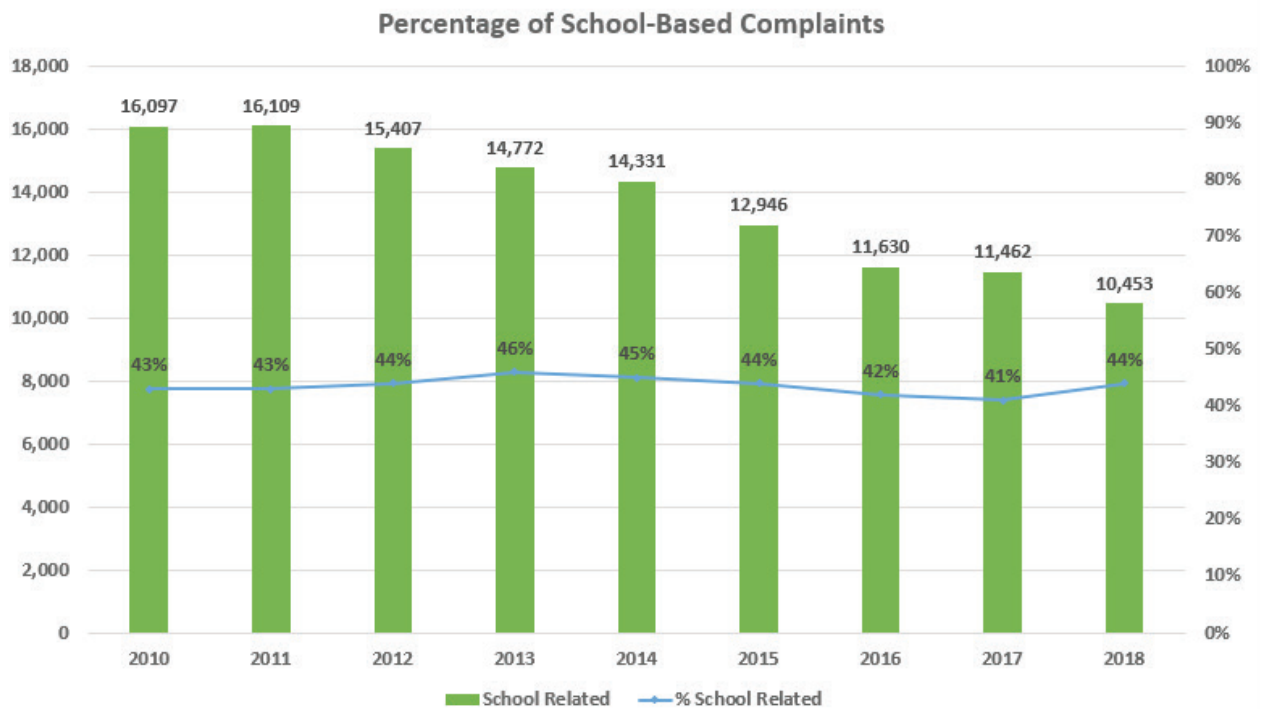
The [North Carolina Commission on the Administration of Law and Justice](#) issued a [report](#) recommending statewide implementation of SJPs, which will be an important component of successful implementation of North Carolina’s Raise the Age legislation. In North Carolina, more than 40% of the referrals to the juvenile justice system come from schools, often for minor misconduct. By reducing referrals from schools to the justice system, SJPs will help to create capacity to accommodate the new juvenile population affected by Raise the Age. But more importantly, SJPs reduce

ROLE OF THE CHIEF DISTRICT COURT JUDGE AS “CONVENER”

As convener, the chief district court judge will do some of the legwork to get the project started and will be responsible for bringing the SJP team together and chairing meetings. However, the “P” in SJP means Partnership. The convener has no greater voice than any other community stakeholder. Everyone gets a say, and it’s meant to be a collaborative process. Also, as convener, it is important to emphasize that no agency or individual is legally obligated to enter into an MOU.

TABLE ONE

TABLE 1: SCHOOL-BASED REFERRALS TO JUVENILE COURT (2010–2018)
SOURCE: NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY



DATA ON SCHOOL-BASED REFERRALS TO JUVENILE COURT

In North Carolina, school-based referrals consistently make up approximately 40% of the referrals to the juvenile justice system. Although overall complaints to the juvenile justice system have steadily declined, the percentage of school-based referrals has remained constant. Table 1 provides the number of school-based complaints in North Carolina for 2010-2018. As shown in Table 2, most school-based complaints are for misdemeanors and status offenses.

NEGATIVE EFFECTS OF EXCLUSIONARY DISCIPLINE

Exclusionary discipline — suspensions, expulsions, and referrals to the court system — can be harmful for both students and communities. Some of those negative effects include disparate impact for certain demographic groups, lower academic achievement, higher juvenile justice system involvement, negative economic impact, and higher recidivism. Such outcomes can lead to a less healthy school environment for all students.

DISPARATE IMPACT

Exclusionary discipline practices result in disparate impact for students of color, students with disabilities, and boys.

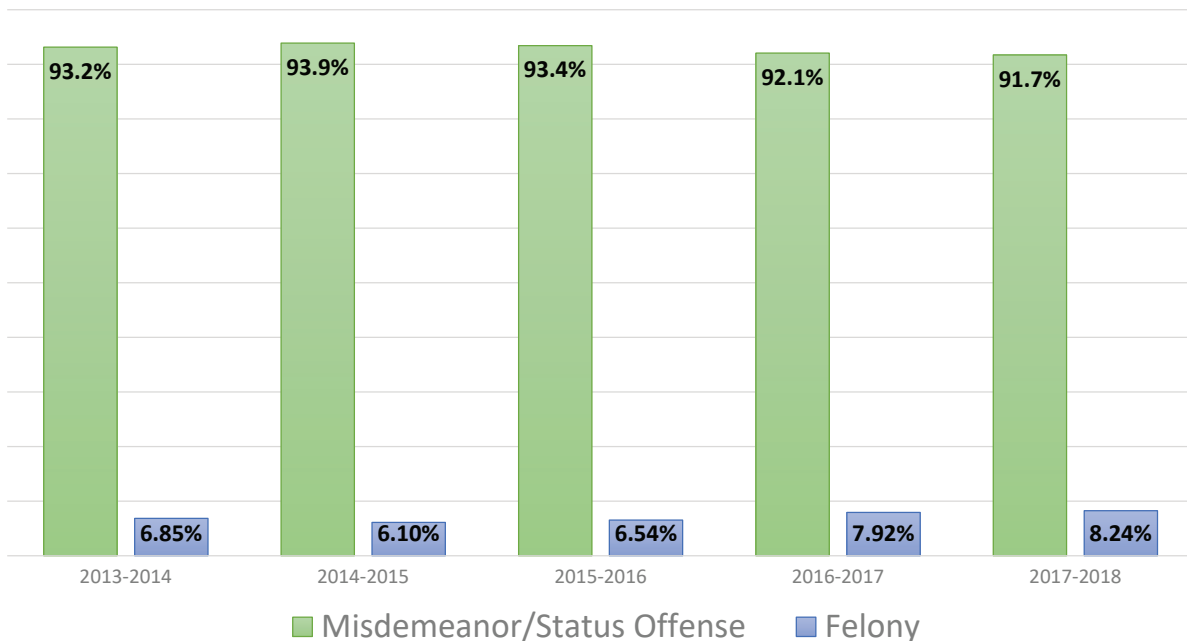
In a March 2018 report on school discipline, the United States Government Accountability Office (GAO) found that black students, boys, and students with disabilities were disproportionately disciplined in K-12 public schools, regardless of the type of disciplinary action, level of school poverty, or type of public school attended.¹

- In North Carolina, youth of color are more than 2.5 times as likely to be referred to juvenile court and 1.5 times more likely to be placed in secure confinement than white youth.²
- Black students are 26% of the overall student population³ but receive 57% of suspensions.⁴ They are more than four times as likely to be suspended or expelled as white students.⁵
- Students with disabilities are 13% of the overall student population⁶ but receive 24% of short-term suspensions and 22.5% of long-term suspensions.⁷ They are more than twice as likely to be suspended as students without disabilities.⁸
- Boys are roughly half of the total student population, but receive 73% of short-term suspensions and 80% of long-term suspensions.⁹



TABLE 2: SCHOOL-BASED REFERRALS TO JUVENILE COURT BY CLASSIFICATION OF OFFENSE (FY 2013–2018) SOURCE: NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY

Percentage of School-Based Referrals by Classification of Offense



LOWER ACADEMIC ACHIEVEMENT AND HIGHER JUVENILE JUSTICE SYSTEM INVOLVEMENT

Exclusionary discipline practices can lead to lower academic achievement and higher referrals to the justice system. According to a groundbreaking Texas study, suspension and expulsion increases the risk that a student will repeat a grade, drop out of school, or become involved in the juvenile justice system. Specifically, that study showed the following:

- 31% of students who were suspended or expelled repeated a grade, compared to only 5% of students who were not suspended or expelled.
- 10% of students who were suspended or expelled dropped out of school, compared to only 2% who were not suspended or expelled.
- Even one suspension or expulsion for a discretionary offense almost tripled the likelihood that a student would enter the juvenile justice system the following year.¹⁰

NEGATIVE ECONOMIC IMPACT

The effects of exclusionary discipline, such as dropping out of school, can lead to decreased earning potential for individuals and increased societal costs.

- National data show that in 2015, adult workers earned a median income of \$860 per week, while those without a high school diploma earned just \$493 per week and had the highest unemployment rates of all workers.¹¹
- Researchers estimate that every high school dropout cost taxpayers an average of \$163,340 in lost tax revenue and \$527,695 in social costs, such as healthcare and incarceration.¹²
- The additional dropouts caused by suspensions cost taxpayers an estimated \$11 billion in lost tax revenue and \$35 billion in social costs over their lifetimes.¹³
- Reducing suspension rates by just 1% could yield a national fiscal benefit of \$691 million and a social benefit of \$2.2 billion.¹⁴

HIGHER RECIDIVISM

Contact with the justice system correlates with higher recidivism.

- Contact with the juvenile justice system increases the likelihood that youth will reoffend. A North Carolina [Juvenile Recidivism Study](#) shows an overall juvenile recidivism rate of 42%. That rate increased to 53% when juveniles were adjudicated delinquent, but declined to

39% when they were diverted from the court system to community-based resources. Additionally, youth whose cases were closed with no formal action taken by the juvenile justice system had a recidivism rate of 31.5%, substantially below the overall rate.¹⁵

- Rates of reoffending increase with deeper involvement in the system. For example, confinement in a juvenile facility increases the probability that a youth will be arrested as an adult. Specifically, 37.6% of youth who were confined to a detention center or a youth development center were subsequently arrested as an adult. The arrest rate drops to 19.2% for youth who were not confined.¹⁶

RESEARCH ON EFFECTIVE DISCIPLINE PRACTICES

Responding to student misconduct with suspension and referrals to the court system is out of sync with what we know about the most effective interventions for kids. Meanwhile, SJPs, with their focus on age-appropriate, graduated responses, line up with what the evidence says works for kids. Research shows that students respond best to positive discipline strategies that reinforce desirable behaviors rather than punishing them for undesirable behaviors.¹⁷ Positive discipline strategies help to improve behavior by making positive changes in the student's environment, which may include the use of positive reinforcement, modeling, supportive teacher-student relationships, family support, and various educational and mental health supports.¹⁸ Schools implementing these evidence-based discipline practices have reported reductions in discipline referrals by 20 to 60%.¹⁹ Such improvements in student behavior increase school safety, which in turn, improves the learning environment for all students.

TOOLS FOR HANDLING DISRUPTIVE STUDENTS

As key stakeholders in the SJP, school administrators will play an important role in deciding what tools work best for the community. While a core goal of the SJP is to reduce suspensions, expulsions, and court referrals, another core goal is to encourage administrators to use more effective tools for dealing with student misconduct.

Examples of evidence-based strategies for responding to student misconduct include classroom management strategies, Positive Behavior Intervention and Supports (PBIS), the School Responder Model (SRM), Youth Mental Health First Aid, and restorative justice. The following sections provide more information about these strategies, but your local school partners will guide the discussion about what strategies are being used in your

community or should be implemented as part of an SJP. School partners should take the lead in identifying ways to meet the goals of the SJP while maintaining a healthy school environment.

CLASSROOM MANAGEMENT STRATEGIES

The United States Department of Education’s [School Climate and Discipline Package](#) contains tools and resources for developing school discipline policies that reduce the use of exclusionary discipline practices.²⁰ In addition to policy recommendations, the resource includes a [guide](#) outlining evidence-based classroom management strategies for teachers,²¹ including, for example, the use of prompts and reminders to preempt problem behaviors, error correction to reinforce positive behaviors, and data collection to help establish patterns about why certain behaviors are occurring.

POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS (PBIS)

PBIS is a behavior management system based on principles of behavioral psychology that reduces student misconduct by encouraging and teaching preferred behaviors.²² When PBIS is implemented schoolwide, behavioral expectations are taught as part of the core curriculum along with subjects such as science and math. During the 2012-2013 school year, 42% of North Carolina’s 2,599 schools participated in the [NC PBIS Initiative](#).²³ These schools had lower rates of out-of-school suspension than other schools.²⁴

THE SCHOOL RESPONDER MODEL (SRM)

Under the SRM behavioral health response to student misconduct, mental health professionals are on call to provide immediate crisis intervention or screening and assessment for students who are exhibiting behavioral health problems at school.²⁵ A “responder” completes a behavioral health screening to identify whether a student needs a clinical assessment or urgent mental health care. If appropriate, the student receives a more in-depth clinical assessment, which forms the basis of the student’s treatment plan. The student then is referred to appropriate community-based services. This model reduces the disproportionate impact of exclusionary discipline practices on students with disabilities.

An example of an effective SRM is the [School-Based Diversion Initiative](#) (SBDI) in Connecticut.²⁶ Connecticut schools participating in the SBDI experienced a 45% average reduction in court referrals during the first year and a 94% average increase in referrals to behavioral health services.²⁷

YOUTH MENTAL HEALTH FIRST AID (YMHFA)

YMHFA is an evidence-based training that teaches parents, teachers, school officials, and other adults how to support an adolescent (ages 12-18) who is experiencing a mental health or substance use challenge or is in crisis. Mental health first aiders do not take on the role of professionals. Instead, they use a five-step action plan to help a youth who is in crisis connect with appropriate professional, peer, social, and self-help care. Various North Carolina agencies offer YMHFA training, including the North Carolina Division of Mental Health, Developmental Disabilities and Substance Abuse Services, North Carolina Center for Safer Schools, North Carolina Department of Public Instruction, and local management entities or managed care organizations (LME-MCOs). As of November 2017, North Carolina has over 46,000 Mental Health First Aiders and 381 certified instructors, including 201 youth instructors. To find a course or instructor in your area, visit www.mentalhealthfirstaid.org/take-a-course/course-types/youth.

RESTORATIVE JUSTICE

Restorative justice programs hold students accountable by emphasizing reconciliation with victims and repairing



YOU CANNOT
BUILD
CHARACTER
AND COURAGE
BY TAKING
AWAY MAN’S
INDEPENDENCE.

— ABRAHAM LINCOLN

the harm caused by their misconduct.²⁸ Victim-offender mediation, a common restorative justice program, can be school-based or community-based. A successful school-based restorative justice program in Denver Public Schools resulted in an 82% decrease in expulsions, a 39% decrease in suspensions, and a 15% decrease in referrals to law enforcement.²⁹ Community-based restorative justice programs exist in all North Carolina counties through funding of [Juvenile Crime Prevention Councils](#). In Wake County, the [Restorative Justice Clinic](#) at Campbell Law School partners with local schools to provide victim-offender mediation as an alternative to suspension and court referrals. Wake County students who participated in victim-offender mediation were three times less likely to engage in future conflicts than other students.³⁰

For information about additional alternatives to suspension and expulsion, see the Duke University report, [Instead of Suspension: Alternative Strategies for Effective School Discipline](#), and the Council of State Governments Justice Center report, [Realizing the Full Vision of School Discipline Reform: A Framework for Statewide Change](#) (discussing successful statewide school discipline reform in five jurisdictions, including North Carolina).³¹

EXISTING NORTH CAROLINA SJPs

In 2015, New Hanover County Chief District Court Judge Jay Corpening recognized the need for a better way of dealing with juveniles facing charges for minor misconduct. He subsequently convened a group of stakeholders that created North Carolina's first SJP. The New Hanover County model has served as a foundational tool for other North Carolina jurisdictions, and similar SJPs existed in the counties listed below as of July 1, 2019.

- Brunswick County (July 1, 2017)
- Greene County (March 16, 2018)
- Lenoir County (March 16, 2018)
- Mecklenburg County (January 28, 2016)
- New Hanover County (November 2, 2015)
- Stanly County (July 1, 2018)
- Wayne County (April 12, 2018)
- Whiteville City Schools (July 1, 2019)

Other North Carolina counties, such as Brunswick, Forsyth, Person, and Wake, have school-based diversion programs,



SCHOOL JUSTICE PARTNERSHIPS
TRANSFORM THE RELATIONSHIP
BETWEEN POLICE OFFICERS AND
STUDENTS FROM AUTHORITY
AND PUNISHMENT TO MENTOR
AND RESTORATION.

— JUDGE ELIZABETH TROSCH, MECKLENBURG COUNTY



which also reduce interaction with the juvenile and criminal justice systems for minor school-based offenses.³² However, the SJP model detailed in this Toolkit offers the most comprehensive approach for reducing juvenile court referrals, arrests, and school-based referrals for all students.

Additionally, many other jurisdictions in the United States have implemented SJPs. The website of the National Council of Juvenile and Family Court Judges (NCJFCJ) includes a list of jurisdictions in 17 states that have SJPs, along with an interactive [map](#) that provides relevant information about each SJP. Also, the State of Connecticut enacted a law requiring all school systems that use school resource officers to adopt a memorandum of understanding (MOU) with local law enforcement agencies that functions like an SJP. The MOU must specifically define the role of school resource officers on campus and use a graduated response model for student discipline, and schools must report annually on suspensions, expulsions, and school-based arrests.³³

decrease in referrals to juvenile court, a 43% decrease in referrals of youth of color to juvenile court, and a 24% increase in graduation rates.³⁴ SJPs in Texas and Connecticut based on the Teske model also have experienced positive results. Specifically, early results from Texas showed a 27% decrease in referrals, and two sites in Connecticut experienced reductions of 59% and 87%, respectively.³⁵

In North Carolina, New Hanover County's program resulted in a 47% decrease in referrals to the juvenile justice system in its first year. Since fiscal year 2013-2014, school-based complaints have decreased by 67%, which places New Hanover County among the top 11 counties in the State with the largest decrease in school-based complaints.³⁶

On June 18, 2019, New Hanover County stakeholders unanimously approved the renewal of the SJP for another three years due to its positive impact on students and the community.

EVIDENCE ON THE EFFECTIVENESS OF SJPs

The evidence indicates that SJPs work. The concept of SJPs has been championed nationwide by Juvenile Court Judge Steven Teske of Clayton County, Georgia. Judge Teske implemented an SJP in 2004 that resulted in an 83%

TECHNICAL ASSISTANCE AND SUPPORT

The NCAOC is committed to statewide implementation of SJPs and will provide technical assistance and support to local SJP teams. If you need resources or information beyond what's included in this Toolkit, please contact SJP@nccourts.org.

ENDNOTES

1. United States Government Accountability Office, *K-12 Education: Discipline Disparities for Black Students, Boys, and Students with Disabilities*, 2018. Available at <https://www.gao.gov/products/GAO-18-258>. Accessed May 15, 2018.
2. North Carolina Department of Public Safety, *Juvenile Justice 2016 Annual Report*, 2016, at 15. Available at <https://files.nc.gov/ncdps/documents/files/JJ%20Annual%20Report-web-hq.pdf>. Accessed May 15, 2018.
3. North Carolina Department of Public Instruction, *Facts and Figures 2015-16*. Available at <http://www.ncpublicschools.org/docs/fbs/resources/data/factsfigures/2015-16figures.pdf>. Accessed May 15, 2018.
4. Public Schools of North Carolina, State Board of Education, and Department of Public Instruction, *Report to the North Carolina General Assembly: Consolidated Data Report*, 2015-16, at 28, 37, Figures S2 and S10. Available at <http://www.ncpublicschools.org/docs/research/discipline/reports/consolidated/2015-16/consolidated-report.pdf>. Accessed May 15, 2018.
5. Youth Justice Project NC, *Racial Equity Report Card*, 2017. Available at <http://youthjusticenc.org/wp-content/uploads/2016/08/North-Carolina-.pdf>. Accessed May 15, 2018.
6. North Carolina Department of Public Instruction, *Child Count Report, April 2017 by LEA with ADM*. Available at <https://ec.ncpublicschools.gov/reports-data/child-count/reports/april-1>. Accessed May 15, 2018.
7. Public Schools of North Carolina, State Board of Education, and Department of Public Instruction, *Report to the North Carolina General Assembly: Consolidated Data Report*, 2015-16, at 33, 42, Figures S7 and S15. Available at <http://www.ncpublicschools.org/docs/research/discipline/reports/consolidated/2015-16/consolidated-report.pdf>. Accessed May 15, 2018.
8. Youth Justice Project NC, *What Everyone Ought to Know about Suspension and Expulsion in North Carolina Public Schools*, 2017. Available at <http://youthjusticenc.org/wp-content/uploads/2017/05/What-Everyone-Should-Know-.pdf>. Accessed May 15, 2018.
9. Public Schools of North Carolina, State Board of Education, and Department of Public Instruction, *Report to the North Carolina General Assembly: Consolidated Data Report*, 2015-16, at 27, 35, Figures S1 and S8. Available at <http://www.ncpublicschools.org/docs/research/discipline/reports/consolidated/2015-16/consolidated-report.pdf>. Accessed May 15, 2018.

10. Tony Fabelo et al., *Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement*, 2011, at 55, 70. Council of State Governments Justice Center. Available at https://csgjusticecenter.org/wp-content/uploads/2012/08/Breaking_Schools_Rules_Report_Final.pdf. Accessed May 15, 2018.
11. United States Bureau of Labor Statistics, *Education Matters: Career Outlook*, 2016. Available at <https://www.bls.gov/careeroutlook/2016/data-on-display/pdf/education-matters.pdf>. Accessed May 15, 2018.
12. Russell W. Rumberger and Daniel J. Losen, *The High Cost of Harsh Discipline and Its Disparate Impact*, 2016, at 19, Table 2. The Center for Civil Rights Remedies, The Civil Rights Project. Available at https://www.civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/federal-reports/the-high-cost-of-harsh-discipline-and-its-disparate-impact/UCLA_HighCost_6-2_948.pdf. Accessed May 15, 2018.
13. Id. at 20.
14. Id.
15. North Carolina Sentencing and Policy Advisory Commission, *Juvenile Recidivism Study: FY 2010/11 Juvenile Sample*, 2015, at 24, Table 3.1. Available at https://www.nccourts.gov/assets/documents/publications/ncspacjvrecid_j2015.pdf. Accessed May 15, 2018.
16. Id. at 32, Table 3.11.
17. National Association of School Psychologists, *Fair and Effective Discipline for All Students: Best Practice Strategies for Educators*. Available at http://www.naspcenter.org/factsheets/effdiscip_fs.html. Accessed May 15, 2018.
18. Id.
19. Id.
20. United States Department of Education, *U.S. Departments of Education and Justice Release School Discipline Guidance Package to Enhance School Climate and Improve School Discipline Policies/Practices*, 2014. Available at <https://www.ed.gov/news/press-releases/us-departments-education-and-justice-release-school-discipline-guidance-package->. Accessed May 15, 2018.
21. United States Department of Education, *Supporting and Responding to Behavior: Evidence-Based Classroom Strategies for Teachers*, 2015. Available at <https://osepideasthatwork.org/evidencebasedclassroomstrategies/>. Accessed May 15, 2018.
22. Jenni Owen, Jane Wettach, and Katie Hoffman, *Instead of Suspension: Alternative Strategies for Effective School Discipline*, 2015, at 13. Duke Center for Child and Family Policy and Duke Law School. Available at https://law.duke.edu/childedlaw/schooldiscipline/downloads/instead_of_suspension.pdf. Accessed May 15, 2018.
23. Public Schools of North Carolina, State Board of Education, and Department of Public Instruction, *North Carolina Positive Behavior Intervention and Support 12-13 Evaluation Report*, 2014. Available at https://ec.ncpublicschools.gov/instructional-resources/behavior-support/pbis/evaluation-reports-archive/14-pbisreport.pdf/at_download/file. Accessed May 15, 2018.
24. Id.
25. Jacquelyn Greene, Esq., and Olivia Allen, *Disrupting School-Justice Pathways for Youth with Behavioral Health Needs*, 2017. National Council of Juvenile and Family Court Judges. Available at https://www.ncmhjj.com/wp-content/uploads/2017/10/NCJFCJ_SJP_ResponderModel_Final.pdf. Accessed May 15, 2018.
26. Id. at 9.
27. Id. at 13-14.
28. Owen, Wettach, and Hoffman, *Instead of Suspension*, at 27.
29. Denver School-Based Restorative Practices Partnership, *School-Wide Restorative Practices: Step by Step*, 2017. Available at <https://www.skidmore.edu/campusrj/documents/Denver-2017-School-Wide-RP-Implementation-Guide.pdf>. Accessed May 15, 2018.
30. Owen, Wettach, and Hoffman, *Instead of Suspension*, at 28.
31. Council of State Governments Justice Center, *Realizing the Full Vision of School Discipline Reform: A Framework for Statewide Change*, 2017. Available at https://csgjusticecenter.org/wp-content/uploads/2017/09/JC_Realizing-the-Full-Vision-of-School-Discipline-Reform_A-Framework-for-Statewide-Change.pdf. Accessed May 15, 2018.
32. North Carolina Department of Public Safety, *Juvenile Justice 2016 Annual Report*, 2016, at 11-12. Available at <https://files.nc.gov/ncdps/documents/files/JJ%20Annual%20Report-web-hq.pdf>. Accessed June 12, 2018.
33. Public Act No. 15-168 (effective July 1, 2015).
34. Steven C. Teske, Brian Huff, and Cora Graves, "Collaborative Role of Courts in Promoting Outcomes for Students: The Relationship Between Arrests, Graduation Rates, and School Safety," 51 *Family Court Review*, no. 3, July 2013, at 418.
35. Steven Teske, *States Should Mandate School-Justice Partnership to End Violence Against Our Children*, 2015. Juvenile Justice Information Exchange. Available at <http://jjie.org/2015/12/08/states-should-mandate-school-justice-partnership-to-end-violence-against-our-children/163156/>. Accessed May 15, 2018.
36. School Based Complaints 5-Year Trend Analysis. Available at <https://www.nccourts.gov/documents/publications/school-based-complaints-5-year-trend-analysis>. Accessed June 13, 2019.

