JOHN K. GREENLEE
CHIEF DISTRICT COURT JUDGE
JUDICIAL DISTRICT 27A
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December 12, 2019

I would like to thank everyone for entering into this School-Justice Partnership Memorandum of Understanding. We certainly all want to maintain a safe school environment that benefits all students in Gaston County and responds effectively and appropriately to the student's needs.

In 2020 I will be convening a meeting of all the partners to discuss any issues related to school misconduct and policies and procedures. We should all have an ongoing open dialog to ensure our practices encourage a school environment that is conducive to learning and safety. I look forward to meeting with you all in the future.

Thanks again for your partnership.

Best Regards,

John K. Greenlee
Chief District Court Judge
Gaston County/27A

19. K. 517

SCHOOL-JUSTICE PARTNERSHIP
27A JUDICIAL DISTRICT
38 PROSECUTORIAL DISTRICT

THIS SCHOOL-JUSTICE PARTNERSHIP (the "Partnership") is a partnership, by and between, the following Parties:

1. The GASTON COUNTY BOARD OF EDUCATION, ("the Board");

2. The SHERIFF OF GASTON COUNTY and the CHIEFS of the various POLICE DEPARTMENTS located within GASTON COUNTY (collectively "Law Enforcement Agencies");

3. The DISTRICT COURT of the 27A JUDICIAL DISTRICT ("the Court");

4. The DISTRICT ATTORNEY'S OFFICE of the 38 PROSECUTORIAL DISTRICT ("the Prosecutor"); and

5. The NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, specifically the Juvenile Court Counselors working in the 27A Judicial District ("the Counselors"), (the Court, Prosecutor and Counselors collectively referred to as the "Judicial Agencies").

WHEREAS, the Board has a duty to create and maintain a safe and orderly school environment conducive to learning;

WHEREAS, removal of students from school, while sometimes necessary, can exacerbate behavioral problems, diminish academic achievement, and increase school dropout;

WHEREAS, the Board and its employees have the primary responsibility for maintaining order in the school environment and for investigating and responding to school disciplinary matters;

WHEREAS, the duty of Law Enforcement Agencies is to respond to and investigate imminent safety threats, uphold the law, and serve the population they are charged with protecting;

WHEREAS, the efficient use of judicial resources is desirable, and the jurisdiction of the Judicial Agencies does not extend to initial decisions of school personnel in disciplinary matters;

WHEREAS, the Board and Law Enforcement Agencies regularly partner together to meet their shared responsibility to create a safe school environment for all students;

WHEREAS, the Board and the Law Enforcement Agencies aim to respond to student behavior consistently and within the bounds of their respective legal duties and responsibilities;

WHEREAS, some minor, non-emergency disruptive behavior of students at school and school-related events are adequately and effectively addressed through classroom, in-school, family, and community strategies and by maintaining a positive climate within schools rather than by exclusionary discipline practices or referral to Law Enforcement Agencies;

WHEREAS, juvenile criminal charges for some less serious offenses may be appropriately diverted to alternative, non-criminal remedies within the Judicial Agencies, depending on the unique circumstances of each instance;

WHEREAS, clarifying the responsibilities and distinct roles of the Board, the Law Enforcement Agencies, and the Judicial Agencies in responding to school-based misconduct is in the best interest of the students, the school system, law enforcement, and the community;

WHEREAS, in light of the negative impact exclusionary discipline practices and referrals to the justice system can have on students, engaging in an ongoing dialogue aimed at identifying effective strategies that reasonably can be implemented within available resources to reduce the number of student suspensions, expulsions, and referrals to the justice system while preserving safety and order within the schools is in the interest of all Parties to this Partnership.

BASED ON THE ABOVE PREMISES, and in a collective effort to provide better outcomes for students, the Parties support and declare the following principles, best practices, and goals for the management of school-based misconduct:

A. The General Assembly has established a State policy and statutory framework for school discipline in Chapter 115C, Art. 27 that balances the duty of schools to maintain a safe and productive learning environment with the interest of students in avoiding the negative effects of exclusion from school.

B. The statutory framework vests the Board with the duty, responsibility, and authority to establish procedures for school discipline.

C. The statutory framework (1) prohibits local Board from imposing mandatory long-term suspensions or expulsions for specific misconduct unless otherwise provided by law ("zero tolerance policies"); (2) restricts the availability of long-term suspension and expulsion to serious instances of student misconduct that either pose a safety threat

or a threat of substantial disruption to the educational environment; (3) allows for consideration of mitigating or aggravating factors when considering an exclusionary disciplinary consequence; (4) encourages the use of a full range of responses to misconduct, including a variety of tools that do not remove a student from school; and (5) allows schools to consider the availability of resources in providing services to students who are subject to long-term suspension from school.

D. The Board, the Law Enforcement Agencies, and the Judicial Agencies have a shared interest in reducing the number of student suspensions, expulsions, and referrals to the justice system by timely and constructively addressing school-based misconduct when and where it happens, helping students succeed in school, and preventing negative outcomes for both youth and their communities.

E. Consistent with State policy and the statutory framework for school discipline established by the General Assembly, students should be held accountable for their misconduct using a system of disciplinary consequences that takes into consideration the nature, severity, and frequency of the behavior.

F. Responses to school-based misconduct should be reasonable, consistent, and fair with appropriate consideration of both aggravating and mitigating factors such as the student's age, intent, and academic and disciplinary history; the nature and severity of the incident; whether a weapon was involved, or injury occurred; and the misconduct's impact on the school environment.