STEP 1.

CONVENER RECRUITS TEAM LEADER

Although the chief district court judge is the convener for the SJP, the SJP needs a leader. The Team Leader will serve as a champion for the project.

Ideally, the Team Leader is someone who is passionate about SJPs, hardworking, and trustworthy. The Team Leader also must have the bandwidth to dedicate to the project.

ROLE OF THE TEAM LEADER

- Keep the conversation going outside of meetings
- Keep people excited and engaged
- Actively work with stakeholders to develop consensus solutions

In many communities, a juvenile court judge can serve as Team Leader. But if such a person is not available, any youth advocate can serve in this role. Often, likely candidates already will be serving on your Juvenile Crime Prevention Council (JCPC), so the JCPC is a good place to look for a team leader.



THIS [SJP] AGREEMENT IS THE RESULT OF A COLLABORATION AMONG KEY STAKEHOLDERS WHO RECOGNIZE THE NEED TO RESPOND TO SCHOOL DISCIPLINE WITH SWIFT APPROPRIATE ACTION.

— JUDGE ERICKA JAMES, WAYNE COUNTY



STEP 2.

GET EDUCATED AND GATHER DATA

GET INFORMED ABOUT SJPs GENERALLY

Whether you're new to SJPs or whether you just need a refresher, review the Introduction to this Toolkit for information about SJPs. The School Justice Partnership Project (NCJFCJ) offers a host of resources to support your efforts to create an SJP. The links below include information you may find especially helpful.

- School Pathways to the Juvenile Justice System Project: A Practice Guide (2014) schooljusticepartnership.org/images/documents/school-pathways-practice-guide.pdf
- Developing a Memorandum of Understanding (MOU) for Your School Justice Partnership Webinar (February 6, 2017) ncjfcj.org/developing-memorandum-understanding-mou-your-school-justice-partnership
- Collecting Data and Sharing Information to Improve School Justice Partnerships (2017) ncjfcj.org/sites/default/files/NCJFCJ_SJP_Collecting%20Data_Final.pdf
- Find other information specific to your stakeholder groups at schooljusticepartnership.org.

LEARN HOW TO IMPLEMENT AN SJP

This Toolkit is designed to give the SJP team everything it needs to convene community stakeholders, access appropriate resources, and adopt an MOU. Before you do anything else, take the time to read through the Toolkit at least once.

GATHER SCHOOL-RELATED DATA FOR YOUR COMMUNITY

An important initial step is to gather information about school expulsions, suspensions, school referrals to the justice system, and related matters. This step will help the SJP team understand the scope of the issue in your community, and provide a baseline to evaluate progress as you move forward.

At a minimum, you should gather the data shown on the Sample School Data Sheet, which is included in the Appendix as Attachment C.

Much of the information required on the Sample School Data Sheet can be obtained from the North Carolina Department of Public Instruction/State Board of Education (SBE) website. The SBE reports annually on dropout events

and rates, suspensions and expulsions, reassignments for disciplinary purposes, uses of corporal punishment, alternative learning program enrollments, and school crime and violence. SBE reports provide statewide data and data for each North Carolina Local Education Agency (LEA).

To find these reports, [click here](#) or follow the steps below.

- Visit www.dpi.state.nc.us.
- Click on <Data and Statistics>.
- Click on <School Crime and Discipline Reports>.
- Under the "Consolidated Reports" heading, click on the PDF file for the relevant fiscal year.

For your convenience, recent data on criminal charges for 16- and 17-year-olds and on school-based referrals to the juvenile justice system is available at [SJP.nccourts.gov](https://snp.nccourts.gov).

If you need additional information, contact your school resource officer, principals, or local board of education.

Do not feel limited by the fields indicated in the Sample School Data Sheet. For example, if racial disparities are an issue or perceived issue in your community, it may be helpful to gather that information as well. The Racial Equity Report Cards developed by the Youth Justice Project of the Southern Coalition for Social Justice provide data about racial disparities in North Carolina school discipline practices. Report Cards were released in January 2019 for the state as a whole and each of its 115 school districts.

GATHER INFORMATION ABOUT SPECIAL PROGRAMS FOR YOUTH IN YOUR COMMUNITY

Some communities already have special programs for youth, including Teen Court, JCPC programs, and school programs. Gather information about these programs and memorialize it in a document that can be shared with others and updated as work progresses. Knowledge about available resources will be important for your SJP team as it begins to identify available community programs and resources as part of a graduated response model.

To help determine which programs are funded in your particular county, you should contact your local JCPC Chairperson using the statewide [directory](#) maintained by the North Carolina Department of Public Safety.

STEP 3.

DEVELOP A DRAFT ACTION TIMELINE

With your Team Leader, develop a draft timeline for action, for adoption by your SJP team at the kickoff meeting. A sample timeline is provided below.

MONTH ONE

STAKEHOLDER KICKOFF MEETING

- PLANNING TIP: In multicounty districts, invite all counties to kickoff meeting.
- PLANNING TIP: Make clear decisions about who will be a voting member of the team.
 - GOAL 1: Get to know community partners and Team Leader
 - GOAL 2: Educate community partners about SJPs
 - GOAL 3: Share objectives and timeline

MONTH TWO

SJP TEAM MEETING

- PLANNING TIP: In multicounty districts, have a separate meeting for each county.
 - GOAL 1: Adopt a statement of purpose
 - GOAL 2: Develop clear guidelines defining the role of law enforcement in the schools

MONTH THREE

SJP TEAM MEETING

- GOAL 1: Develop a Graduated Response Model
- GOAL 2: Review and modify the statement of purpose and guidelines for law enforcement, as decided at last meeting

MONTH FOUR

SJP TEAM MEETING

- GOAL 1: Review and modify, as needed, the Graduated Response Model, as decided at last meeting
- GOAL 2: Identify and agree on necessary definitions to be included in the final MOU
- GOAL 3: Decide on duration of the MOU
- GOAL 4: Assign a team member to draft the MOU
- GOAL 5: Identify the effective date of the MOU, which should allow appropriate time for training, education, and initial data collection

MONTH FIVE

SJP TEAM MEETING

- GOAL 1: Review and revise draft MOU
- GOAL 2: Agree on necessary training
- GOAL 3: Set date and discuss logistics for signing ceremony



SIGNING CEREMONY / TRAINING

- GOAL 1: Train all community partners
- GOAL 2: Hold signing ceremony



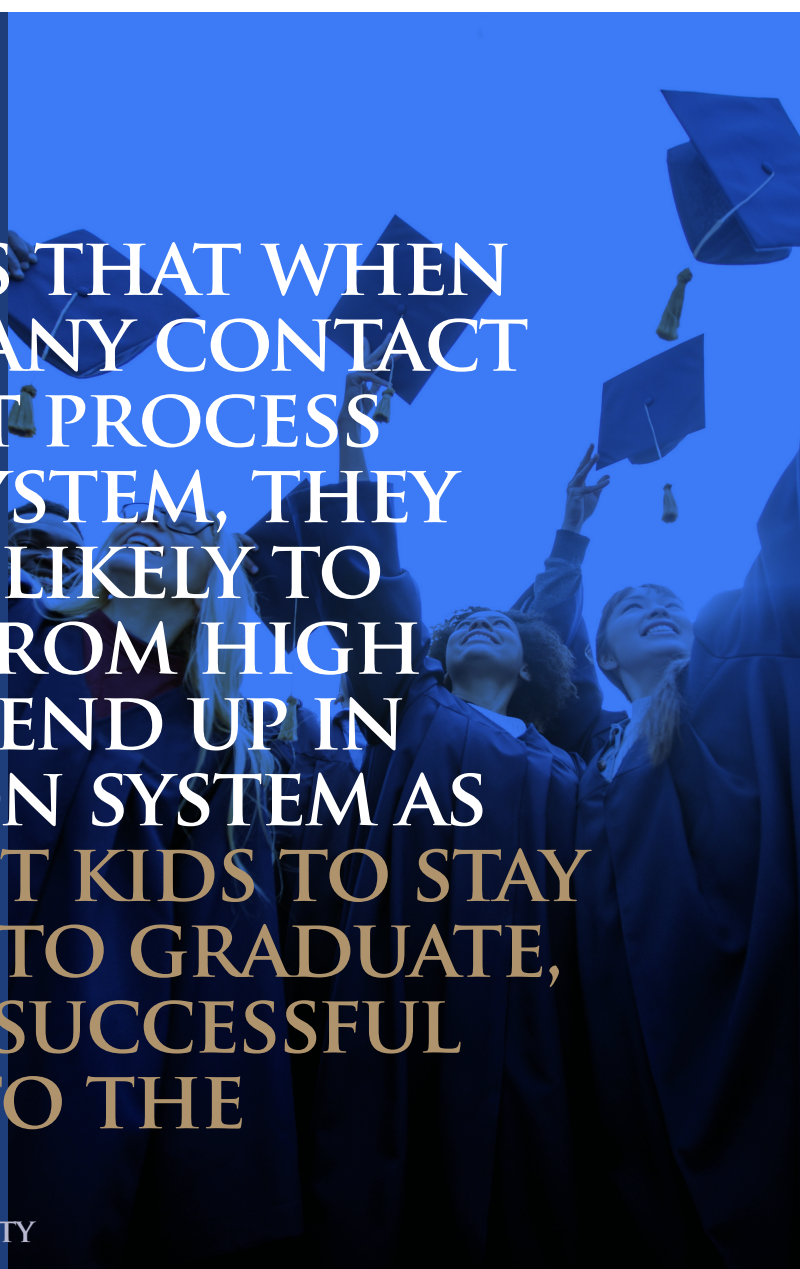
IMPLEMENTATION / QUALITY CONTROL / PROGRESS MONITORING

- GOAL 1: Hold quarterly meetings of progress monitoring team
- GOAL 2: Provide ongoing training, as needed
- GOAL 3: Make changes to MOU, policies, and training, as needed
- GOAL 4: Create annual report based on July 1–June 30 fiscal year data



EVIDENCE SHOWS THAT WHEN CHILDREN HAVE ANY CONTACT WITH THE ARREST PROCESS OR THE COURT SYSTEM, THEY ARE MUCH MORE LIKELY TO NOT GRADUATE FROM HIGH SCHOOL AND TO END UP IN THE ADULT PRISON SYSTEM AS ADULTS... WE WANT KIDS TO STAY IN SCHOOL, AND TO GRADUATE, AND TO BECOME SUCCESSFUL CONTRIBUTORS TO THE COMMUNITY.

— JUDGE ELIZABETH HEATH, GREENE COUNTY



STEP 4. IDENTIFY SJP TEAM MEMBERS

The SJP team should include every stakeholder group that has a role in ensuring school and community safety and all signatories necessary to execute an MOU. Listed below are essential and recommended stakeholders for your SJP team.

ESSENTIAL TEAM MEMBERS

- Chair of Board of Education
- Superintendent of Schools
- Lawyer for Board of Education
- Student Support Services
- School Behavioral Specialist, if you have one
- Principals (consider having at least one from elementary, middle, and high school)
- Chief District Court Judge
- District Attorney
- Sheriff
- School Resource Officer (SRO) Supervisor
- Chief(s) of Police, if the police department is providing SROs
- Chief Court Counselor
- Department of Social Services
- Mental Health Professionals
- Parents or Family Partners

RECOMMENDED TEAM MEMBERS

- City or County Officials
- Local JCPC Chairperson
- Deputy Superintendent of Schools
- School Safety Lead
- Probation Officer
- Public Defender
- Member of the Clergy
- Professor of Education

Feel free to include representatives from other stakeholder groups that are important in your local community. For example, if your county has a large military presence, you may consider adding a representative from the military base. Or, if certain segments of your community are disproportionately impacted by juvenile justice issues, you may wish to include representatives from affected groups.

Not all stakeholders need to be voting members of the SJP team; some can serve as advisors.

SJP team members should solicit frequent input and feedback from their peers and share this feedback with the SJP team. This feedback should include information about existing agreements, legal requirements, policies and procedures, administrative rules, and professional relationships. This will allow the team to better understand all administrative, legal, and operational concerns related to each stakeholder group's respective roles in the SJP.

Create a list of SJP team members and advisors, with contact information, using the format provided in the Appendix as Attachment D.



**JUVENILE
COURTS SHOULD
BE RESERVED FOR
CHILDREN WHO
'SCARE' US, NOT
THOSE WHO
MAKE US MAD.**

— JUDGE STEVEN TESKE,
CLAYTON COUNTY, GEORGIA

STEP 5.

HOLD SJP KICKOFF MEETING

You will kick off your SJP team’s work with an invitation to join the team and attend a Kickoff Team Meeting. This step details the planning that needs to go into that meeting. If you need help getting started, contact the NCAOC for meeting support by emailing SJP@nccourts.org or calling 919-890-2468.

IDENTIFY A FACILITATOR TO HELP WITH THE MEETING

While the chief district court judge serves as the convener and will chair the kickoff meeting, it’s best to have a separate person act as facilitator. The facilitator’s job is to encourage participation and manage the flow of the discussion to best accomplish the meeting’s objectives. The facilitator is not administrative support personnel. Rather, the facilitator helps the team members define and achieve their common objectives. The facilitator should remain “neutral,” meaning that he or she does not take a position in the discussion. Having a facilitator will allow the CDCJ to remain on equal footing with all stakeholders, enhancing a true team effort.

The facilitator must be willing to get informed about the issue at hand, have strong consensus-building and conflict resolution skills, and have experience managing conversations among stakeholders regarding difficult issues.

Every team’s experience is different, but it is recommended that the team have a facilitator at the initial kickoff meeting and the first two team meetings.

For help finding a facilitator, look to your community, including local dispute resolution centers, university partners, or local cooperative extension programs. If you are unable to find a skilled local facilitator, email SJP@nccourts.org and NCAOC staff will help engage a facilitator for you.

PREPARE AN AGENDA FOR THE KICKOFF MEETING

Working with your Team Leader and facilitator, prepare an agenda for the kickoff meeting. A sample agenda is provided in the Appendix as Attachment E.

FIND A WELCOMING MEETING SPACE

Try to find a bright and comfortable space that can accommodate all stakeholders. SJP veterans recommend against using a courthouse location and suggest finding a school or community college facility.

SECURE SPEAKERS

As noted on the draft agenda, your kickoff meeting includes a session explaining overall goals and relevant research and providing a time for participant engagement. The NCAOC has arranged for the juvenile reform experts listed below to handle this segment of the agenda for you. You should contact them well in advance of your meeting to secure their participation.

- **The Honorable J.H. Corpening II**
Chief District Court Judge
5th Judicial District, New Hanover and Pender Counties
North Carolina Judicial Branch
910-341-7406
Julius.H.Corpening@nccourts.org
- **The Honorable Elizabeth Heath**
Chief District Court Judge
8th Judicial District, Greene, Lenoir, and Wayne Counties
North Carolina Judicial Branch
252-520-5440
Elizabeth.A.Heath@nccourts.org
- **The Honorable Elizabeth Thornton Trosch**
District Court Judge
26th Judicial District, Mecklenburg County
North Carolina Judicial Branch
704-686-0141
Elizabeth.T.Trosch@nccourts.org
- **LaToya B. Powell**
Assistant Legal Counsel
Office of General Counsel
North Carolina Judicial Branch
919-890-1321
LaToya.B.Powell@nccourts.org

PREPARE A MEETING INVITATION

Once you have approved the meeting location, draft a meeting announcement to be sent to the key stakeholders that have been identified. A sample meeting announcement is provided in the Appendix as Attachment F.

DESIGNATE A NOTE TAKER

Designate someone in advance to take attendance at the meeting and to prepare meeting minutes.

IDENTIFY A CUSTODIAN OF RECORDS

Identify a person who will be responsible for maintaining all documentation related to your SJP, including the signed SJP MOU, reports, meeting minutes, resources, and other materials. Send an electronic copy of the signed SJP MOU to SJP@nccourts.org.

CONDUCT THE MEETING

The chief district court judge should chair the meeting, but the facilitator should make sure that every stakeholder has a voice.

The purpose of the kickoff meeting is to establish a working relationship among team members and to educate them about SJPs. During the meeting, it is important that each community stakeholder identify and articulate his or her specific role in the SJP process, so that all team members recognize the interrelation of their efforts in creating a successful SJP.

The kickoff meeting also is the best time to establish a baseline measure of your community's starting point.

The data you gathered in Step 2 can inform the group about juvenile court referrals, types of offenses, racial disparities, expulsions, suspensions, and other school-related issues. It may be helpful to have your school, juvenile justice, law enforcement, and community partners share available data from their respective agencies and to address any questions at the meeting.

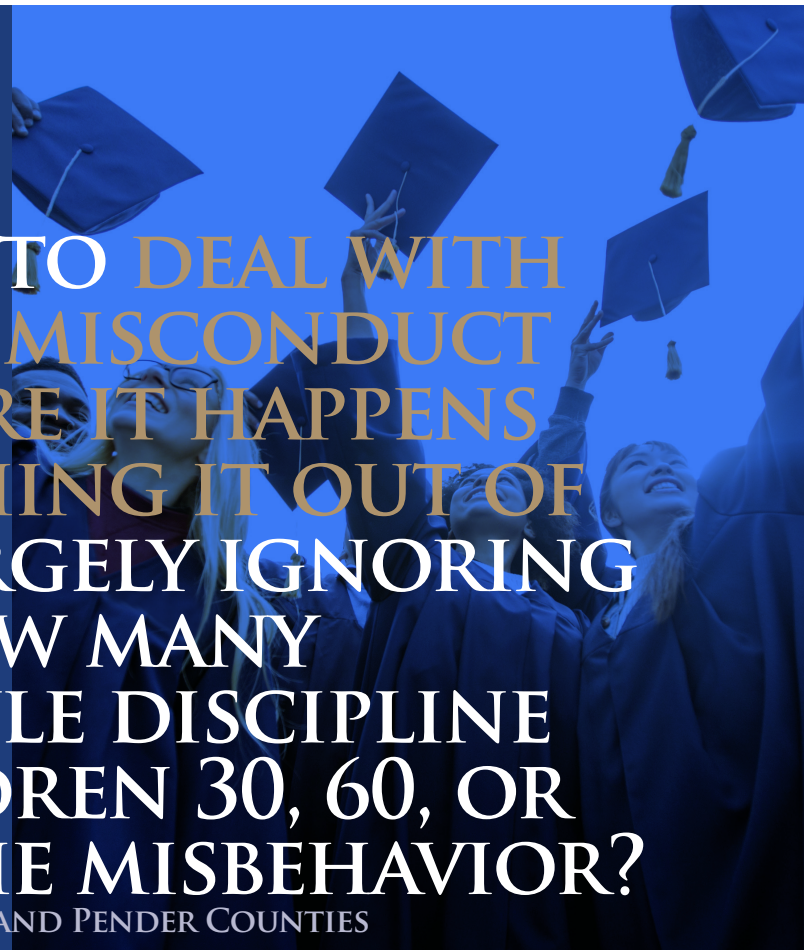
By the end of the kickoff meeting, try to accomplish the following goals:

- Introduce all necessary community partners and identify their respective roles.
- Obtain contact information for all team members.
- Establish a baseline measure of your community's starting point, including all data points on the Sample School Data Sheet (Attachment C).
- Identify your community's specific goals and objectives for the SJP.
- Establish a framework for future meetings.



IT IS IMPORTANT TO DEAL WITH MINOR STUDENT MISCONDUCT WHEN AND WHERE IT HAPPENS INSTEAD OF PUSHING IT OUT OF SCHOOL AND LARGELY IGNORING IT. AFTER ALL, HOW MANY PARENTS SCHEDULE DISCIPLINE FOR THEIR CHILDREN 30, 60, OR 90 DAYS FROM THE MISBEHAVIOR?

— JUDGE J.H. CORPENING, NEW HANOVER AND PENDER COUNTIES



STEP 6. HOLD SJP TEAM WORK MEETINGS

Once the kickoff meeting is completed, it is time to get to work building the key components of the MOU. The size and dynamics of your group will determine how many meetings will be required to accomplish this task. Each of the key components is discussed in more detail below.

- Define the role of law enforcement in schools
- Develop a system of graduated responses for school misconduct
- Determine how you will ensure quality control

DEFINE THE ROLE OF LAW ENFORCEMENT IN SCHOOLS

In this step, you will articulate a clear understanding of the role of law enforcement officers on campus. Some



OUR GREATEST
WEAKNESS
LIES IN GIVING
UP. THE MOST
CERTAIN WAY
TO SUCCEED
IS ALWAYS TO
TRY JUST ONE
MORE TIME.

— THOMAS A. EDISON

districts already have existing agreements between law enforcement agencies and the schools, so you may have to work within the context of these agreements. Your school and community partners should take the lead in developing language for the MOU related to the conduct of law enforcement officers on school property.

In addition, the United States Department of Education has a [resource guide](#) to assist you in implementing best practices for incorporating SROs into the learning environment. The guide emphasizes that SROs should be “focused on school safety, with the responsibility for addressing and preventing serious, real, and immediate threats to the physical safety of the school and its community.” By contrast, school administrators and staff should be focused on “maintaining order and handling routine disciplinary matters.” In other words, the SRO’s role should be limited to handling serious violations of criminal law that threaten school safety, while school officials should be responsible for addressing violations of the school’s code of conduct. While law enforcement should make an effort to limit their involvement to serious violations of criminal law that threaten school safety, the final decision making authority for any criminal law violation remains within the discretion of law enforcement.

Discuss these options and agree upon clear guidelines for the role of SROs in your community. Sample language is provided in the Model SJP MOU included in the Appendix as Attachment A.

UNDERSTAND MANDATORY REPORTING OF CERTAIN SCHOOL-BASED OFFENSES

It is important to recognize that a mandatory report to law enforcement does not require a referral to the justice system. North Carolina law requires principals to report certain criminal offenses that occur on school property to the appropriate local law enforcement agency and the superintendent [G.S. 115C-288(g)]. These offenses include assault resulting in serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of a weapon, possession of a firearm, possession of a weapon, and possession of a controlled substance. Your school partners should take the lead in defining appropriate responses to these reportable offenses.

IDENTIFY GRADUATED RESPONSES

The goal here is to identify what accountability measures should be put in place to respond to the school-based misconduct. For communities that already use the PBIS (Positive Behavioral Interventions and Supports) model in their schools, much of the work for this step already may have been done.

For other communities, appropriate responses to school-based misconduct need to be defined. By way of illustration, they can include things such as the following:

- Teacher use of established classroom management tools (e.g., visual and verbal cues; increased teacher proximity; implementing logical consequences)
- Teacher contact to school administrator
- Parent contact
- Parent/teacher conference
- Behavioral contracts
- Loss of school privileges
- Journaling or reflection
- Reteaching, tutoring, differentiation
- In-school detention
- Referral to student support personnel
- Referral to school-based diversion program
- Referral to mentoring program
- Referral to substance intervention program
- Referral to counseling
- Referral to restitution program
- Referral to local management entity or county mental health program



THIS PROJECT IS VITALLY IMPORTANT TO OUR SCHOOLS, TO OUR LAW ENFORCEMENT OFFICERS, AND TO COMMUNITY SAFETY. COLLABORATING WITH STAKEHOLDERS FROM VARIOUS ENTITIES ENHANCES THE PROBABILITY OF THE PROGRAM'S SUCCESS.

— SHERIFF JOHN W. INGRAM V, PRESIDENT, NORTH CAROLINA SHERIFFS' ASSOCIATION

DEVELOP GRADUATED RESPONSE MODEL

The goal of a Graduated Response Model is to make sure that all appropriate interventions, including positive interventions, have been pursued before exclusionary discipline practices are considered for school-based misconduct. To that end, the team should develop a Graduated Response Model tailored to school needs and resources. Note that some schools may have existing programs utilizing graduated responses, such as PBIS, which should be considered during this process. A sample Graduated Response Model is included in Attachment A, as part of the model MOU.

SJP teams should develop a Graduated Response Model using the Graduated Response Decision Tree, shown in Table 3, as a guide. A standalone version of the Graduated Response Decision Tree is included in the Appendix as Attachment G.

The purpose of the Graduated Response Model is to identify the role of each community partner in the SJP process.

The model should reflect viable responses to student misconduct, accounting for existing legal, administrative, and operational concerns relevant to your community.