G. The Board is encouraged to use a full range of responses and interventions to violations of disciplinary rules, such as conferences, counseling, peer mediation, behavior contracts, instruction in conflict resolution and anger management, detention, academic interventions, community service, restorative justice approaches and other similar tools that do not remove a student from the classroom or school building.

H. Minor school-based misconduct that does not pose a safety threat or threat of substantial disruption to the educational environment often can be appropriately addressed through a range of interventions and strategies and do not require the intervention or assistance of Law Enforcement Agencies or referral to Judicial Agencies.

I. More serious school-based misconduct that threatens the safety of students, staff, or school visitors, or that threatens to substantially

disrupt the educational environment may appropriately lead to the involvement of law enforcement and the Judicial Agencies, and for certain alleged criminal acts, such involvement may be required by law.

J. Ongoing institutional dialogue between the Parties is essential to support efforts to establish and maintain a safe, inclusive, and positive learning environment for all students and educators.

K. The use of evidence-based and evidence-informed alternatives that are effective in reducing the use of exclusionary discipline and referrals to law enforcement are encouraged as a first response to incidents of minor school-based misconduct.

L. The Board, the Law Enforcement Agencies, and the Judicial Agencies will endeavor to work together to identify metrics and collect information to be shared with the District SJP with the goal of implementing evidence based or evidence informed practices.

M. The relationship between a local board of education and its local law enforcement agencies is generally addressed in a memorandum of understanding that establishes the responsibilities and distinct roles of school and law enforcement officials, including School Resource Officers. Nothing in this Partnership shall be read or construed as altering or superseding the rights and responsibilities of either party in any prior agreement related, including a school resource officer Memorandum of Understanding.

In furtherance of the principles, best practices and goals set forth above:

1. The Parties hereby form a School-Justice Partnership ("District SJP") within the 27A Judicial District/38 Prosecutorial District, that examines data, considers existing practices and relevant objective research, and recommends effective evidence-based and evidence-informed strategies that can be implemented within available resources to address student misconduct for the purpose of providing a safe, inclusive and positive learning environment in the school and community.

2. The Parties are encouraged to form local School-Justice Partnerships at the county level ("Local SJP's"). The Local SJP's should include representatives from the county Board of Education, the Sheriff's Office, County, City and Town law enforcement agencies located within the County, representatives from the Judicial Agencies, and other stakeholders as deemed appropriate by

the Local SJP's, including but not limited to representatives from mental health agencies and the County Department of Social Services.

3. The purpose of the District SJP and local SJP's is to create a positive, relationship-based culture that is supportive of all members of the school system and the community in their efforts to reduce the number of suspensions, expulsions, and referrals to the justice system while maintaining school safety and order.

4. In an effort to achieve the District SJP's purpose, the Parties commit to engaging in a regular and ongoing institutional dialogue, at least annually, about how to leverage existing and potential resources to collaboratively respond to school-based misconduct in ways that maintain school safety and order while reducing suspensions, expulsions, and referrals to the justice system, including consideration of alternative disciplinary measures, in-school interventions, diversion programs, graduated response models, community-based support services, and/or other evidence-based or evidence-informed practices.

5. Local SJP's are encouraged to meet on a regular basis, as determined by each local SJP's members.

6. In addition to the meetings of the District and Local SJP's, employees for the Board, the Counselors and Law Enforcement Agencies are encouraged to work together informally, to the extent allowed by law, to discuss and manage individual student matters in order to implement the appropriate responses and interventions for students who have engaged in misconduct.

7. This Partnership shall not limit or be construed to limit the legal rights and duties of the Parties to carry out their duties under the law to address misconduct, ensure public safety, and ensure the well-being of students in this community.

8. This is the full expression of the Parties' collective goal of reducing suspensions, expulsions, and referrals to the justice system and is not intended to bind the parties, impose legal obligations on the parties, or create legal liability for any actions or omissions made pursuant to this Partnership. Nothing in this Partnership shall create or be construed to create a cause of action thereunder against any Party arising from solely from their handling of school discipline or juvenile delinquency.

The Honorable John K. Greenlee
Chief District Court Judge, 27A Judicial District

12-2-19
Date

R. Locke Bell
District Attorney, 38 Prosecutorial District

12-2-19
Date

Brent Moore
Chair, Gaston County Board of Education

11-26-19
Date

W. Jeffrey Booker, Ed.D
Superintendent, Gaston County Schools

11-26-19
Date

Alan Cloninger
Sheriff, Gaston County

10-11-19
Date

Carol McManus
Chief Court Counselor of the
27A Judicial District
Department of Public Safety

12/2/2019
Date

Chad Hawkins
Chief of Police, City of Belmont

11/18/2019
Date

Tom Ellis
Chief of Police, City of Bessemer City

11/25/2019
Date

Cam Jenks
Chief of Police, City of Cherryville

11-14-19
Date

Brad Adams
Chief of Police, Town of Cramerton

11-18-19
Date

Allen Scott
Chief of Police, Town of Dallas

11/19/19
Date

Joseph Ramey
Chief of Police, Gaston County

11-18-19
Date

{SJP}

Robert Helton
Chief of Police, City of Gastonia

11-13-19
Date

Scott Bates
Chief of Police, City of Lowell

11/21/19
Date

Don Roper
Chief of Police, City of Mount Holly

11-21-19
Date

Tim Anderson
Chief of Police, Town of Ranlo

11/18/2019
Date

Derek Summey
Chief of Police, Town of Stanley

11/19/2019
Date

{SJP}