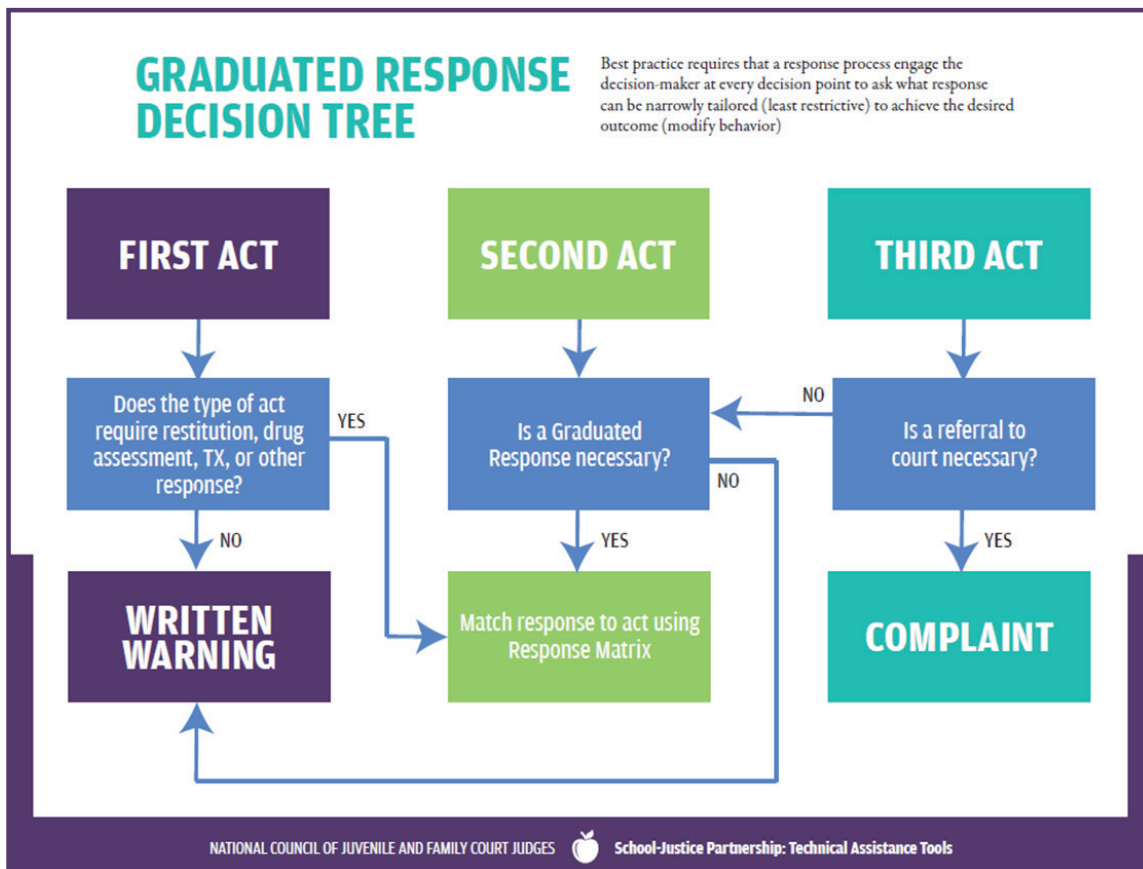
DETERMINE QUALITY CONTROL MEASURES

Quality control refers to how the SJP team will monitor compliance with the MOU and evaluate its effectiveness over time. Specifically, this will require decisions regarding the questions set forth below.

- What outcomes will be measured in order to evaluate the overall goals of the SJP of reducing in-school arrests, out-of-school suspensions, and expulsions?
- What data needs to be collected to measure overall effectiveness of the agreement?
- For each data point, which agency will be responsible for collection? What person within that agency will be the point person for collection?

TABLE THREE

TABLE 3: GRADUATED RESPONSE DECISION TREE
SOURCE: NATIONAL COUNCIL OF JUVENILE AND FAMILY COURT JUDGES



- For each data point, where is data stored and how can it best be shared?
- Who will be responsible for collecting all relevant data from various agencies on a regular basis to evaluate the effectiveness of and compliance with the MOU? *(A sample Data Collection Plan is provided in the Appendix as Attachment H.)*
- Who will be responsible for reconvening the parties on a regular basis (at least annually) to review the data, evaluate the effectiveness of and compliance with the MOU, and propose changes as needed?
- Will any of the data or reports be shared with the public and, if so, how will it be shared?

It is suggested that, at a minimum, the SJP collect the following data for each school-based incident that occurs:

- Type of offense
- Date of offense
- School response (e.g. parent conference, in-school suspension, out-of-school suspension) (can be multiple responses)

- Name of school personnel involved
- If suspended, length of suspension
- Law enforcement response, if any (e.g. search or seizure, use of force, questioning, diversion, court referral, detention) (can be multiple responses)
- Name of officer(s) involved
- If referred to court, offense for which student was charged
- If referred to court, outcome of referral (e.g. diversion plan, dismissal, adjudicated/convicted)
- If diverted to service, service type (e.g. Teen Court, Misdemeanor Diversion Program, mediation program, community service, mental health referral)
- Student demographics (gender, race/ethnicity, age, grade, school, disability status, limited English proficiency status)

These data elements are necessary for evaluation, but the SJP should strongly consider collecting additional data in order to fully evaluate the effectiveness of the SJP MOU. For example, the SJP can track student success measures (e.g. attendance, academic performance, past offenses, future offenses) to help determine the effectiveness of the school's response to student misconduct. The SJP also can examine the effectiveness of various graduated responses to inform future modifications to the MOU.

So that an assessment of the SJP can be made, it is recommended that this data be collected for at least one year prior to implementation of the MOU. It also is recommended that this data be collected and regularly distributed at least quarterly after implementation of the MOU.

To protect student privacy and confidentiality, the data should not include any personal identifying information. Many agencies assign each student a unique identifier to help maintain privacy for data collection and reporting purposes. Additionally, an agency can share aggregated data to avoid breaching confidentiality laws.

It is essential that any information sharing be in accordance with all relevant laws regarding student privacy and confidentiality. Consequently, your school board attorneys or other legal representatives will be critical in shaping the language in the MOU related to the sharing and use of data.

The decisions you make with respect to quality control should be memorialized in the MOU. A sample Data Collection Plan, shown in the Appendix as Attachment H, will guide you in this process.

“THE WHOLE
JUVENILE CODE
IS BASED ON
THE SUCCESS
OF JUVENILES
AND OF
TEAMWORK.

— CHIEF JUSTICE CHERI BEASLEY,
SUPREME COURT OF NORTH CAROLINA

STEP 7.

DRAFT & FINALIZE THE MEMORANDUM OF UNDERSTANDING; SIGNING CEREMONY

DRAFT AND FINALIZE THE MEMORANDUM OF UNDERSTANDING (MOU)

Identify a person to draft the MOU based on the work that has been done. A Model SJP MOU is provided in the Appendix as Attachment A. The SJP team can, of course, modify this model, but your final MOU should contain the following core components:

- Purpose
- Definitions
- Guidelines for law enforcement officers at school
- Graduated responses to misconduct
- Quality control measures
- Provision on duration of the MOU

All of these items will have been hammered out in your SJP team work meetings.

Set a timeline for completion of the draft and circulation to members of the SJP team as well as to any legal staff that should be involved in the review (e.g., lawyer for the Board of Education). Schedule an SJP Team Meeting to review the draft and finalize the MOU.

HOLD SIGNING CEREMONY

If you've gotten this far, congratulations! Celebrate the SJP team's work with a public signing ceremony. In addition to celebrating your hard work, this is a great opportunity to educate community members about the project and continue building community support. The steps below will help maximize the potential for positive media coverage that will build support and awareness for your SJP.

- Contact SJP@nccourts.org to notify the NCAOC of the signing ceremony or request assistance with planning your event.
- Identify a media point person to act as the contact for all media inquiries.
- Identify all media that cover your area and send a media advisory inviting them to attend the signing ceremony.
- Before the meeting, identify key stakeholders and make them available for interviews after the signing ceremony.
- Have a good photographer on hand to capture the signing and other photos with stakeholders and community leaders.
- Once the event is over, send a press release to all media, providing more details about what happened at the event, including your best photos.
- Provide photos and press releases to all key stakeholders and the NCAOC for inclusion on their websites and social media accounts (Facebook, Twitter, etc.) for their respective agencies.

A sample media advisory and press release are included in the Appendix as Attachment I.



**NEW HANOVER
COUNTY'S SJP
HAS RESULTED
IN A 47%
DECREASE IN
SCHOOL-BASED
REFERRALS IN
ITS FIRST YEAR.**

— SJP.NCCOURTS.GOV

STEP 8. TRAIN FOR SUCCESS

DEVELOP A TRAINING PLAN

In order for your MOU to work effectively, all involved persons will require initial and follow-up training. You must identify who needs training, specify the form of training, identify trainers, and set an initial and follow-up training schedule.

The training should include, at a minimum, the following components:

- Overview of School Justice Partnerships
- The specific content of the MOU
- An understanding of the role and responsibilities of each party to the MOU
- The policies and procedures for responding to school-based misconduct pursuant to the MOU
- Equity training and education, including implicit bias training, designed to reduce disproportionate impact
- Data collection and sharing, including issues related to student privacy and confidentiality

Each party to the MOU should ensure that members of their respective agencies, especially those directly interacting with students and making discipline or charging decisions, receive the required training within three months of the signing of the MOU. However, you may find it more efficient and productive to have groups receive training together.

Training and implementation for existing parties should be an ongoing process and any new officers, employees, agents, representatives, contractors, or subcontractors whose work relates to the MOU should be trained as they are hired.

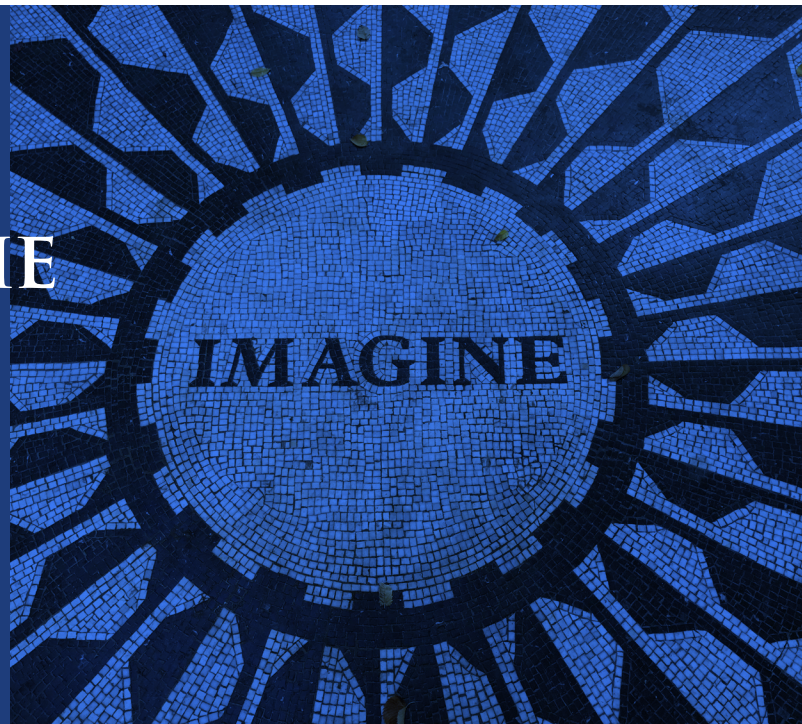
Keep a record of the person trained, title, type of training, training duration, trainer, and date of the training. To the extent possible, work with your stakeholder groups to coordinate continuing education credit if appropriate.

A template for creating a training schedule is included in the Appendix as Attachment J.



EDUCATION IS THE
MOST POWERFUL
WEAPON, WHICH
YOU CAN USE TO
CHANGE THE
WORLD.

— NELSON MANDELA



STEP 9. MONITOR PROGRESS

A successful SJP requires continuous monitoring, evaluation, and improvement. The Progress Monitoring Team will have primary responsibility for providing the necessary oversight, data collection, and analysis.

Each signatory to the MOU has one designee on the Progress Monitoring Team, as detailed in the MOU.

- On a regular basis and at least quarterly, the Progress Monitoring Team should meet to provide oversight of the MOU and review relevant data and analysis.
- Each year, the Progress Monitoring Team should determine if changes to the memberships would be beneficial.

- At least annually, the Progress Monitoring Team should prepare a report of activities and make recommendations for improvements to the MOU and/or its implementation.
- Annual data collection, review, and analysis should be based on the July 1–June 30 fiscal year.

The Progress Monitoring Team should forward its annual report to School Justice Partnership North Carolina by emailing it to SJP@nccourts.org. To protect student privacy and confidentiality, the data should not include any personal identifying information.

All SJP signatories should meet at least annually to review data, analysis, and recommendations from the Progress Monitoring Team. Any changes can be implemented by updating the SJP MOU or by adding an addendum to it.



JUDGE STEVEN TESKE'S PROGRAM IN CLAYTON COUNTY, GEORGIA, RESULTED IN A 67.4% DECREASE IN REFERRALS TO JUVENILE COURT, A 43% DECREASE IN REFERRALS OF YOUTH OF COLOR TO JUVENILE COURT, AND A 24% INCREASE IN GRADUATION RATES.

— SJP.NCCOURTS.GOV



STEP 10.

CONTINUE TO GROW AND ADAPT

Once the SJP is up and running, you should continue to use available resources to keep apprised of best practices, evolving trends and lessons learned from other jurisdictions. The resources below can help you find information about school justice partnerships, including education and training opportunities.

THE SCHOOL JUSTICE PARTNERSHIP PROJECT (NCJFCJ)

The National Council of Juvenile and Family Court Judges (NCJFCJ) was awarded funding by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to support the School Justice Partnership Project. The purpose of this project is to enhance collaboration and coordination among schools, mental and behavioral health specialists, law enforcement, and juvenile justice officials to help students succeed in school and prevent negative outcomes for youth and communities. www.schooljusticepartnership.org

SCHOOL JUSTICE PARTNERSHIP NORTH CAROLINA

The North Carolina Judicial Branch has a website devoted to school justice partnership programs in North Carolina. The page includes a model MOU, Toolkit for implementation, relevant documents from North Carolina programs, and other helpful resources. Have a question about School

Justice Partnership North Carolina? Email your question to SJP@nccourts.org.

The website also will have a list of North Carolina jurisdictions that have done the work and can help you navigate SJP implementation. Visit the website and click on a respective judicial district to access relevant documents and information for the respective SJP. SJP.nccourts.gov

DEPARTMENT OF PUBLIC SAFETY, JUVENILE JUSTICE SECTION

The goal of the Juvenile Justice Section is to reduce and prevent juvenile delinquency by effectively intervening, educating, and treating youth in order to strengthen families and increase public safety. DPS provides information about community programs, court services, juvenile facility operations, and clinical services and programs. Juvenile Crime Prevention Councils (JCPCs) offer community-based programs in all 100 counties. Visit the DPS website to view community-based programs by county. www.ncdps.gov

YOUTH JUSTICE PROJECT

The Youth Justice Project (YJP) of the Southern Coalition for Social Justice provides data about racial disparities in North Carolina school discipline practices. YJP has created a Racial Equity Report Card for the state as a whole and for each local public school district. The report cards are intended to be used as starting points for community education and discussion about racial disproportionality, its causes, and possible solutions. Visit the site to access your community's report card. www.youthjusticenc.org

THE KIRWAN INSTITUTE AT THE OHIO STATE UNIVERSITY

The Kirwan Institute for the Study of Race and Ethnicity is a research institute at The Ohio State University whose goal is to connect individuals and communities with opportunities needed for thriving by educating the public, building the capacity of allied social justice organizations, and investing in efforts that support equity and inclusion. Since 2013, the Kirwan Institute has published an annual review of research and emerging issues related to the impact of implicit bias in areas including criminal justice, health care, housing, education, and employment. A special section — Implicit Bias in School Discipline — highlights issues related to implicit bias and school disciplinary decisions.

www.kirwaninstitute.osu.edu



A CHILD'S LIFE
IS LIKE A PIECE
OF PAPER ON
WHICH EVERY
PERSON LEAVES
A MARK.

— CHINESE PROVERB

APPENDIX

ATTACHMENT A.

- School Justice Partnership Model Memorandum of Understanding

ATTACHMENT B.

- NCAOC Policy on School Justice Partnerships

ATTACHMENT C.

- Sample School Data Sheet

ATTACHMENT D.

- Sample SJP Members and Advisors Contact Sheet

ATTACHMENT E.

- Sample Agenda for Kickoff Meeting / General
- Sample Agenda for Kickoff Meeting / Annotated

ATTACHMENT F.

- Sample Invitation to Kickoff Meeting

ATTACHMENT G.

- Sample Graduated Response Decision Tree

ATTACHMENT H.

- Sample Data Collection Plan

ATTACHMENT I.

- Sample Media Advisory
- Sample Press Release for Signing Ceremony

ATTACHMENT J.

- Sample Training Schedule

APPENDIX
ATTACHMENT A

MODEL
MEMORANDUM
OF
UNDERSTANDING

MEMORANDUM OF UNDERSTANDING

PREAMBLE

WHEREAS, schools and law enforcement agencies share responsibility for school safety and must work together with complementary policies and procedures to create a safe school environment.

WHEREAS, some student misconduct can be best addressed through classroom, in-school, family, and community strategies and maintaining a positive climate within schools rather than through the justice system.

WHEREAS, schools and law enforcement agencies must ensure a consistent response to student misbehavior, efficiently utilizing alternative support services and reducing involvement of law enforcement and justice agencies for minor misconduct at school and school-related events.

WHEREAS, clarifying the responsibilities of school and law enforcement personnel with regard to non-emergency disruptive behavior at school and school-related events promotes the best interests of students, the school system, law enforcement, and the community.

NOW, THEREFORE, the Parties hereby agree as follows:

This memorandum of understanding (MOU) expresses the agreement of the parties for responding to non-emergency school disruptions. It strives to ensure a consistent response to student misbehavior, clarify that school officials, not law enforcement, are responsible for non-criminal school disciplinary matters, efficiently utilize alternative support services, and reduce involvement of law enforcement and court agencies in minor non-criminal misconduct at school and school-related events. While this MOU deals with responses to non-emergency school disruptions, the parties acknowledge the importance of cooperation between school officials and law enforcement in response to emergency and safety issues.

The parties agree to the following principles underpinning this MOU:

- A. Law enforcement actions, such as arrests, citations, or court referrals, should not be used for school misconduct.
- B. Responses to school misconduct should be reasonable, consistent, and fair with appropriate consideration of relevant factors such as the student's age, the nature and severity of the incident, and the conduct's impact on other students, school staff, and the school environment.
- C. Students should be held accountable for their misconduct through a graduated response model that provides a continuum of services with increasingly more severe sanctions for continued or more serious misbehavior.

- D. Students who do not commit serious misconduct should receive appropriate redirection and support from in-school and community resources prior to application of exclusionary discipline practices. This does not excuse compliance with mandatory reporting laws and policies.
- E. Implementation of this MOU will require regular meetings, multidisciplinary training, annual evaluations, and an ongoing commitment to fostering the relationships that are the foundation of this agreement.
- F. Although this MOU seeks to reduce the involvement of law enforcement and the justice system in minor misconduct, it does not prohibit or prevent such involvement when deemed necessary by Principals, the Superintendent of the XYZ County Schools, the XYZ County Board of Education, or the appropriate law enforcement agency or officer. However, because court involvement produces long-lasting negative outcomes for students and communities, school officials and law enforcement shall make every effort to implement a graduated response to student misconduct.
- G. This MOU shall not inhibit, discourage, or prevent individual victims of student misconduct from initiating criminal or juvenile charges against students nor shall it affect the prosecution of such charges.
- H. School Resource Officers (SROs) are employees of either the City of X1 or the XYZ County Sheriff's Office who work in conjunction with school officials but are not agents of the XYZ County Board of Education. Nothing in this MOU shall be construed to make the XYZ County Board of Education, its Board Members, employees or agents, liable for the acts or omissions of any SRO or other law enforcement officer.
- I. To the extent that this MOU conflicts with any applicable law or regulation, the applicable law or regulation shall control.
- J. This MOU is not a binding contract. Violations of this MOU shall not give rise to or be construed as creating a cause of action by any person against any party to this agreement or their employees or agents, nor shall such violations be considered negligence per se.
- K. Nothing in this MOU shall be construed as increasing the common law standard of care owed by the parties, or any of them, to any person. This MOU shall not be construed as to confer any additional benefit or right on students above what is owed to them by the XYZ County Board of Education under the Individuals with Disabilities Education Act (as amended), Section 504 of the Rehabilitation Act, or other law or regulation.
- L. No person is a third-party beneficiary of this MOU.

I. DEFINITIONS

- A. **“Code of Student Conduct”** means the XYZ County Schools Code of Student Conduct.
- B. **“Exclusionary Discipline Practices”** refers to suspension, expulsion, referral to the juvenile justice system or initiation of criminal charges.
- C. **“Graduated Response Model”** is a tool that identifies appropriate interventions and consequences for school misconduct. The XYZSJP Graduated Response Model is attached to this MOU as Attachment A.
- D. **“Public School Property”** means the physical premises of all school campuses and properties, active bus stops, all vehicles under the control of XYZ County Public Schools, and the premises of all school-sponsored curricular or extracurricular activities, both on or away from a school campus.
- E. **“School-Based Diversion”** (SBD) means an educational program or community-based service identified as an effective alternative to exclusionary discipline practices.
- F. **“School-Based Misconduct”** means any non-criminal violation of the Code of Student Conduct.
- G. **“School Resource Officer”** (SRO) means a certified law enforcement officer who is assigned to provide coverage to a school or a set of schools.
- H. **“Student”** means a person duly enrolled in the XYZ County Schools, regardless of age.

II. TERMS OF AGREEMENT

A. Establishment of XYZ County School Justice Partnership

This MOU establishes the XYZ County School Justice Partnership (XCSJP). The XCSJP shall be comprised of the following agencies: [County School System]; [All City School Systems]; [Sheriff’s Office]; [All Municipal Law Enforcement Agencies]; [Division of Adult Correction and Juvenile Justice for the XX Judicial District]; [Office of the District Attorney for the XX Judicial District]; [County Department of Social Services]; [County Department of Mental Health or Local Management Entity]; and the [District Court of the XX Judicial District].

The XCSJP shall:

1. Convene regular meetings on a schedule established by the parties
2. Share this MOU with appropriate personnel of agencies that are a part of this partnership
3. Provide necessary and regular training on implementation of the MOU
4. Monitor implementation of the MOU
5. Collect data and assess the effectiveness of the MOU
6. Cooperate on seeking funding sources
7. Modify the MOU as appropriate

B. Problem-Solving Approach

1. Schools will make every reasonable effort to resolve school-based misconduct using appropriate classroom interventions, support services, and community strategies prior to implementing exclusionary discipline practices. To ensure equal treatment, teachers and administrators should use the Graduated Response Model, included as Appendix A to this MOU, to make informed decisions on consequences, interventions, and responses to particular types of misconduct. However, the decision for each student must be tailored to address the student's specific circumstances and needs and the need to ensure school safety.
2. At each level of intervention, the person handling the intervention should assess whether the student misconduct is due to academic, mental health, social issues, or overlapping issues.
3. When determining appropriate interventions and consequences, all relevant factors should be considered, including, but not limited to:
 - Age, health, risks, needs, and disability or special education status of the student
 - Intent, context, prior conduct, and record of behavior of the student
 - Previous interventions with the student
 - Student's willingness to repair the harm
 - Parents' willingness to address any identified issues
 - Seriousness of the incident and degree of harm caused
 - Effect on the educational environment by the student's continued presence in school
4. Race, ethnicity, gender, gender identity, sexual orientation, religion, and national origin of the student and / or family will not be considered when determining consequences for student misconduct.

C. Role of Law Enforcement at the School

1. Role of the School Resource Officer (SRO)

The role of the SRO is to maintain school safety. School administrators shall be responsible for handling school-based misconduct. School administrators work in conjunction with but shall not direct or request an SRO to take action regarding school-based misconduct.

2. Role of Non-SRO Law Enforcement Officers

Law enforcement officers who are not SROs should adhere to the following protocols when on school grounds in non-emergency circumstances:

- i. *Coordination with School Administrators* – Law enforcement shall endeavor to act through school administrators whenever they plan any activity on school grounds.
- ii. *Necessity of the Action* – Prior to entering a school to conduct an investigation, arrest or search, law enforcement officers should consider the necessity of such action based on the potential danger to persons; the likelihood of destruction of evidence or other property; the ability to conduct the investigation, arrest, or search elsewhere; and other factors relevant to law enforcement and public safety.
- iii. *Custody Protocols* – When taking a student into custody, if it will not jeopardize public safety, law enforcement officers should make reasonable efforts to avoid making arrests or taking students into custody on school premises. Whenever reasonably possible in light of safety concerns, students shall be taken into custody out of sight and sound of other students.

D. Responding to Student Misconduct

Students need to be held accountable for misconduct in order to learn from their mistakes, take responsibility for their actions, and reconnect to the school community. One of the most effective means of holding students accountable for their actions is providing them with support from school teachers and officials who interact with them daily. The appropriate response to school-based misconduct should be narrowly tailored using the Graduated Response Model for guidance.

1. Graduated Response Model

Each school shall implement the school-based Graduated Response Model included in Appendix A. Schools that utilize programs such as Positive Behavioral Intervention and Supports (PBIS) may already have a Graduated Response Model in place. The purpose of the Graduated Response Model is to ensure that all appropriate interventions, including positive interventions, have been pursued for every student before application of exclusionary discipline practices.

The Graduated Response Model includes a multi-tiered system of supports designed to help professionals at each level of intervention understand the options available to address the misconduct. Levels of intervention include classroom intervention, school administration intervention, school-based team intervention and law enforcement intervention, as described below.

- i. *Classroom Intervention* – The teacher will manage classroom intervention for behaviors that are passive and non-threatening, such as dress code violations and violations of minor classroom rules. As detailed in Appendix A, classroom intervention options might include redirection, re-teaching, school climate initiatives, modifying seating arrangements, and initiating parental contact. SROs should not be involved at this level.
- ii. *School Administration Intervention* – School administrators will manage intervention to address more serious or repetitive behaviors and behaviors that occur in school but outside of the classroom. Examples of behaviors at this level include repetitive patterns, defacing school property, truancy, threats not involving personal injury, and other minor school-based misconduct. As detailed in Appendix A, administration intervention options might include, but are not limited to, time in the office, in-school suspension, redirection, after-school detention, loss of privileges, reparations, or parent conferences. Referral to appropriate school or social services may be justified. SROs should not be involved at this level.
- iii. *School-Based Team Intervention* – The school administrator will work with a school-based team when the behavior and needs of the student warrant an assessment process and intervention using school and community services. The team should include individuals knowledgeable about the student, including one or more teachers, administrators, support personnel, and when appropriate, family members or guardians, the student, and community partners. Assessment and service intervention options should include any classroom or school administration interventions and might include referral to a community service or community-based program, in-school suspension, out-of-school suspension, expulsion, or referral to court. SROs may be involved as part of the school-based team.
- iv. *Law Enforcement Intervention* – When violations of criminal law occur, the school administrator shall notify law enforcement, including the SRO. Because this intervention is managed by law enforcement, behaviors at this level must be violations of criminal law. However, involvement of law enforcement does not necessarily mean referral to juvenile court or initiation of criminal proceedings. Law enforcement options include verbal warning; written warning; conference with the student, parents, teachers and/or others; teen court; referral to community agencies; community service; criminal charges; and/or juvenile charges.

E. Determining Appropriate Levels of Intervention

1. School-Based Misconduct

If a student engages in school-based misconduct, the school administrator and his or her designee(s) will be the primary sources of intervention and determination of disciplinary consequences. In addition, school officials should make every effort to connect students to school or community-based support services, such as counseling, mentoring, or extracurricular activities.

2. Criminal Law Violation

If a student commits an act that constitutes a violation of criminal law, law enforcement intervention shall occur. Law enforcement intervention does not mean that an arrest and/or court referral is necessary. If the behavior does not involve a threat to school safety and can be appropriately addressed through a graduated response, the SRO shall use the Graduated Response Model, included in Appendix A, before filing a juvenile petition or initiating a criminal charge.

III. SPECIAL CONSIDERATIONS

A. Exigent Circumstances

Situations may arise that warrant removal of a student from public school property to maintain the safety of other students and school staff or to prevent or stop disruptions to the learning environment. In such circumstances, the administrator shall utilize the least restrictive measures appropriate to the circumstances to remove a student from public school property beginning with contact of the parent(s) or guardian(s) to retrieve the child. If the student refuses to comply with the administrator's direction to leave the school property, the SRO shall be notified.

B. Special Education Prerequisites

A juvenile petition or criminal process should not be filed against a student with an Individualized Education Program (IEP) without first considering the student's IEP and determining what actions are required under the IEP to remedy the behavior or if the IEP should be modified to assess the behavior giving rise to the conduct. If the SRO believes that a juvenile petition or criminal process is appropriate and the student has an IEP, the SRO should notify the appropriate school administrator.

C. Bullying

Student actions that involve bullying should be handled in accordance with existing policies of the XYZ County Schools regarding bullying, consistent with the Safe Schools Act, and as provided by law.

D. Diversion

SROs may, in their discretion, utilize Teen Court as a diversion option even though a case could be referred to court. SROs must contact the Teen Court Coordinator for approval.

E. Treatment of Elementary Age Students

Exclusionary discipline practices should not be applied to elementary students. Misconduct by such students should be dealt with outside of this MOU with age-appropriate interventions.

F. Parents, Guardians, and Private Service Providers

Parties to this MOU encourage parents, guardians, and private service providers to involve schools in a student's treatment. Wrap-around services (when multiple providers and professionals from various disciplines work together to address a student and his or her family's needs) are more effective when all of the professionals and service providers that work with a student share relevant information.

G. Suicide, Child Abuse, and Self-Injurious Behavior

If a student expresses suicidal thoughts or there is evidence or reports of child abuse, neglect or self-injurious behavior, those incidents should be reported immediately in accordance with XYZ County Schools Policy and North Carolina state law.

IV. Training

The parties will ensure that appropriate members of their respective agencies, especially those directly interacting with students and making discipline or charging decisions, are trained in the content and implementation of this MOU within three months of its signing. Training and implementation for existing parties should be an ongoing process and any new officers, employees, agents, representatives, contractors, or subcontractors whose work relates to this MOU should be trained as they are hired.

V. Data Collection, Data Sharing, and Progress Monitoring

A. Data Collection

The parties agree that they will provide baseline data for comparison purposes and regularly collect, share, monitor, and report data resulting from the implementation of this MOU. No identifying data should be included in the reports to protect student privacy and confidentiality.

The following data shall be collected to assess the effectiveness of this MOU:

- For each school-based disciplinary incident that occurs:
 - Type of offense
 - Date of offense
 - School intervention (e.g., parent conference, in-school suspension, out-of-school suspension) (can be multiple responses)
 - Name of school personnel involved
 - If suspended, length of suspension
 - Law enforcement intervention, if any (e.g., search or seizure, use of force, questioning, diversion, court referral, detention) (can be multiple responses)
 - Name of officer(s) involved
 - If referred to court, offense for which student was charged
 - If referred to court, outcome of referral (e.g., diversion plan, dismissal, adjudicated/convicted)
 - If diverted to service, service type (e.g., Teen Court, School-Based Diversion Program, mediation program, community service, mental health referral)
 - Student demographics (gender, race/ethnicity, age, grade, school, disability status, limited English proficiency status)

These data elements are necessary for evaluation, but the parties should strongly consider collecting additional data in order to fully evaluate the effectiveness of the MOU. For example, student success measures (e.g. attendance, academic performance, past offenses, future offenses) can be tracked to help determine the effectiveness of the school's response to student misconduct. The parties also can examine the effectiveness of various graduated responses to inform future modifications to the MOU.

B. Data Sharing

On a regular basis that should not exceed one month, any agency (school, law enforcement, social services, mental health, or other services) that refers a student to another agency should request follow-up information to determine what actions have occurred. Information sharing agreements (Mutual Exchange of Information Form) should be requested from the parents so private agencies can also share information with the schools. Regular follow-up and data sharing is required for monitoring of individual student progress and determination of service needs.

For comparison purposes, the parties agree to retrieve the above data for a year prior to the signing of the MOU and quarterly after the signing of the MOU.

C. FERPA Compliance

The SRO may have access to confidential student records or to any personally identifiable information of any student as defined in 34 CFR 99.3 to the extent allowed under the Family Educational Rights and Privacy Act (FERPA). SROs and other law enforcement officers shall have

access to confidential student records or personally identifiable information in those records when conducting a criminal investigation or otherwise when carrying out their duty to maintain school safety. School officials may share relevant confidential student records and personally identifiable information contained in those records with SROs or other law enforcement officers under either of the following circumstances:

- 1) The SRO has a *Consent for Release of Information* from a parent or eligible student to review the records or information in question.
- 2) The Principal or designee reasonably determines that disclosure to the SRO or other law enforcement officer without the *Consent for Release of Information* is necessary in light of an articulable and significant threat to one or more person's health or safety.

D. Progress Monitoring

The parties agree to establish a Progress Monitoring Team composed of designees from each signatory to this MOU. On a regular basis and at least quarterly, the parties agree that the Progress Monitoring Team will meet to provide oversight of the MOU and review relevant data and analysis. Each year the Progress Monitoring Team will determine if changes to their memberships would be beneficial. At least annually, the Team will prepare a report of activities and make recommendations for improvements to the MOU and/or its implementation.

VI. Duration and Modification of Agreement

This MOU shall become effective MONTH DAY, 2019 and shall remain in full force and effect until modified by agreement of the parties hereto. However, nothing shall preclude a party from withdrawing from the Agreement in that party's discretion.

In witness whereof, the parties hereto, intending to cooperate with one another, have set their signatures to this document on this day.

In witness whereof, the parties hereto, intending to cooperate with one another, have set their signatures to this document on this day.

NAME, Chairman, County Board of Education

Date

NAME, Superintendent, XX County Schools

Date

| | |
|-------------------------------------------------------------------------------|---------------|
| _____ NAME, Chief District Court Judge, XX Judicial District | _____ Date |
| _____ NAME, Prosecutor, XX Judicial District | _____ Date |
| _____ NAME, Sheriff, XYZ County | _____ Date |
| _____ NAME, Chief of Police, City A | _____ Date |
| _____ NAME, Chief of Police, City B | _____ Date |
| _____ NAME, Chief of Police, City C | _____ Date |
| _____ NAME, Chief Court Counselor, X District, Department of Public Safety | _____ Date |
| _____ NAME, Director, XYZ County DSS | _____ Date |
| _____ NAME, CEO, Organization | _____ Date |

SAMPLE GRADUATED RESPONSE MODEL

| | TYPES OF BEHAVIOR | INTERVENTION OPTIONS |
|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Teacher / Classroom or School Interventions | <ul style="list-style-type: none"> • Dress code violations • Isolated and minor acts of disobeying classroom behavioral expectations • Not meeting academic expectations • Late to class • Refusing to do work | <ul style="list-style-type: none"> • Redirection • Journaling / reflection • Re-teaching, tutoring, differentiation • Modifying seating arrangements • Contacting parents • School climate initiatives: involvement with school wide interventions • Referral to appropriate support personnel: school counselor, social worker, graduation coach, nurse, school psychologist+ |
| Administrator / School or District Interventions | <ul style="list-style-type: none"> • Repeated behavior expectations violations • Truancy • Late to school • Fighting • Sexting/social media (other than communicating threats) | <ul style="list-style-type: none"> • Referral to appropriate support personnel+ • In-school suspension with academic support and social skills training • Targeted interventions such as Why Try, STAE, Mind Up, Rape Crisis program, ABE Alternative Education Modules • School Service Learning • If no improvement refer to School Based Team |
| Student-Based Team / District or Community Interventions | <ul style="list-style-type: none"> • Repeated school rule violations • Failure in classes • Difficulty with behavior in multiple school settings • Excessive absenteeism | <ul style="list-style-type: none"> • Using the problem solving method (PSM) to determine best approach to help student • Functional Behavioral Assessment (FBA) with Behavior Intervention Plan (BIP) • Family Involvement Team and plan (FIT) • Response to Instruction (RTI) referral for academic and/or behavioral supports, Personal Education Plans (PEP) • McKinney–Vento considerations (homelessness) • Referral to targeted or intensive interventions • Out of school suspension should be avoided when possible and not used for absenteeism or tardiness |
| Law Enforcement Interventions | <ul style="list-style-type: none"> • Weapons • Drugs • Battery • Communicating threats | <ul style="list-style-type: none"> • Teen Court • Community service • Court System as last resort |

+ This list is not exhaustive. Referral to appropriate support personnel: School counselor, social worker, graduation coach, nurse, school psychologist. At times, other personnel such as speech language pathologists or occupational therapists may be important resources for children. Some schools additionally house non-profit support personnel. Examples include Communities in Schools site coordinators and physical and mental health counselors.

APPENDIX
ATTACHMENT B

NCAOC
POLICY ON
SCHOOL JUSTICE
PARTNERSHIPS



POLICY ON SCHOOL JUSTICE PARTNERSHIPS AND THE ROLE OF CHIEF DISTRICT COURT JUDGES AS CONVENERS

A U G U S T 1 , 2 0 1 9

- PURPOSE.** The purpose of this policy is to comply with S.L. 2017-57 § 16D.4.(aa) (“Juvenile Justice Reinvestment Act”), which became effective July 1, 2017, and requires the director of the North Carolina Administrative Office of the Courts (NCAOC) to “[p]rescribe policies and procedures for chief district court judges to establish school justice partnerships with local law enforcement agencies, local boards of education, and local school administrative units with the goal of reducing in-school arrests, out-of-school suspensions, and expulsions.”
- THE ROLE OF CHIEF DISTRICT COURT JUDGES AS “CONVENERS.”** School justice partnerships (SJPs) are judicially led multi-agency collaborative teams that establish specific guidelines for school discipline in a way that minimizes suspensions, expulsions, and school-based referrals to court for minor misconduct. SJPs reduce the number of suspensions, expulsions, and school-based referrals to the justice system by timely and constructively addressing student misconduct when and where it happens, helping students succeed in school and preventing negative outcomes for both youth and their communities.

Judicial leadership is a key component of the successful implementation of an SJP. Therefore, it is the policy of the NCAOC that chief district court judges will use their authority as “conveners” to bring key stakeholders together within their local communities to develop and implement an SJP Memorandum of Understanding.

- SCHOOL JUSTICE PARTNERSHIP TOOLKIT AND ADMINISTRATIVE SUPPORT.** In order to assist chief district court judges in their role as conveners, the NCAOC will provide an SJP Toolkit, which contains a step-by-step guide for developing and implementing an SJP Memorandum of Understanding, along with tools, such as templates, a sample project timeline and meeting agenda, contacts for administrative and expert support, and decision-making flowcharts to walk SJP team members through every key issue that must be addressed. The Toolkit explains the key components of an SJP Memorandum of Understanding, which include:
 - Defining the role of law enforcement in schools;
 - Developing a system of Graduated Responses for school-based misconduct; and
 - Determining how the SJP team will ensure Quality Control.

The NCAOC also will provide administrative support to help facilitate communication among local SJP stakeholders.

APPROVED: _____

McKinley Wooten, Jr.

MCKINLEY WOOTEN JR., INTERIM DIRECTOR
NORTH CAROLINA ADMINISTRATIVE OFFICE OF THE COURTS

DATE: _____

08/01/2019



APPENDIX
ATTACHMENT C

SAMPLE SCHOOL
DATA SHEET

APPENDIX
ATTACHMENT D

SAMPLE SJP
MEMBERS AND
ADVISORS
CONTACT SHEET

APPENDIX
ATTACHMENT E

SAMPLE AGENDA
FOR KICKOFF
MEETING /
GENERAL

&

SAMPLE AGENDA
FOR KICKOFF
MEETING /
ANNOTATED

MEETING AGENDA
XYZ COUNTY
MONTH DAY, YEAR

WELCOME / INTRODUCTIONS

3:00 – 3:20 P.M.

- [NAME OF CONVENER]
[TITLE]

VIDEO: SCHOOL JUSTICE PARTNERSHIPS — AN INTRODUCTION

3:20 – 3:30 P.M.

- NORTH CAROLINA ADMINISTRATIVE OFFICE OF THE COURTS (NCAOC)

WHY WE ARE HERE

3:30 – 4:30 P.M.

- JUDGE J.H. CORPENING, JUDGE ELIZABETH HEATH, JUDGE ELIZABETH TROSCH,
OR LATOYA POWELL
[TITLE]

WRAP UP / NEXT STEPS

4:30 – 5:00 P.M.

-
-

ADJOURN

5:00 P.M.

ABOUT SCHOOL JUSTICE PARTNERSHIP // NORTH CAROLINA

The School Justice Partnership (SJP) is a group of community stakeholders from schools, law enforcement, and the court system who develop and implement effective strategies to address student misconduct. SJPs work to reduce the number of suspensions, expulsions, and referrals to the justice system by timely and constructively addressing student misconduct when and where it happens, helping students succeed in school and preventing negative outcomes for both youth and their communities. To learn more about School Justice Partnership North Carolina, visit [SJP.nccourts.gov](https://sjp.nccourts.gov).

MEETING AGENDA
XYZ COUNTY
MONTH DAY, YEAR

WELCOME / INTRODUCTIONS

3:00 – 3:20 P.M.

- [NAME OF CONVENER]
[TITLE]
 - Introduce yourself and describe your role as convener
 - Have all attendees introduce themselves and their roles

VIDEO: SCHOOL JUSTICE PARTNERSHIPS — AN INTRODUCTION

3:20 – 3:30 P.M.

- NORTH CAROLINA ADMINISTRATIVE OFFICE OF THE COURTS (NCAOC)
 - NCAOC is developing a short video featuring stakeholders of the New Hanover County SJP to provide an example of a successful SJP model.

WHY WE ARE HERE

3:30 – 4:30 P.M.

- JUDGE J.H. CORPENING, JUDGE ELIZABETH HEATH, JUDGE ELIZABETH TROSCH,
OR LATOYA POWELL
[TITLE]
 - The overall goal of this session is to identify reasons why the participants have been called together and why they need to work across systems (court, school, etc.) to meet the needs of youth in the community.
 - This segment will address: (1) positive outcomes associated with reducing exclusionary discipline practices and replacing that strategy with a graduated response model; and (2) research and evidence showing that SJPs reduce use of exclusionary discipline practices and are positive for students, schools, and the community.
 - This should be an engaged session in which participants can ask questions.

WRAP UP / NEXT STEPS

4:30 – 5:00 P.M.

- Ask for suggestions regarding any additional stakeholders that need to be on the SJP team or serve as advisors to it.
- Preview the process, explain expected deliverable (SJP Memorandum of Understanding), and what will happen at the next meeting.
- Ask members to approve or modify the draft timeline that you previously created with the Team Leader.
- Set a date and time for the next meeting.

APPENDIX
ATTACHMENT F

SAMPLE
INVITATION
TO KICKOFF
MEETING

I N V I T A T I O N
KICKOFF MEETING

TO: NAME
DATE: MONTH DAY, YEAR
SUBJECT: SCHOOL JUSTICE PARTNERSHIP FOR XYZ COUNTY
STRATEGIC PLANNING MEETING // ESSENTIAL PARTNERS

You are cordially invited to a strategic planning meeting relating to the development of a School Justice Partnership (SJP) designed to keep XYZ County kids in school and out of court. The SJP is a group of community stakeholders — including school administrators, the law enforcement community, court system actors, juvenile justice personnel, and others — that will develop and implement effective strategies to reduce law enforcement intervention in school-based misconduct.

Currently, many student misconduct issues are addressed through exclusionary discipline practices such as suspension, expulsion, and referrals to the justice system. But research shows that these responses are harmful and counterproductive. Our objective is to provide a mechanism to constructively address student misconduct when and where it happens, helping students succeed in school and preventing negative outcomes for both our youth and the XYZ County community as a whole.

- **MEETING DATE:**
- **TIME:**
- **LOCATION:**
- **ROOM:**

If you want to learn more about school justice partnerships prior to the meeting, the [School Pathways to the Juvenile Justice System Project: A Practice Guide](#) is a great starting point. In addition, a copy of a model **Memorandum of Understanding (MOU)** is attached for your reference so that you can familiarize yourself with the concept of an SJP prior to the meeting.

Jane Doe has agreed to act as the facilitator for the meeting, and will help ensure that all community partners are heard. You are an essential community partner, and we look forward to having your input and perspective help to build the foundation for an effective School Justice Partnership in XYZ County.

Please RSVP to [NAME] by calling XXX-XXX-XXXX or emailing [EMAIL ADDRESS] by no later than [MONTH DAY, YEAR]. You may direct any questions to SJP@nccourts.org.

Best regards.

NOTE: INCLUDE A LIST OF ALL INVITED PARTICIPANTS AS AN ATTACHMENT.

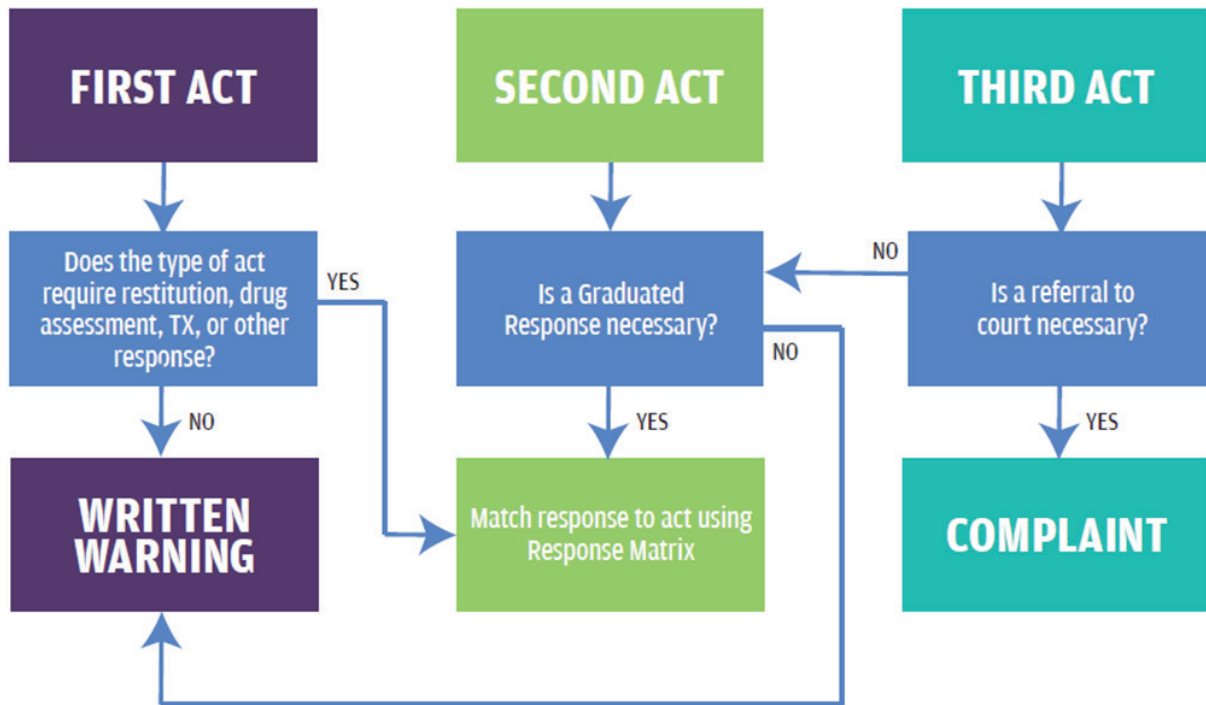
APPENDIX
ATTACHMENT G

SAMPLE
GRADUATED
RESPONSE
DECISION TREE

GRADUATED RESPONSE DECISION TREE

GRADUATED RESPONSE DECISION TREE

Best practice requires that a response process engage the decision-maker at every decision point to ask what response can be narrowly tailored (least restrictive) to achieve the desired outcome (modify behavior)



APPENDIX
ATTACHMENT H

SAMPLE DATA
COLLECTION
PLAN

APPENDIX
ATTACHMENT I

SAMPLE MEDIA
ADVISORY

&

SAMPLE PRESS
RELEASE FOR
SIGNING
CEREMONY

MEDIA ADVISORY

FOR IMMEDIATE RELEASE

Month Day, Year

SCHOOL JUSTICE PARTNERSHIP LAUNCHES FOR STUDENTS IN XYZ COUNTY

PROGRAM TO FOCUS ON KEEPING KIDS IN SCHOOL AND OUT OF COURT

CITY / TOWN NAME — Local court, school, law enforcement, juvenile justice, and county officials will launch the School Justice Partnership (SJP) in a signing ceremony on [DATE]. The SJP aims to keep kids in school and out of court by reducing law enforcement involvement in minor misconduct at schools.

WHO

XYZ County court, school, law enforcement, and county officials, along with representatives from the Executive and Judicial branches of North Carolina state government and other community leaders

WHEN

[Weekday, Month Day, Year, at [Time] a.m.]

Press is invited to attend and should arrive 15 minutes prior to the start time.

WHERE

[Location, Street Address, Floor, Room]

MORE INFORMATION

The School Justice Partnership (SJP) is a group of community stakeholders from schools, law enforcement, and the court system who develop and implement effective strategies to address student misconduct. SJPs work to reduce the number of suspensions, expulsions, and referrals to the justice system by timely and constructively addressing student misconduct when and where it happens, helping students succeed in school and preventing negative outcomes for both youth and their communities. To learn more about School Justice Partnership North Carolina, visit SJP.nccourts.gov.

###

Media Contacts

Name of Contact – O XXX-XXX-XXXX | M XXX-XXX-XXXX | [email address]

Name of Contact – O XXX-XXX-XXXX | M XXX-XXX-XXXX | [email address]



FOR IMMEDIATE RELEASE

Month Day, Year

XYZ COUNTY STAKEHOLDERS LAUNCH SCHOOL JUSTICE PARTNERSHIP

SJP WILL KEEP KIDS IN SCHOOL AND OUT OF COURT

CITY / TOWN NAME — Judge [Insert Name], Sheriff [Insert Name], and Superintendent [Insert Name] joined local community leaders today to announce the launch of the **XYZ** County School Justice Partnership (SJP). The SJP aims to keep kids in school and out of court by reducing law enforcement involvement in minor misconduct at schools.

“School-based referrals consistently make up almost half of the referrals to the juvenile justice system,” says Judge [NAME]. “However, most student misconduct is best addressed through classroom, in-school, family, and community strategies, and by maintaining a positive climate within the school rather than involvement of the justice system.”

The SJP is a group of community stakeholders — including school administrators, the law enforcement community, court system actors, juvenile justice personnel, and others — that will develop and implement effective strategies to address student misconduct. Currently, many students are suspended, expelled, and referred to court for minor misconduct which produces harmful outcomes for youth and their communities. Students who are suspended and expelled are more likely to repeat a grade, drop out of school, and engage in higher levels of disruptive behavior. A single suspension also triples the likelihood that a student will enter the juvenile justice system. These negative outcomes disproportionately impact certain students, including youth of color and students with disabilities, who are more likely to be suspended, expelled, and referred to court than their peers.

There is evidence that SJPs produce better outcomes for students than referrals to court. Judge Steven Teske’s program in Clayton County, Georgia, known as the “Clayton County School Referral Reduction Protocol,” resulted in a 83 percent decrease in referrals to juvenile court, a 43 percent decrease in referrals of youth of color to juvenile court, and a 24 percent increase in graduation rates. Similar programs in Texas and Connecticut also have experienced positive results. In North Carolina, New Hanover County’s SJP resulted in a 47 percent decrease in referrals to the juvenile justice system in its first year. New Hanover County also is among the top eleven counties in the State with the largest decrease in school-based referrals to juvenile court. The **XYZ** County SJP hopes to produce similar outcomes for youth in this community.

MORE INFORMATION

The School Justice Partnership (SJP) is a group of community stakeholders from schools, law enforcement, and the court system who develop and implement effective strategies to address student misconduct. SJPs work to reduce the number of suspensions, expulsions, and referrals to the justice system by timely and constructively addressing student misconduct when and where it happens, helping students succeed in school and preventing negative outcomes for both youth and their communities. To learn more about School Justice Partnership North Carolina, visit SJP.nccourts.gov.

###

Media Contacts

Name of Contact – O XXX-XXX-XXXX | M XXX-XXX-XXXX | [email address]

APPENDIX
ATTACHMENT J

SAMPLE
TRAINING
SCHEDULE

“

THE ULTIMATE
MEASURE OF
A MAN IS NOT
WHERE HE STANDS
IN MOMENTS OF
COMFORT, BUT
WHERE HE STANDS
AT TIMES OF
CHALLENGE AND
CONTROVERSY.

— MARTIN LUTHER KING, JR.



SJP.NCCOURTS.GOV



AUGUST 2019 // TOOLKIT
SJP.NCCOURTS.GOV



SCHOOL JUSTICE PARTNERSHIP
NORTH CAROLINA ADMINISTRATIVE
OFFICE OF THE COURTS
PO BOX 2448
RALEIGH, NC 27602
SJP.NCCOURTS.GOV

The School Justice Partnership North Carolina (SJP) program is managed by the North Carolina Judicial Branch's Administrative Office of the Courts. To learn more about SJP, visit SJP.nccourts.gov or call 919-890-2468.



School Justice
Partnership
NORTH CAROLINA